



April 30, 2024

Docketing Division
Public Utilities Commission of Ohio
180 East Broad Street
Columbus, OH 43215

RE: *In the Matter of the Application of Duke Energy Ohio, Inc., for a Waiver of Ohio Adm.Code 4901:1-18-06(A)(2), Case No. 23-823-EL-WVR.*

Dear Docketing Division:

Enclosed please find Staff Comments in *In the Matter of the Application of Duke Energy Ohio, Inc., for a waiver of Ohio Adm.Code 4901:1-18-06(A)(2), Case No. 23-823-EL-WVR.*

Barbara Bossart
Chief, Reliability and Service Analysis Division
Service Monitoring and Enforcement Department
Public Utilities Commission of Ohio

Enclosure

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Duke : Case No. 23-0823-EL-WVR
Energy Ohio, Inc.'s for Continuation :
of a Waiver. :

**COMMENTS
OF THE STAFF OF THE PUBLIC UTILITIES
COMMISSION OF OHIO**

Background

On May 13, 2016 in Case No. 16-1096-EL-WVR, Duke Energy Ohio, Inc. (Duke or Company) filed an application (2016 Application) with the Public Utilities Commission of Ohio (Commission) for a limited waiver of Ohio Adm.Code 4901:1-18-06(A)(2) (rule), which addresses personal notice of pending disconnection of residential utility service for nonpayment.

Under the provisions of the 2016 Application, the waiver would allow Duke to replace the personal notice on the day of disconnection with a text message and/or telephone call to the customer.

On March 8, 2017, the Commission issued a Finding and Order allowing Duke to replace the personal notice on the day of disconnection with an alternative process for the period May 1, 2017 through May 1, 2019. The alternative notification process included: a text and/or phone message the day of disconnection; a text and/or phone message two business days before disconnection; an extension of the mailed 10-day disconnection notice from only during the winter heating season to year-round; the 14-day notice; and a one-time bill insert informing customers of the change in process.

On January 30, 2019 in Case No. 19-0187-EL-WVR, Duke filed an extension application (2019 Application) for continuation of the waiver as approved in Case No. 16-1096-EL-

WVR. The Company requested to extend the pilot for an additional five years and proposed no changes to the program.

On May 10, 2019, Staff filed comments recommending extension of the waiver under certain conditions, which included:

- Duke add a permanent bill message advising customers that in the event they are scheduled for disconnection due to nonpayment, they will not receive personal notice at their premises on the day of disconnection.
- Duke send separate notification, as either a mailing or bill insert, advising customers that they will not receive personal notice at their premises on the day of scheduled disconnection for nonpayment.
- Duke continue to collect the monthly metrics as agreed upon in Case No. 16-1096-EL-WVR and will provide this data to Staff on an annual basis, on or around July 1st each year, or when otherwise requested by Staff.

On September 26, 2019, the Commission issued a Finding and Order approving the 2019 Application through May 1, 2024, subject to Staff's recommended conditions.

On November 17, 2023, Duke submitted an application to extend the waiver for an additional five years. The Company requests the program remain in its present form, except for (1) to omit the requirement the Company will send separate notification, as either a mailing or bill insert, advising customers that they will not receive personal notice at their premises on the day of scheduled disconnection for nonpayment; and (2) to report the annual data to Staff on or around July 15, instead of July 1.

Waiver Metrics

As part of the approval of the waiver applications, the Commission directed Duke to collect data regarding the impact of the waiver and provide Staff yearly updates. Zero informal complaints were received by either Duke or PUCO regarding disconnection without personal notice. Staff examined data from June 2018 through June 2023 and found that, on an average monthly basis, 70 percent of customers scheduled for

disconnection for nonpayment responded to one of the alternative means of notification and made the payment required to avoid disconnection.

One of the benefits of automated remote disconnection is automated remote reconnection. Staff tracked those instances when a technological failure prevented remote reconnection after the customer made payment. Staff found that an average of 99 percent of remote reconnections were successful each month.

Staff Recommendations

Staff believes that the data provided by Duke demonstrates that customers are not being harmed by the methods of alternative notification approved on a pilot basis in previous cases. Staff has no concern with moving the date to report the annual data to July 15. As long as there continues to be a permanent bill message advising customers that in the event they are scheduled for disconnection due to nonpayment, they will not receive personal notice at their premises on the day of disconnection, Staff recommends that the extension application be approved as filed.

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in

Case No(s). 23-0823-EL-WVR

Summary: Comments Staff Comments on waiver continuation electronically filed by
Mr. Craig E. Smith on behalf of PUCO Staff.