

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Review of the Minimum)	
Gas Service Standards in Ohio Adm.Code)	Case No. 22-809-GA-ORD
Chapter 4901:1-13)	

**REPLY COMMENTS
OF
THE RETAIL ENERGY SUPPLY ASSOCIATION**

I. Introduction

The Retail Energy Supply Association (“RESA”)¹ responds to several comments and proposals raised in the initial comments filed by the Office of the Ohio Consumers’ Counsel (“OCC”) and The East Ohio Gas Company d/b/a Dominion Energy Ohio (“Dominion”) in this proceeding. RESA concurs with certain recommendations filed by OCC and Dominion to not adopt revisions to Rules 4901:1-13-10(I)(2), -11(B), -12(D)(3) and -14(E) because they are not necessary for reducing regulatory restrictions, will not add clarity and/or could cause confusion. RESA, however, strongly disagrees with OCC’s proposals for the Public Utilities Commission of Ohio (the “Commission”) to add multiple new regulatory restrictions as minimum natural gas service standards – specifically, mandated shadow billing, web-based notifications and functionalities related to the eligible customer lists, and switching blocks as part of Rules 4901:1-13-11(B), -12(F)(3) and -12(G) respectively. The Commission has rightly and repeatedly rejected shadow billing and switching blocks and should do so again here. OCC’s proposals related to the eligible-customer lists are also ill-advised and would be unfair, particularly compared to numerous

¹ The comments expressed in this filing represent the position of RESA as an organization but may not represent the views of any particular member of the Association. Founded in 1990, RESA is a broad and diverse group of retail energy suppliers dedicated to promoting efficient, sustainable and customer-oriented competitive retail energy markets. RESA members operate throughout the United States delivering value-added electricity and natural gas service at retail to residential, commercial and industrial energy customers. More information on RESA can be found at www.resausa.org.

other existing minimum standards. Relative to these three latter proposals, OCC appears to be trying to create hurdles and barriers that would substantially shrink the competitive retail natural gas markets in Ohio.² The purpose of this proceeding is to *reduce* regulatory restrictions, improve rule clarity and/or eliminate redundancy, yet OCC seeks to *increase* the number of regulatory restrictions by introducing three new standards that would directly impact the competitive market and its participants. That agenda is contrary to Ohio’s statutory policy on retail natural gas markets, and the Commission should reject such harmful rulemaking.

II. Background

R.C. § 121.951(A)(1), which became effective in June 2022, requires the Commission to reduce the total number of regulatory restrictions in the agency’s rules by amending or rescinding rules in stages over a specific time period. In addition, R.C. § 121.95(F) provides that the Commission may not adopt a new regulatory restriction unless it simultaneously removes two or more existing regulatory restrictions. The statute further provides that the requirement cannot be satisfied by merging two or more existing regulatory restrictions into a single surviving regulatory restriction. R.C. § 121.95(B) explains that regulatory restrictions require or prohibit an action, and that rules that include words such as “shall,” “must,” “require,” “shall not,” “may not,” and “prohibit” are considered to contain regulatory restrictions. To comply with these statutory requirements, the Commission presented Staff-proposed changes to the rules in Ohio Adm.Code Chapter 4901:1-13 in the Commission’s October 5, 2022 Entry in this proceeding. In addition, the Commission noted in its October 5, 2022 Entry that several proposed changes are intended to

² OCC admitted as much when it stated, “it’s time for the state to question, for consumer protection, whether the energy marketing experiment should continue in Ohio for residential consumers.” *See* OCC Reply at 7 (filed July 25, 2022) in *In the Matter of Direct Energy Services L.L.C.*, Case No. 22-583-GE-WVR.

improve clarity, eliminate redundancy with state and federal laws, better align language with the related statutory provisions, and correct typographical errors. Entry at ¶ 4.

III. Arguments

A. Rule 4901:1-13-10(I)(2): Dominion's recommendation to not revise the rule is reasonable.

Rule 4901:1-13-10(I)(2) addresses slamming complaints. Staff proposes to revise this rule as follows:

In the event that a customer was switched from a gas or natural gas company's regulated sales service ~~to a retail natural gas supplier or governmental aggregator~~ without authorization, the gas or natural gas company shall switch the customer back to the gas or natural gas company's regulated sales service without penalty.

Dominion recommended against the revision because the rule could be interpreted to prevent a transition from a regulated sales service unless the customer authorizes it, even though there can be circumstances for transitions from a regulated service – such as, to another regulated sales service. Dominion Initial Comments at 4. Like Dominion, RESA does not believe that the proposed revision relates to reducing regulatory restrictions or will improve clarity. Rather, the proposed revision materially changes the scope of the rule and mandates a switch back to the original regulated sales service in all circumstances even when a customer may be appropriately switched. RESA supports Dominion's suggestion that the revision not be made and that the rule remain as it is today.

B. Rule 4901:1-13-11(B): OCC's recommendation to not revise this long-standing rule is reasonable.

Rule 4901:1-13-11 addresses the gas and natural gas company bills to customers. Staff proposes to revise provision (B) as follows:

Bills issued by or for the gas or natural gas company shall be ~~accurate and rendered at monthly intervals and shall contain clear and understandable~~

~~form and language.~~ Each bill shall display all of the following information: * * *.

OCC recommended against the above revisions because the utility's bills to customers should be accurate and should provide information in clear and understandable language. OCC Initial Comments at 17-18. RESA does not believe that the proposed revisions to provision (B) are justified for several reasons. First, the deletion of "accurate and" does not relate to reducing regulatory restrictions, and none of these revisions for provision (B) improves rule clarity or eliminates rule redundancy. Second, the utilities regulated by the Commission should be issuing accurate bills that are clear and understandable. The Commission determined many years ago that accurate, clear and understandable bills is a *minimum* standard required of the gas and natural gas companies – dating back to when the first set of natural gas minimum standards were put into place. *See In the Matter of the Amendment of Chapter 4901:1-13, Ohio Administrative Code, to Establish Minimum Gas Service Standards*, Case No. 05-602-GA-ORD, Entry on Rehearing at Attachment page 22 (May 16, 2006). The Commission need not back away from that standard at this point. Nothing has been presented for justifying a reversal in the Commission's long-standing policy.

Third, adopting these proposed revisions would be inconsistent with the Commission's other minimum standards applicable to multiple utility industries. This is because accurate, clear and understandable bills is an existing minimum standard of multiple utility industries. For example, water utilities regulated by the Commission are required to issue accurate bills, and contain a host of information for the customers to understand their bills. *See Ohio Adm.Code 4901:1-15-23(A)*. Also, the telephone companies are required to issue accurate, clear and understandable bills. *See Ohio Adm.Code 4901:1-6-17*, which requires the customer bills to comply with federal law (47 C.F.R. § 62.2401) pursuant to which customer bills are to be accurate,

clear and conspicuous among other things. And, the electric utilities are required to issue accurate, clear and understandable bills too. *See* Ohio Adm.Code 4901:1-10-22(B). For these reasons, RESA supports OCC's suggestion that the revisions not be made and that Rule 4901:1-13-11(B) remain as it is today.

C. Rule 4901:1-13-11(B): OCC's proposed mandates for shadow billing bills, reports and messages should be rejected.

As noted above, Rule 4901:1-13-11(B) addresses the gas and natural gas company bills to customers. It currently requires that, as applicable, more than 29 pieces of information be included on the bills. Staff does not propose to include any additional items, but OCC does as follows:³

(B) * * * Each bill shall display all of the following information:

* * *

(--) For each natural gas utility customer shopping with a competitive retail natural gas supplier, the natural gas utility shall create a bill as if that customer were on the utility's standard choice offer (SCO) or the gas cost recovery rate (GCR). Each year a natural gas utility shall publicly file a report with the commission detailing the aggregated customer savings or losses experienced as a result of shopping with competitive retail natural gas suppliers instead of choosing the SCO or GCR.

(--) The following shadow-bill statement on shopping customer bills: "Your natural gas supply costs with (Name of Supplier) were (\$ for the month). Customers who were served on the (standard choice offer "SCO") or (gas cost recovery "GCR") for the month paid (\$ for the month) for the same level of usage."

OCC argues that these additions are needed to protect customers and it is "only fair that savings information be provided to consumers." OCC Initial Comments at 18-19. These OCC requests are no different from those that the Commission has previously rejected. Indeed, OCC

³ OCC's Initial Comments state that the two additions should be added as (B)(14) and (B)(15). Rule 4901:1-13-11 already includes a (B)(14) regarding the identification of estimated bills, and (B)(15) regarding the due date for payment, both of which are unrelated to shadow billing. RESA presumes that OCC's proposal is to include these two new provisions as separate additions at the end of provision (B).

has repeatedly argued for shadow billing information and the Commission has rightfully rejected the requests each time. The Commission should again reject these proposed additions.

Just last year, the Commission reviewed and made revisions to the minimum gas service standards. *In the Matter of the Commission's Review of the Minimum Gas Service Standards in Chapter 4901:1-13 of the Ohio Administrative Code*, Case No. 19-1429-GA-ORD. OCC presented the exact same two proposals and made the same arguments in that proceeding.⁴ The Commission rejected both of OCC's proposals because there are a number of existing resources for consumers to compare pricing and offers, including the Commission's Energy Choice Ohio website. It also noted that significant utility billing system changes would be required. *Id.*, Finding and Order at ¶ 89 (February 24, 2021). The Commission further stated that OCC's arguments for the shadow billing proposals were "unavailing" and the Commission's straightforward price-to-compare statement on customer bills does not mean that OCC's shadow-billing recommendations are reasonable. *Id.*, Entry on Rehearing at ¶ 20 (April 21, 2021).

Before those 2021 rulings, the Commission rejected OCC's attempts to implement shadow billing requirements on multiple occasions in multiple different proceedings:

- Duke Energy Ohio's 2019 bill format proposal. *In the Matter of the Application of Duke Energy Ohio, Inc. for Approval of Bill Format Changes*, Case No. 19-1593-GE-UNC, Finding and Order at ¶ 35 (December 18, 2019).
- Duke Energy Ohio, Inc.'s 2018 GCR proceeding. *In the Matter of the Regulation of the Purchased Gas Adjustment Clause Contained within the Rate Schedules of Duke Energy Ohio, Inc. and Related Matters*, Case Nos. 18-218-GA-GCR et al., Opinion and Order at ¶ 57 (December 18, 2019).
- 2017 Review of the minimum electric service standards. *In the Matter of the Commission's Review of Its Rules for Electrical Safety and Service Standards Contained in Chapter 4901:1-10 of the Ohio*

⁴ OCC Initial Comments at 3-4 (January 17, 2020) in *In the Matter of the Commission's Review of the Minimum Gas Service Standards in Chapter 4901:1-13 of the Ohio Administrative Code*, Case No. 19-1429-GA-ORD.

Administrative Code, Case No. 17-1842-EL-ORD, Finding and Order at ¶ 162 (February 26, 2020) and Entry on Rehearing at ¶ 35 (January 27, 2021).

- Duke Energy Ohio, Inc.’s 2015 GCR proceeding. *In the Matter of the Regulation of the Purchased Gas Adjustment Clause Contained within the Rate Schedules of Duke Energy Ohio, Inc. and Related Matters*, Case Nos. 15-218-GA-GCR et al., Opinion and Order at ¶ 69 (September 7, 2016).
- 2013 Review of the minimum gas service standards. *In the Matter of the Commission’s Review of Chapter 4901:1-13 of the Ohio Administrative Code, Regarding Minimum Gas Service Standards*, Case No. 13-2225-GA-ORD, Finding and Order at ¶ 88 (July 30, 2014).

Despite these repeated, consistent rejections, OCC again pursues shadow billing and, in doing so, seeks to increase the regulatory restrictions, arguing in its initial comments that the Commission should adopt a rule requiring the local distribution utilities to create secondary bills for shopping customers using SCO/GCR pricing and file a summary report with the Commission on the difference between the customer’s actual bills and secondary SCO/GCR bills. OCCs Initial Comments at 18-19. OCC also asks the Commission to require bill messaging showing the shopping customers what their charges would be if they were on the SCO/GCR instead of shopping. *Id.* at 20. R.C. § 121.95(F) expressly provides that an agency cannot initiate a new requirement that includes restrictive language unless it simultaneously removes at least two other restrictions. Given that OCC not only seeks to increase the number of regulatory restrictions set forth in Ohio Adm.Code Chapter 4901:1-13 and it also fails to seek removal of any existing restrictions contained in the rules, its proposals cannot satisfy R.C. § 121.95(F) and should be rejected out of hand.

Commission precedent also provides that OCC’s requests should be rejected. A shadow billing comparison is not necessary because the current rules already require a bill message that directs customers to the Commission’s Energy Choice website to allow for apples-to-apples

comparisons on market prices. That same website also provides the current SCO or GCR pricing, which customers can take into consideration when electing whether to shop. The Commission's consideration of the question has recognized that the Commission's Energy Choice website allows for apples-to-apples comparisons on market prices. Thus, customers already have information available to them when making decisions and shadow billing is not necessary.

Moreover, shadow billing is not an apples-to-apples comparison. A customer must be able to consider all terms and conditions of an offer when making comparisons. As the Commission has recognized and requires to be part of bill messages, price is only one feature of any offer and other features may be of value to consider – such as, the length of the contract term, the type of rate offered (fixed or variable), and any early termination fees. Telling a customer to make a snapshot cost comparison based on a historic monthly price that is no longer available and another offer that may include other product and service offerings that are not available through the utility default service product is an unfair comparison. Also, telling a customer to compare costs based on a variable priced option (i.e., the SCO or GCR) that changes monthly ignores why the customer elected to shop (for example, price certainty) and ignores the variables that go into a customer's decision (term, rate options, and whether gas prices will increase or decrease).

Publishing reports or putting a shadow billing comparison on customer bills could easily mislead or cause customer confusion. For example, a customer with a long-term, fixed-rate contract would be seeing a price comparison to a monthly variable rate (SCO or GCR) that could fluctuate well above or below a fixed price from one month to the next. Moreover, the shadow billing reports that OCC cites do not contain information from all shopping customers and, thus, are incomplete and inaccurate. These facts demonstrate that the shadow billing reports and

comparisons can easily mislead or confuse a customer, and affirms why OCC's shadow billing proposal should be rejected.

OCC's shadow billing proposals will impose burdens and costs on the utilities, which the OCC and the Commission have acknowledged too. *In the Matter of the Application of Duke Energy Ohio, Inc. for Approval of Bill Format Changes*, Case No. 19-1593-GE-UNC, Opinion and Order at ¶ 35 (December 18, 2019). Altogether, implementing OCC's proposed rule changes that mandate shadow billing will result in inaccurate, misleading and confusing information, as well as increase the burden on utilities (and increase costs to customers). As it has done in the past, the Commission should again reject OCC's shadow billing proposals.

D. Rule 4901:1-13-12(D)(3): Dominion's recommendation to not revise the rule is reasonable.

Rule 4901:1-13-12(D)(3) addresses customer consent forms. Staff proposes to revise this rule as follows:

(3) The consent form ~~shall be on a separate piece of paper or separate electronic format and~~ shall be clearly identified on its face as a release of personal information and all text appearing on the consent form shall be in at least fourteen-point type. The following statement shall appear prominently on the consent form, just prior to the signature, in type darker and larger than the type in surrounding sentences: "I realize that under the rules and regulations of the public utilities commission of Ohio, I may refuse to allow (name of the gas or natural gas company) to release the information set forth above. By my signature, I freely give (name of the gas or natural gas company) permission to release the information designated above." The information that the gas or natural gas company seeks to release shall be specified on the form. Forms requiring a customer to circle or to check off preprinted types of information to be released may not be used.

Dominion recommended against the revision because the rule could be confusing or subject to different interpretations to preclude electronic consents, particularly because provisions (D)(1) and (D)(2) contain differing language about electronic consents. Dominion Initial Comments at 4-5. RESA agrees with Dominion – the proposed revision does not improve clarity. Therefore,

RESA supports Dominion's suggestion that the revision not be made and that the rule should remain as it is today.

E. Rule 4901:1-13-12(F)(3): OCC's proposed mandates for web notifications and web functionalities associated with the eligible-customer list should be rejected.

Rule 4901:1-13-12(F)(3) addresses the eligible-customer list. Staff does not propose to modify provision (F)(3), but OCC does as follows:

Prior to issue any eligible-customer lists and at least four times per calendar year, provide all customers clear written notice, in billing statements or other communications, of their right to object to being included on such lists. Such notice shall include instructions for reporting such objection. This notice shall read as follows: "We are required to include your name, address, and usage information on a list of eligible customers that is made available to other retail natural gas suppliers or governmental aggregators. If you do not wish to be included on this list, please call ____ or write ____, or complete the appropriate form on ____ website." **This notice and functionality that enables customers to opt out of having their information provided to retail natural gas suppliers or governmental aggregators shall be included on each gas or natural gas company's website without customers having to establish or maintain and [sic] account with the gas or natural gas company.**

Here again, OCC seeks to increase rather than decrease the number of regulatory requirements in Ohio Adm.Code Chapter 4901:1-13. OCC's proposed language has two parts. First, the language requires that a special notice be added to the local distribution utilities' website at least four times per year. Second, OCC's proposal mandates a permanent new functionality for the utilities' websites. OCC recommends that a mandatory service standard be added – that the local distribution utilities be required to maintain the "functionality on their websites that enables customers to opt out of having their customer information shared" with competitive retail natural gas suppliers. OCC Initial Comments at 23. OCC relies on the functionality that Ohio Power Company d/b/a AEP Ohio has included on its website and on what Columbia Gas of Ohio, Inc. has agreed to do if a pending settlement is approved. *Id.*

Both parts of OCC's proposal are problematic for two reasons. First, OCC's proposals would create new mandatory standards for a segment of the utilities' websites – with which the utilities have to comply or face possible rule violation or allegation of noncompliance. For example, those utilities that have or might soon have the functionality on their websites have done so voluntarily. The utilities would no longer have the freedom to maintain their websites as they wish, including removing the functionality from their website if, for example it is not used. Another example is that the existing website functionalities have/will include the ability for customers to opt back onto the eligible customer list too. Those functionalities would not necessarily be compliant given that OCC's proposed language mandates a functionality to opt out only.

Second, OCC's proposals create unfair and inequitable minimum standards. These proposals single out and would mandate use of the utility's website for mandatory customer notices (repeated four times each year) and a permanent website functionality uniquely for opting out of the eligible-customer list. Except in the unique and highly different circumstance of when a water company or sewage disposal company changes its address or telephone number (Rule 4901:1-15-7(C)), RESA has found no other minimum service standard mandates for web notifications. For example, Rule 4901:1-6-07(E) allows the telephone companies to provide notices to customers in any reasonable manner and does not dictate the specific manner. Another example is Rule 4901:1-15-10(C)(2), which allows water companies and sewage disposal companies to provide notices to customers in various ways when it plans an outage or main flushings, again not dictating the specific manner. Two additional examples are Rules 4901:1-10-08(I)(3) and 4901:1-10-24(A), which require annual notice to customers by the electric utilities regarding their critical customer programs and customer rights/responsibilities, but do not mandate the specific manner of

notification. These minimum standards require notice to numerous customers, but they do not mandate use of the website for such notification. To adopt OCC's proposed language, however, would unreasonably mandate notices to customers about the eligible lists of the local distribution utilities via their websites every time.

Similarly, while the minimum standards in Ohio Adm.Code Chapter 4901:1-13 allow customers to take certain actions, the standards do not mandate that the local distribution utilities' websites include functionalities specifically for the customers to use (although the utilities may voluntarily include a functionality to do one or more of them):⁵

- Rule 4901:1-13-04(D) – request a meter test and request to be present during the test.
- Rule 4901:1-13-04(G)(8) – schedule meter readings (instead, this rule makes it an option for the utility to allow customers to schedule meter readings through an interactive answering system).
- Rule 4901:1-13-05(A) – make service initiation requests and upgrade requests.
- Rule 4901:1-13-08(A)(2) – request credit history with the utility and other information.
- Rule 4901:1-13-08(B)(1) – request a review of a deposit or contest a deposit.
- Rule 4901:1-13-09(B)(3), (C)(2)(b) and (c), and (C)(3) – contest a disconnection.
- Rule 4901:1-13-10(A) – complain.
- Rule 4901:1-13-10(G) – escalate consumer complaints (instead, this rule obligates that a dedicated telephone line be available).
- Rule 4901:1-13-11(E)(1)(a) – pay bills.
- Rule 4901:1-13-12(E) – request usage history or payment history.

⁵ Note, Rules 4901:1-13-06(B) and 4901:1-13-11(E)(1) require the local distribution utilities to include certain general information, not functionalities, on their websites.

Mandating by rule that the local distribution utilities have a website functionality for opting off the eligible customer list is inconsistent with the other minimum standards, inappropriately expands the requirements set forth in Rule 4901:1-13-12(F)(3), and is not warranted. OCC's proposals for Rule 4901:1-13-12(F)(3) are fraught with problems, including unfairness given the framework of numerous other minimum service standards. RESA strongly disagrees with OCC's proposed revisions and the Commission should reject these revisions for Rule 4901:1-13-12(F)(3).

F. Rule 4901:1-13-12(G): OCC's proposed mandate that account blocks be available should be rejected because they are unnecessary, will cause confusion, and will be costly.

OCC proposes that all local distribution utilities modify their systems so that customers can establish a block that precludes a supplier switch unless the customer removes the block. OCC Initial Comments at 24. Specifically, OCC's language would be a new provision (G) of Rule 4901:1-13-12 as follows:

(G) Each gas or natural gas company will allow any customer to request a retail natural gas supplier block be placed on the customer's account. The block will prevent the customer's commodity service provider from being switched until such time as the customer requests that the gas supplier block be removed from the account.

This is basically the same proposal that the Commission has rejected multiple times –in 2021, 2020 and 2014. *See In the Matter of the Commission's Review of the Minimum Gas Service Standards in Chapter 4901:1-13 of the Ohio Administrative Code*, Case No. 19-1429-GA-ORD, Finding and Order at ¶ 118 (February 24, 2021) ("MGSS"); *In the Matter of the Commission's Review of Its Rules for Electrical Safety and Service Standards Contained in Chapter 4901:1-10 of the Ohio Administrative Code*, Case No. 17-1842-EL-ORD, Finding and Order at ¶ 178 (February 26, 2020) and Entry on Rehearing at ¶ 46 (January 27, 2021); and *In the Matter of the Commission's Review of Chapter 4901:1-10, Ohio Administrative Code, Regarding Electric Companies*, Case No. 12-2050-EL-ORD, Finding and Order at ¶ 75 (January 15, 2014).

The Commission should again reject the switching block proposal for multiple reasons. First, this proposal should be rejected again because it is an unnecessary expansion to the rule since there are existing provisions in the Commission's rules that guard against slamming. As the Commission noted, its minimum gas service standards already strike a reasonable balance – “allowing for fair competition” – such that this new proposal is unnecessary. *MGSS, supra* at ¶ 118. Second, the switching block would act as a market barrier by making the enrollment process with a competitive retail natural gas supplier more complex and it could generate customer confusion. Imposing market barriers and confusing customers would not be consistent with the policy of the state of Ohio, which the Commission is obligated to follow. *See* R.C. § 4929.02. Third, a minimum standard mandate that the Ohio local distribution utilities have to implement IT changes would likely be extensive and expensive if this proposal is adopted. Altogether, the proposed switching block is not warranted.

G. Rule 4901:1-13-14(E): OCC's recommendation to not revise the rule is reasonable.

Staff proposes to delete Rule 4901:1-13-14(E) as follows:

~~(E) The gas or natural gas company shall switch customer accounts to or from a governmental aggregation under the same processes and timeframes provided in published tariffs for switching other customer accounts, except in cases where a customer notifies the gas or natural gas company of the customer's intent to not join a governmental aggregation by returning a confirmation notice or otherwise giving notice as provided by that gas or natural gas company's tariffs.~~

OCC argues, in part, that Rule 4901:1-13-14(E) should not be deleted because there is no valid reason that customers switching from/to a governmental aggregation should not follow the same process and timeframes as other customer switching. OCC Initial Comments at 25. RESA agrees because no reason for this substantive process change has been presented. In addition, if provision (E) is deleted, it is unclear what process and timeframes apply for switching from/to a

governmental aggregation, and unclear whether there will be uniformity. The proposed change will cause confusion, not provide clarity. For these reasons, RESA supports the suggestion that Rule 4901:1-13-14(E) not be deleted; instead, the rule should remain as it is today.

IV. Conclusion

RESA respectfully requests that the Commission not adopt the Staff-proposed revisions for Rules 4901:1-13-10(I)(2), -11(B), -12(D)(3) and -14(E) because they are not necessary for reducing regulatory restrictions under R.C. § 121.951(A)(1). In addition, the additional new provisions presented by OCC for Rules 4901:1-13-11(B), -12(F)(3) and -12(G) are ill-advised, conflict with numerous Commission rulings and are not warranted. RESA urges the Commission to agree with all recommendations set forth above by the RESA as to the above-specified rules in Ohio Adm.Code Chapter 4901:1-13.

Respectfully Submitted,

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CERTIFICATE OF SERVICE

The Public Utilities Commission of Ohio's e-filing system will electronically serve notice of the filing of this document on the parties referenced in the service list of the docket card who have electronically subscribed to this case. In addition, the undersigned certifies that a courtesy copy of the foregoing document is also being served upon the persons below via electronic mail this 9th day of November 2022.

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