

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Commission’s)	
Review of Ohio Adm. Code)	Case No. 22-872-EL-ORD
Chapter 4901:1-10)	

INITIAL COMMENTS OF OHIO POWER COMPANY

INTRODUCTION

By Entry dated November 2, 2022, the Public Utilities Commission of Ohio (“Commission”) proposed amendments to Ohio Administrative Code Chapter 4901:1-10. Ohio Power Company (“AEP Ohio” or the “Company”) appreciates the opportunity to comment on the proposed rules. AEP Ohio’s comments generally are focused on proposed changes that will modernize the rules, provide enhanced clarity, and to ensure that the rules are having the intended effect by maximizing efficiencies for the electric distribution utilities (“EDUs”) and the Commission alike.

4901:1-10-10 Distribution system reliability

AEP Ohio recommends that the Commission adopt the system average interruption duration index (“SAIDI”) as the minimum performance service reliability index in lieu of the current two service reliability indices set forth in Ohio Adm. Code 4901:1-10-10(A) – system average interruption frequency index (“SAIFI”) and the customer average interruption duration index (“CAIDI”). The service reliability indices currently used to evaluate minimum performance standards do not provide the most accurate representation of the performance of the electric distribution system’s actual performance. The mathematical equation that results in the SAIFI and CAIDI calculations can create conflicting incentives for utilities. For example, a reduction in the SAIFI, which represents a decrease in the number of interruptions by customer, may result in a

natural increase in the CAIDI by increasing the time to restore service depending on the type of outage. This creates a reverse incentive for utilities to focus on individual outage restoration duration rather than eliminating the total number of CMI or frequency of outages to the system as a whole. Adopting AEP Ohio's recommendation of changing the reliability index to SAIDI to evaluate system performance will ensure that companies are motivated to continue to implement programs to lessen the frequency of interruptions to customers (SAIFI) and decrease the total duration that customers are without service (SAIDI) during the year.

Whether the Commission adopts the SAIDI reporting index or if the Commission retains the current SAIFI and CAIDI reporting indices, AEP Ohio recommends that outages associated with scheduled distribution work be excluded from calculating performance against those indices. The purpose of the minimum reliability performance standards is to ensure that EDUs focus on the distribution system's performance. Including scheduled outages in the calculation of the applicable service reliability index/indices does not accurately reflect the reliability and performance or overall health of the distribution system. Specifically, scheduled outages, outages that impact customers while abnormally fed from alternate sources, outages that occur when protective devices are placed in non-reclose configurations, and more sensitive settings for worker safety should be excluded from the index/indices. Afterall, while there is a short-term negative impact, scheduled outages are taken to improve the long-term health of the system. Companies should not be discouraged from performing scheduled work just because it negatively impacts their reliability metrics in the near-term.

Additionally, AEP Ohio recommends that outages resulting from public acts be excluded from the performance index/indices. These outages are not within the utility's control and do not reflect distribution system reliability. IEEE 1782, "IEEE Guide for Collecting, Categorizing, and

Utilizing Information Related to Electric Power Distribution Interruption Events” describes public interruptions as:

“Public—Any interruptions resulting as an act of the public at large should be put into the public category. Examples include customer trouble, non-utility employee or contractor dig-in, fire/police requests, foreign contact (such as Mylar balloons, crane boom, and aluminum ladder), traffic accidents, vandalism, and fires and explosions not originating on or within utility-owned equipment.”

For clarity, AEP Ohio is not proposing any changes to Ohio Adm. Code 4901:1-10-10(C)(3) that would eliminate reporting calculations that include all outages, such as those for scheduled maintenance and public acts. But those interruption causes should not be included in the metrics by which EDUs’ performance is compared to the established standards. Thus, AEP Ohio suggests the following changes to subsection (B)(4)(c):

- (c) Performance data during major events, outages associated with scheduled distribution work, outages caused by public acts, and transmission outages shall be excluded from the calculation of the indices, proposed standards, and any revised performance standards, as set forth in paragraph (B) of this rule.

4901:1-10-11 Distribution circuit performance.

Under Ohio Adm. Code 4901:1-10-11 (C), electric utilities are required to identify and provide specific information, including a remediation action plan, for the worst performing eight percent of a utility’s distribution circuits. Presumably the purpose of this rule is to ensure that the circuits that have statistically proven to have the worst impact on reliability are being identified and addressed in a timely and orderly fashion to improve reliability. But this Commission has recently recognized that in “making its rules, an agency is required by R.C. 106.03(A) to consider the continued need for the rules, the nature of any complaints or comments received concerning the rules, and any relevant factors that have changed in the subject matter area affected by the rules. Further, R.C. 121.951(A)(1) requires state agencies to reduce their total number of regulatory restrictions.” *In Re the Commission’s Review of the Rules in Ohio Adm. Code Chapter*

4901:1-41, Finding and Order at ¶ 9 (Nov. 16, 2022). Requiring identification and sometimes time-consuming action plans for an arbitrary amount of circuits does not advance the presumed purpose of the rule, which demands a review of the continued necessity. Changing the reporting requirement to five percent would allow the utility to focus efforts and resources on the circuits that are truly in need of repairs or upgrades. To ensure that the rule is narrowly tailored to achieve its purpose, AEP Ohio suggests the following changes to subsections (C) and (C)(1):

(C) Worst performing circuits. The following provisions apply to the reporting of each electric utility's ~~eight per cent~~ five percent worst performing circuits:

- (1) Each electric utility shall submit, no later than ninety calendar days after the end of its reporting period, a report to the director of the service monitoring and enforcement department that identifies the worst performing ~~eight per cent~~ five percent of the electric utility's distribution circuits during the previous twelve-month reporting period.

4901:1-10-22 Electric utility customer billing and payments.

AEP Ohio suggests that all CRES provider charges for electricity should be readily comparable to the price-to-compare. Therefore, AEP suggests adding the following edits to Ohio Adm. Code 4901:1-10-22(B):

(25) All CRES provider charges shall be itemized on the bill with an explanation for each item. CRES charges shall be totaled, summarized in one price per kWh presentation such that the customer can readily compare the competitive electric supply costs with the price-to-compare. Only fees for non-jurisdictional services should be excluded from this.

(2526) Other information required by Ohio law or commission rule or order.

4901:1-10-24 Customer safeguards and information.

For the same reasons as set forth in AEP Ohio's Application for waiver of Ohio Adm. Code 4901:1-10-24 in Case No. 21-1209-EL-WVR and the Commissions' Finding and Order in that case, AEP Ohio suggests clarifying the language in Ohio Adm. Code 4901:1-10-24-(E)(3) to explicitly establish that the rule "[does] not impose a new obligation requiring EDUs to provide

residential customers' additional hourly interval data to CRES providers based on whether a CRES provider bills its customer for a time-of-use product, rather it only added an exception to the customer consent requirement in instances when a customer has a time of use rate product.”

In Re the Application of Ohio Power Company, for Approval of a Waiver of Specific Sections of the Ohio Adm. Code, 21-1209-EL-WVR, Finding and Order at ¶ 20 (May 18, 2022). Rather, the language contained in Ohio Adm. Code 4901:1-10-24(E)(3) “only created a third exception to the customer consent requirement to disclose granular CEUD, specifically for billing purposes.” *Id.*

AEP Ohio also recommends amending Ohio Adm. Code 4901:1-10-24 to provide customers the ability to prohibit switching their account to a CRES. Some AEP Ohio customers do not understand the customer choice process, sometimes resulting in those customers unintentionally or unknowingly switching suppliers as often as monthly. Providing customers this option provides a much-needed customer protection. AEP Ohio proposes the following language be added to Ohio Adm. Code 4901:1-10-24:

Each electric utility shall allow any residential customer to request a competitive retail electric service provider block be placed on their account. The block shall prevent the customer's generation service provider from being switched, either to a CRES or to SSO, without the customer's authorization to the electric utility in the form of a customer provided code or other customer identifiable manner. The release shall be provided to the electric utility from the residential customer or other authorized persons on the account. The code shall be considered confidential customer information and shall remain until the customer or authorized person on the account removes the block.

4901:1-10-28 Net metering.

AEP Ohio recommends the customer-generator's CRES provide the net metering credit to its shopping customers. The calculation of the net metering credit is based upon the amount of supply (generation) a customer-generator supplies to the grid from their facility. If a customer-generator is on the Company's SSO, then it is reasonable for the EDU to provide the net metering credit to the customer. However, if the customer is shopping, the supply component of

the customer-generator's bill is provided by the CRES. The cost of providing the generation energy credit to shopping net-metering customers should be borne by the entity providing the supply. In this case, the CRES. Accordingly, AEP Ohio recommends the following change to 4901:1-10-28(B)(8)(b):

If the electricity supplied by the electric utility or CRES exceeds the electricity received from the customer-generator over the monthly billing cycle, then the customer-generator shall be billed for the net electricity consumed by it in accordance with normal metering practices.

In addition, AEP Ohio recommends the following language be added to Ohio Adm. Code 4901:1-10-28 for when a customer-generator supplies more electricity than they received:

For shopping customer-generators receiving their supply from a CRES, when the customer-generator supplies more electricity than they received over a monthly billing cycle, the excess electricity shall be converted to a monetary credit at the energy component of the electric utility's standard service offer that continuously carries forward as a monetary credit on the customer-generator's future bills.

Finally, 4901:1-10-28(B)(8)(d) should be amended as follows to account for a typographical error:

The hospital net metering tariff shall comply with division (A)(2) of section 49289.67 of the Revised Code. For purposes of this rule, the market value means the locational marginal price of energy determined by a regional transmission organization's operational market at the time the customer-generated electricity is generated.

4901:1-10-33 Consolidated billing requirements.

AEP Ohio makes the recommends the following changes to Ohio Adm. Code 4901:1-10-33(C)(17), (E)(2), and (E)(5) in order to reduce customer confusion, to make it easier for customers to compare their competitive retail price to the price to compare, and for the Commission to help answer customer questions about competitive offers:

(17) At a minimum, definitions for the following terms, or like terms such as used by the company if applicable: customer charge, delivery charge, estimated reading, generation charge, kilowatt hour (kWh), termination fee, exit fee, fixed rate, variable rate, and late payment charge. Provide an explanation for any miscellaneous or other fees contained on the bill.

(E)(2) To the extent applicable, itemization for each charge including, for fixed-price offers, the unit price per kWh for competitive service which is to be displayed in the same numeric format as the price to compare format and for all other offers for electric generation service, an explanation of how the rate is derived, as well as any other information the customer would need to recalculate the bill for accuracy. The unit price per kWh for competitive service shall include all costs associated with providing the customer complete service including any fixed charges, administrative fees (billing, mailing, etc.), service fees, and all additional fees passed along associated with the generation or transmission of service. The only fees which are to be excluded from this cost are those involved with a non-jurisdictional service.

(5) The non-billing party shall provide a bill message explaining any change in rates, terms, or conditions appearing on the first two consecutive bills following the occurrence of any such changes and a clear explanation of each change.

Finally, AEP Ohio is not specifically opposed to the removal of 4901:1-10-33(G)(1), to the extent the Commission confirms that the EDUs shall receive all billing information from CRES in a timely fashion to ensure that the EDUs can provide an accurate and timely customer bill in accordance with the timelines set forth in Ohio Adm. Code 490:1-10-17(A) and 4901:10-22(B)(10).

Respectfully submitted,

/s/ Michael J. Schuler

Michael J. Schuler (0082390)

*Counsel of Record

Steven T. Nourse (0046705)

American Electric Power Service Corporation

1 Riverside Plaza, 29th Floor

Columbus, Ohio 43215

Telephone: (614) 716-2928 (Schuler)

Telephone: (614) 716-1608 (Nourse)

mjschuler@aep.com

stnourse@aep.com

(willing to accept e-mail service)

Counsel for Ohio Power Company

**This foregoing document was electronically filed with the Public Utilities
Commission of Ohio Docketing Information System on**

11/21/2022 5:16:35 PM

in

Case No(s). 22-0872-EL-ORD

Summary: Comments Initial Comments of Ohio Power Company electronically filed
by Hector Garcia-Santana on behalf of Ohio Power Company