

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of The East)	
Ohio Gas Company d/b/a Dominion Energy)	Case No. 18-1908-GA-UNC
Ohio for Implementation of the Tax Cuts and)	
Jobs Act of 2017.)	
)	
In the Matter of the Application of The East)	
Ohio Gas Company d/b/a Dominion Energy)	Case No. 18-1909-GA-ATA
Ohio for Approval of Tariff Amendments.)	

**THIRD SUPPLEMENTAL APPLICATION TO ADJUST
THE TAX SAVINGS CREDIT RIDER OF THE
EAST OHIO GAS COMPANY D/B/A DOMINION ENERGY OHIO**

EXPEDITED TREATMENT REQUESTED

In accordance with the Commission’s December 4, 2019 Finding and Order in these proceedings (the Tax Cuts and Jobs Act or TCJA Order), The East Ohio Gas Company d/b/a Dominion Energy Ohio (DEO or the Company) respectfully requests that the Commission expeditiously issue an entry approving the adjustments to the Tax Savings Credit Rider (TSCR) set forth in Attachment B to this Third Supplemental Application. In support of this Application, DEO states as follows:

1. In Case No. 18-47-AU-COI, the Commission ordered all Ohio rate-regulated utility companies “to file applications ‘not for an increase in rates,’ pursuant to R.C. 4909.18, in a newly initiated proceeding, to pass along to consumers the tax savings resulting from the TCJA.” *In re Commission’s Investigation of the Financial Impact of the Tax Cuts and Jobs Act of 2017 on Regulated Ohio Utility Companies*, Case No. 18-47-AU-COI, Finding and Order (Oct. 24, 2018) ¶ 29. The Commission found that this company-specific approach would be “the most appropriate course to resolve any outstanding issues relating to the TCJA and will allow for a more deliberate and thorough analysis for each utility’s individual circumstances.” *Id.*

2. In accordance with the Commission’s Finding and Order in Case No. 18-47-AU-COI, DEO filed its application (the TCJA Application) in these proceedings “to establish the rates and charges by and through which to fully return TCJA benefits to its customers.” (App. (Dec. 31, 2018) at 1.)

3. In its TCJA Application, DEO proposed “passing back Stub Period FIT savings to customers over a 12-month period, including a one-time application of carrying costs, via the newly proposed Tax Savings Credit Rider (TSCR).” (App. at 4.) After that 12-month period, DEO proposed to eliminate the portion of the TSCR credit attributable to the Stub Period. (App. at 7.)

4. In its TCJA Application, DEO further proposed that the TSCR would be “adjusted annually.” (App. at 4.)

5. In addition, the Staff Report recommended that “the TSCR be trued up annually in order to mitigate large variances between the amount refunded through the TSCR and the actual tax impact of the TCJA.” Finding and Order (Dec. 4, 2019) ¶ 24.

6. The Commission approved a Stipulation filed on October 31, 2019, and signed by DEO, Staff, and the Office of Ohio Consumers’ Counsel (OCC), which recommended approval of DEO’s TCJA Application, subject to all findings and recommendations in the Staff Report and the Stipulation. Order ¶¶ 25, 30-32.

7. After the Commission approved DEO’s Application as modified by the Stipulation, the Company issued new tariffs effective with bills rendered on or after April 6, 2020, that implemented the TSCR and the related TCJA credit percentages by rate schedule. (*See* DEO’s April 3, 2020 Correspondence.)

8. Since that time, DEO has been returning TCJA savings to customers through application of the TSCR percentages to base rate charges on applicable customer bills.

9. On February 28, 2022, DEO filed its second supplemental application in these proceedings to request approval to update the TSCR credit percentages. On March 23, 2022, the Commission approved DEO's second supplemental application subject to the Staff's recommendation that the Company "continue tracking actual refunds and to reconcile variances in the amounts refunded to ensure appropriate amount of tax savings are refunded to customers." Third Finding & Order ¶ 12. This Third Supplemental Application requests authority to further adjust the TSCR as reflected in the schedules in Attachment A described below.

10. Attached to this Application are schedules that support the updated TCJA credit percentages for the TSCR (Attachment A) and a proposed revised tariff sheet (Attachment B).

11. The attached schedules reflect the following calculations and adjustments:

- Schedule 1 shows the allocation of the total refund for the period April 2023 through March 2024 to applicable rate classes and the determination of respective TSCR refund percentages.
- Schedule 2 shows a summary of refunds to be made, actual refunds for the period April 2020 through March 2022, updated refund amounts for the period April 2022 through March 2023, and refund amounts for the period April 2023 through March 2024.
- Schedule 3 shows the revenue allocation factors from DEO's last base rate case.
- Schedule 4 shows the 2022 base rate revenues by rate class, which are used to convert each rate class's allocation of the total April 2023 through March 2024 refund to a percentage that will be applied to base rate charges on customer bills.
- Schedule 5 shows a reconciliation of the total refund for the period April 2020 through March 2023 as trued up on Schedule 6 to actual or estimated TSCR amounts credited to customer bills during the same period.
- Schedule 6 reflects the update of the amounts previously refunded for the period April 2022 to March 2023 by replacing estimated EDIT

amortization values with actual amounts or more recent estimates along with estimated refund amounts for the period April 2023 through March 2024.

12. For the foregoing reasons, the Company requests that the Commission approve the revised tariff sheet set forth in Attachment B.

13. The Commission previously approved DEO's annual adjustments to the TSCR without the need for a hearing or published legal notice. *See, e.g.*, Third Finding & Order ¶ 12. For similar reasons, a hearing on DEO's updated TCJA credit percentages for the TSCR is neither necessary nor required.

WHEREFORE, DEO respectfully requests that the Commission expeditiously grant this Petition, no later than March 22, 2023, and all other necessary and proper relief.

Dated: February 15, 2023

Respectfully submitted,

/s/ Christopher T. Kennedy
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(All counsel are willing to accept service by email)

ATTORNEYS FOR THE EAST OHIO GAS
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CERTIFICATE OF SERVICE

I hereby certify that a courtesy copy of the foregoing pleading was served by electronic mail upon the following individuals on February 15, 2023:

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Attachment A

THE EAST OHIO GAS COMPANY d/b/a DOMINION ENERGY OHIO
Case No 18-1908-GA-UNC
Tax Savings Credit Rider (TSCR)
Rate Design

Schedule 1

Line No.	Description	Value	Reference
1	Total April 1, 2023 - March 31, 2024 Refund	\$ 52,139,166.17	Schedule 2
<u>Total Base Rate Revenues - Case No. 09-654-GA-UNC</u>			
2	GSS/ECTS - Residential	\$ 237,820,939.08	Schedule 3, Col C, line 1
3	GSS/ECTS - Nonresidential	44,231,153.77	Schedule 3, Col C, line 2
4	LVGSS/LVECTS	10,415,417.64	Schedule 3, Col C, line 3
5	GTS/TSS	39,467,045.34	Schedule 3, Col C, line 4
6	DTS	13,993,247.25	Schedule 3, Col C, line 5
7	FSS	10,331,428.74	Schedule 3, Col C, line 6
8	Total	\$ 356,259,231.82	Σ Line 2 thru 7
<u>Total Base Rate Revenues (percentages)</u>			
9	GSS/ECTS - Residential	66.76%	Line 2 / Line 8
10	GSS/ECTS - Nonresidential	12.42%	Line 3 / Line 8
11	LVGSS/LVECTS	2.92%	Line 4 / Line 8
12	GTS/TSS	11.08%	Line 5 / Line 8
13	DTS	3.93%	Line 6 / Line 8
14	FSS	2.90%	Line 7 / Line 8
15	Total	100.00%	Σ Line 9 thru 14
<u>Revenue Refund Allocated by Rate Schedule</u>			
16	GSS/ECTS - Residential	\$ 34,805,513.38	Line 1 * Line 9
17	GSS/ECTS - Nonresidential	6,473,307.27	Line 1 * Line 10
18	LVGSS/LVECTS	1,524,314.72	Line 1 * Line 11
19	GTS/TSS	5,776,071.61	Line 1 * Line 12
20	DTS	2,047,936.39	Line 1 * Line 13
21	FSS	1,512,022.80	Line 1 * Line 14
22	Total	\$ 52,139,166.17	Σ Line 16 thru 21
<u>January - December 2022 Total Base Rate Revenues</u>			
23	GSS/ECTS - Residential	\$ 240,634,394.62	Schedule 4, Column C, Line 13
24	GSS/ECTS - Nonresidential	39,945,820.74	Schedule 4, Column D, Line 13
25	LVGSS/LVECTS	23,721,632.23	Schedule 4, Column E, Line 13
26	GTS/TSS	37,338,580.80	Schedule 4, Column F, Line 13
27	DTS	90,182,873.83	Schedule 4, Column G, Line 13
28	FSS	14,696,534.78	Schedule 4, Column H, Line 13
29	Total	\$ 446,519,837.00	Σ Line 23 thru 28
<u>April 1, 2023 - March 31, 2024 Refund (per Bill/Mcf)</u>			
30	GSS/ECTS - Residential	14.46%	Line 16 / Line 23
31	GSS/ECTS - Nonresidential	16.21%	Line 17 / Line 24
32	LVGSS/LVECTS	6.43%	Line 18 / Line 25
33	GTS/TSS	15.47%	Line 19 / Line 26
34	DTS	2.27%	Line 20 / Line 27
35	FSS	10.29%	Line 21 / Line 28
<u>Residential Impact</u>			
36	Current Residential Base Rate Service Charge	\$ 17.58	Tariff Sheet No. GSS-R 1
37	Proposed Residential Customer Refund	\$ (2.54)	Line 36 * Line 30 * -1

THE EAST OHIO GAS COMPANY d/b/a DOMINION ENERGY OHIO
Case No 18-1908-GA-UNC
Tax Savings Credit Rider (TSCR)
TCJA Refunds by Category ¹

Schedule 2

Line No.	Refund Category	Refund Period	Anticipated Total Refunds	Refunds through March 2023:				Total Apr 2020 - Mar 2023	Refund Apr 2023 - Mar 2024 ⁷
				Apr 2020 - Mar 2022	Apr 2022 - Mar 2023 (estimate)	Year 3 True-Up	Updated Apr 2022- Mar 2023		
1	Stub period FIT ²	1 Year	\$ 45,756,900.52	\$ 45,756,900.52	\$ -	\$ -	\$ -	\$ 45,756,900.52	\$ -
2	Stub Period EDIT Amortization ³	1 Year	9,462,729.22	5,412,942.67	-	-	-	5,412,942.67	-
4	Unprotected EDIT ⁴	Accelerated	181,463,122.93	65,113,222.64	31,743,853.82	-	31,743,853.82	96,857,076.46	31,743,853.82
5	Protected EDIT ⁵	ARAM	250,631,654.35	3,876,928.56	1,594,886.22	-	1,594,886.22	5,471,814.78	1,594,886.22
6	Plant Unprotected ⁶	6 Years	5,201,401.50	1,733,800.50	866,900.25	-	866,900.25	2,600,700.75	866,900.25
7	Sub-total Stub Period/EDIT Balance		\$ 492,515,808.52	\$ 121,893,794.89	\$ 34,205,640.29	\$ -	\$ 34,205,640.29	\$ 156,099,435.18	\$ 34,205,640.29
8	Annual Base Rate FIT	On-going	18,889,308.00	37,778,616.00	18,889,308.00	-	18,889,308.00	56,667,924.00	18,889,308.00
9	Previous Year True-up	1 Year				-			(955,782.12)
10	Total Refund		\$ 511,405,116.52	\$ 159,672,410.89	\$ 53,094,948.29	\$ -	\$ 53,094,948.29	\$ 212,767,359.18	\$ 52,139,166.17

Notes:

- ¹ Values include a gross-up for federal income tax expense.
- ² Stub Period FIT from January 2018 - March 2020, including 6.5% carrying cost compounded monthly.
- ³ Estimated stub period protected EDIT amortization from January 2018 - March 2020 was revised in the 2020 true up.
- ⁴ Unprotected EDIT has been accelerated from the original six year amortization.
- ⁵ Protected EDIT excludes values related to PIR and AMR riders, which are being refunded to customers through their respective cost recovery charges. This value is the total stipulated value of \$260.1 million less the stub period value (see line 2).
- ⁶ Represents the net of \$24.5 million depreciation credit to customers less \$19.3 million EDIT tax asset foregone in TCJA Stipulation.
- ⁷ Includes the estimated refunds for 2023 plus any true-up/reconciliation amounts.

THE EAST OHIO GAS COMPANY d/b/a DOMINION ENERGY OHIO
Case No 18-1908-GA-UNC
Tax Savings Credit Rider (TSCR)
Allocation Factors

Schedule 3

Line no.	Rate Schedule [A]	Total Revenues [B]	Allocation of Non-Discounted Revenues [C]	Reference [D]
1	GSS/ECTS - Residential	\$ 237,820,939.08	66.76%	Case No. 09-654-GA-UNC
2	GSS/ECTS - Nonresidential	44,231,153.77	12.42%	Case No. 09-654-GA-UNC
3	LVGSS/LVECTS	10,415,417.64	2.92%	Case No. 09-654-GA-UNC
4	GTS/TSS	39,467,045.34	11.08%	Case No. 09-654-GA-UNC
5	DTS/Off-System	13,993,247.25	3.93%	Case No. 09-654-GA-UNC
6	Storage	10,331,428.74	2.90%	Case No. 09-654-GA-UNC
7	Total	<u>\$ 356,259,231.82</u>	<u>100%</u>	Σ Lines 1 thru 6

Note: Total revenues as approved in the company's last base rate case, Case No. 07-0829-GA-AIR.
In Case No. 09-654-GA-UNC, the GSS/ECTS rate schedule was separated into Residential and Nonresidential.

THE EAST OHIO GAS COMPANY d/b/a DOMINION ENERGY OHIO
Case No 18-1908-GA-UNC
Tax Savings Credit Rider (TSCR)
Base Rate Revenues - Twelve Months Ended December 31, 2022

Schedule 4

Line No.	Month / Year [A]	Total [B]	GSS-R /ECTS-R [C]	GSS-NR/ECTS-NR [D]	LVGSS/LVECTS [E]	GTS/TSS [F]	DTS/OFF [G]	Storage [H]
1	Jan 2022	\$ 43,277,172.08	\$ 20,127,939.72	\$ 5,903,071.60	\$ 3,410,038.32	\$ 4,455,360.37	\$ 8,288,922.20	\$ 1,091,839.87
2	Feb 2022	43,364,452.17	20,121,598.42	6,251,218.13	3,668,241.10	4,560,391.83	7,703,417.37	1,059,585.32
3	Mar 2022	40,120,489.44	20,147,822.70	4,486,710.16	2,960,276.42	3,789,886.10	7,716,841.73	1,018,952.33
4	Apr 2022	37,562,878.66	20,116,917.06	3,499,211.05	2,350,022.48	3,303,857.01	6,982,403.24	1,310,467.82
5	May 2022	35,137,211.80	20,100,778.62	2,411,666.27	1,472,338.69	2,614,741.21	7,209,659.20	1,328,027.81
6	Jun 2022	33,609,542.77	20,040,356.16	1,915,925.04	958,611.92	2,289,274.27	7,069,941.72	1,335,433.66
7	Jul 2022	33,649,948.71	19,992,186.96	1,878,239.17	810,728.25	2,233,339.07	7,424,430.10	1,311,025.16
8	Aug 2022	33,487,180.46	19,940,009.52	1,827,191.02	714,225.40	2,006,404.68	7,683,711.41	1,315,638.43
9	Sep 2022	33,536,159.65	19,917,559.86	1,828,366.27	884,194.58	2,302,113.77	7,251,402.07	1,352,523.10
10	Oct 2022	34,651,680.53	19,935,034.38	2,179,172.56	1,326,146.01	2,681,984.62	7,170,599.20	1,358,743.76
11	Nov 2022	36,875,896.40	20,056,090.26	2,865,756.27	1,934,892.95	3,166,283.92	7,768,261.93	1,084,611.07
12	Dec 2022	41,247,224.33	20,138,100.96	4,899,293.20	3,231,916.11	3,934,943.95	7,913,283.66	1,129,686.45
13	Total	\$ 446,519,837.00	\$ 240,634,394.62	\$ 39,945,820.74	\$ 23,721,632.23	\$ 37,338,580.80	\$ 90,182,873.83	\$ 14,696,534.78

THE EAST OHIO GAS COMPANY d/b/a DOMINION ENERGY OHIO
Case No 18-1908-GA-UNC
Tax Savings Credit Rider (TSCR)
Reconciliation Adjustment

Schedule 5

Line No.			Value	Reference
1	Apr 2020 to March 2021 Refund		\$ 106,900,544.30	Case No. 18-1908-GA-UNC
2	Apr 2021 to March 2022 Refund		52,771,866.59	Case No. 18-1908-GA-UNC
3	Original Apr 2022 to March 2023 Refund		53,094,948.29	Schedule 6
4	Year 3 True-up		-	Schedule 6
5	Updated Apr 2022 to March 2023 Refund		<u>53,094,948.29</u>	Line 3 plus 4
6	Total Refund through March 2023		<u><u>\$ 212,767,359.18</u></u>	Σ Lines 1, 2, and 5
Refund by month:				
7	Recoveries Apr 2020 - Dec 2021 ¹	Actual	\$ 149,055,545.08	Company Records
8	January 2022	Actual	5,335,187.86	Company Records
9	February 2022	Actual	5,414,940.42	Company Records
10	March 2022	Actual	4,897,100.26	Company Records
11	April 2022	Actual	4,339,156.27	Company Records
12	May 2022	Actual	4,002,500.95	Company Records
13	June 2022	Actual	3,827,253.46	Company Records
14	July 2022	Actual	3,801,152.04	Company Records
15	August 2022	Actual	3,751,181.61	Company Records
16	September 2022	Actual	3,823,798.21	Company Records
17	October 2022	Actual	3,925,907.53	Company Records
18	November 2022	Actual	4,178,899.83	Company Records
19	December 2022	Actual	4,739,360.14	Company Records
20	January 2023	Estimate ²	4,210,385.88	
21	February 2023	Estimate ²	4,210,385.88	
22	March 2023	Estimate ²	4,210,385.88	
23	Total Estimated Refund to Customers		<u><u>\$ 213,723,141.31</u></u>	Σ Lines 7 through 22
24	(Over)/ Under Refund		<u><u>\$ (955,782.12)</u></u>	Line 6 minus Line 23

Notes:

¹ Year 3 Filing Schedules, Schedule 5 Σ Lines 6 through 18.

² Year 3 Filing Schedules, Schedule 1, Line 1 divided by 12.

THE EAST OHIO GAS COMPANY d/b/a DOMINION ENERGY OHIO
Case No 18-1908-GA-UNC
Tax Savings Credit Rider (TSCR)
Updated TCJA Refunds

Schedule 6

<u>Line No.</u>	<u>Estimated 2022</u>	<u>Updated 2022</u>	<u>True Up</u>	<u>Estimated 2023</u>
1 Base rate reductions for FIT expense	(18,889,308.00)	(18,889,308.00)	-	(18,889,308.00)
2 Additional give back to customers	(866,900.25)	(866,900.25)	-	(866,900.25)
3 Non-normalized EDIT (Includes the \$19.3 million increase) ¹	(31,743,853.82)	(31,743,853.82)	-	(31,743,853.82)
4 CEP EDIT	(1,594,886.22)	(1,594,886.22)	-	(1,594,886.22)
5 Base rate normalized EDIT	-	-	-	-
6 Total	<u>\$ (53,094,948.29)</u>	<u>\$ (53,094,948.29)</u>	<u>\$ -</u>	<u>\$ (53,094,948.29)</u>

¹ Unprotected EDIT has been accelerated from the original six year amortization.

	<u>Estimated 2022</u>	<u>Updated 2022</u>	<u>True Up</u>	<u>Estimated 2023</u>
Unprotected EDIT - Straight-line six years	\$ 30,243,853.82	\$ 30,243,853.82	-	\$ 30,243,853.82
Accelerated unprotected EDIT	1,500,000.00	1,500,000.00	-	1,500,000.00
Total Year 3 Unprotected EDIT Refund	<u>\$ 31,743,853.82</u>	<u>\$ 31,743,853.82</u>	<u>\$ -</u>	<u>\$ 31,743,853.82</u>

ATTACHMENT B

TAX SAVINGS CREDIT RIDER (TSCR)

1. Applicability

Applicable to all customers receiving service under the following East Ohio rate schedules:

- General Sales Service – Residential (GSS-R)
- General Sales Service – Nonresidential (GSS-NR)
- Large Volume General Sales Service (LVGSS)
- Energy Choice Transportation Service – Residential (ECTS-R)
- Energy Choice Transportation Service – Nonresidential (ECTS-NR)
- Large Volume Energy Choice Transportation Service (LVECTS)
- General Transportation Service (GTS)
- Transportation Service for Schools (TSS)
- Daily Transportation Service (DTS)
- Firm Storage Service (FSS)

2. Description

All customers receiving service under the rate schedules below shall be issued a credit determined by applying a specified percentage to the service charge and volumetric base rate charges per account on each bill rendered. This credit will pass on to customers 100% of the tax savings East Ohio gained through federal tax reform, which became effective January 1, 2018.

This Rider is subject to reconciliation or adjustment, including, but not limited to, increases or refunds. Such reconciliation or adjustment shall be limited to the twelve-month period of expenditures subjected to annual review and audit by the Commission, if determined to be unlawful, unreasonable, or imprudent by the Commission in such docket or by the Supreme Court of Ohio.

3. Tax Savings Credit

The credit percentages by rate schedule shown below were determined based on allocations approved in East Ohio’s most recent rate case and total annual tax savings amounts to be passed to customers. The percentages will be updated annually.

GSS-R, ECTS-R	14.46%
GSS-NR, ECTS-NR	16.21%
LVGSS, LVECTS	6.43%
GTS, TSS	15.47%
DTS	2.27%
FSS	10.29%

Issued:

Effective: With bills rendered on or after

Filed under authority of The Public Utilities Commission of Ohio in Case No. 18-1908-GA-UNC

Daniel A. Weekley, Vice President and General Manager

TAX SAVINGS CREDIT RIDER (TSCR)

1. Applicability

Applicable to all customers receiving service under the following East Ohio rate schedules:

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- General Transportation Service (GTS)
- Transportation Service for Schools (TSS)
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2. Description

All customers receiving service under the rate schedules below shall be issued a credit determined by applying a specified percentage to the service charge and volumetric base rate charges per account on each bill rendered. This credit will pass on to customers 100% of the tax savings East Ohio gained through federal tax reform, which became effective January 1, 2018.

This Rider is subject to reconciliation or adjustment, including, but not limited to, increases or refunds. Such reconciliation or adjustment shall be limited to the twelve-month period of expenditures subjected to annual review and audit by the Commission, if determined to be unlawful, unreasonable, or imprudent by the Commission in such docket or by the Supreme Court of Ohio.

3. Tax Savings Credit

The credit percentages by rate schedule shown below were determined based on allocations approved in East Ohio’s most recent rate case and total annual tax savings amounts to be passed to customers. The percentages will be updated annually.

GSS-R, ECTS-R	14.04 <u>14.46</u> %
GSS-NR, ECTS-NR	16.33 <u>16.21</u> %
LVGSS, LVECTS	6.85 <u>6.43</u> %
GTS, TSS	15.03 <u>15.47</u> %
DTS	2.24 <u>2.27</u> %
FSS	10.24 <u>10.29</u> %

**This foregoing document was electronically filed with the Public Utilities
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in

Case No(s). 18-1908-GA-UNC, 18-1909-GA-ATA

Summary: Application Third Supplemental Application to Adjust the Tax Savings Credit Rider electronically filed by Christopher T. Kennedy on behalf of The East Ohio Gas Company d/b/a Dominion Energy Ohio