

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE COMMISSION'S
REVIEW OF THE RULES IN OHIO
ADM.CODE CHAPTER 4901:1-35.

CASE NO. 22-862-EL-ORD

ENTRY

Entered in the Journal on June 6, 2023

{¶ 1} R.C. 121.95, effective October 17, 2019, required state agencies, including the Commission, to create a base inventory of regulatory restrictions contained in each of their rules by December 31, 2019.

{¶ 2} R.C. 121.951(A)(1), effective June 8, 2022, requires the Commission to amend or rescind rules identified in its base inventory – using the criteria listed in R.C. 106.03(A) – as necessary to reduce the total number of regulatory restrictions by thirty percent over the course of three years.

{¶ 3} The Commission initiated this proceeding to conduct a review of the rules contained in Ohio Adm.Code Chapter 4901:1-35 and reduce the number of regulatory restrictions pursuant to R.C. 121.951(A)(1).

{¶ 4} On October 19, 2022, after evaluating the rules, the Commission issued Staff's proposed amendments to the rules with a related Business Impact Analysis. The Commission's Entry also invited stakeholders to file comments regarding the proposed rules.

{¶ 5} Comments were filed by Calpine Retail Holdings, LLC, Interstate Gas Supply, Inc., and Industrial Energy Users-Ohio on November 9, 2022.

{¶ 6} On November 30, 2022, the Commission issued its Finding and Order adopting amendments to certain rules in Ohio Adm.Code Chapter 4901:1-35.

{¶ 7} On December 14, 2022, the Commission issued an Entry Nunc Pro Tunc to correct the omission of reference to Calpine Retail Holdings, LLC's comments.

{¶ 8} Pursuant to the requirements of R.C. 111.15, the Commission filed the proposed amendments to Ohio Adm.Code Chapter 4901:1-35 with the Joint Committee on Agency Rule Review (JCARR). JCARR's jurisdiction over the amendments to the rules ended as of June 4, 2023.

{¶ 9} The amendments to the rules in Ohio Adm.Code Chapter 4901:1-35 will become effective on June 19, 2023.

{¶ 10} It is, therefore,

{¶ 11} ORDERED, That the amendments to the rules in Ohio Adm.Code Chapter 4901:1-35, adopted through this proceeding, be effective on June 19, 2023. It is, further,

{¶ 12} ORDERED, That a copy of this Entry be served upon all Ohio electric distribution utilities, all Ohio certified competitive retail electric service providers, Ohio Consumers' Counsel, all entities on the electric industry service list, and all other interested persons of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/Isabel M. Marcelletti

By: Isabel M. Marcelletti
Attorney Examiner

PAS/dr

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in

Case No(s). 22-0862-EL-ORD

Summary: Attorney Examiner Entry ordering that the amendments to the rules in Ohio Adm.Code Chapter 4901:1-35, adopted through this proceeding, be effective on June 19, 2023 electronically filed by Debbie S. Ryan on behalf of Isabel M. Marcelletti, Attorney Examiner, Public Utilities Commission of Ohio.