

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE COMMISSION'S
REVIEW OF CHAPTER 4901:1-25 OF
THE OHIO ADMINISTRATIVE CODE
REGARDING MARKET MONITORING

CASE NO. 21-478-EL-ORD

ENTRY

Entered in the Journal on March 18, 2024

{¶ 1} R.C. 121.95, as enacted on 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 five-year review of the rules contained in Ohio Adm.Code Chapter 4901:1-25, pursuant to R.C. 111.15 and 106.03(A).

{¶ 4} On December 15, 2021, 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} On January 7, 2022, Ohio Power Company dba AEP Ohio (AEP), the Office of the Ohio Consumers' Counsel (OCC), and the Retail Energy Supply Association (RESA) filed comments regarding the proposed rules. Reply comments were filed on January 19, 2022, by RESA and OCC.

{¶ 6} Thereafter, on November 30, 2022, the Commission established a supplemental comment period to solicit comments on additional proposed amendments to the rules aimed to reduce the number of regulatory restrictions pursuant to R.C. 121.951(A)(1).

{¶ 7} No additional comments were filed in response to the November 30, 2022 Entry.

{¶ 8} On January 11, 2023, the Commission issued its Finding and Order adopting amendments to certain rules in Ohio Adm.Code Chapter 4901:1-25.

{¶ 9} On February 10, 2023, RESA filed an application for rehearing. AEP filed a memorandum contra the application for rehearing on February 17, 2023; OCC filed a memorandum contra the application for rehearing on February 21, 2023. In a March 8, 2023 Entry on Rehearing, the Commission denied the applications for rehearing.

{¶ 10} Pursuant to the requirements of R.C. 111.15, the Commission filed the proposed amendments to Ohio Adm.Code Chapter 4901:1-25 with the Joint Committee on Agency Rule Review (JCARR). JCARR's jurisdiction over the amendments to the rules ended as of March 14, 2024.

{¶ 11} The amendments to the rules in Ohio Adm.Code Chapter 4901:1-25 will become effective on March 25, 2024.

{¶ 12} It is, therefore,

{¶ 13} ORDERED, That the amendments to the rules in Ohio Adm.Code Chapter 4901:1-25, adopted through this proceeding, be effective on March 25, 2024. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/James M. Lynn

By: James M. Lynn
Attorney Examiner

MJA/dr

**This foregoing document was electronically filed with the Public Utilities
Commission of Ohio Docketing Information System on
3/18/2024 11:53:18 AM**

in

Case No(s). 21-0478-EL-ORD

Summary: Attorney Examiner Entry ordering that the amendments to the rules in Ohio Adm.Code Chapter 4901:1-25, adopted through this proceeding, be effective on March 25, 2024 electronically filed by Debbie S. Ryan on behalf of James M. Lynn, Attorney Examiner, Public Utilities Commission of Ohio.