



# Office of the Ohio Consumers' Counsel

"Your Residential Utility Consumer Advocate"

# Annual Report 2022



Natural gas prices more than double in Northeast Ohio as many brace for more expensive winter

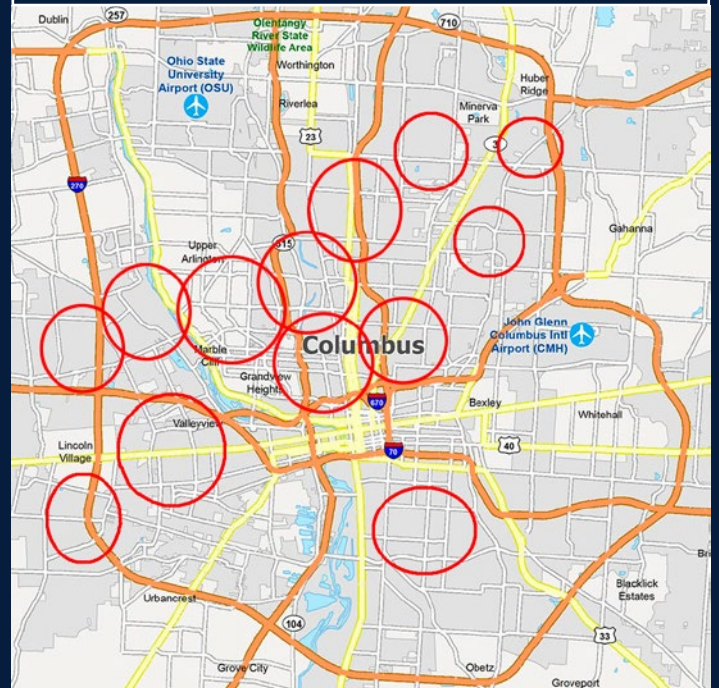


Power outages continue today; cooling stations available

## Soaring Energy Prices, Inflation



## Electric Outages



# Ohio Consumers' Counsel – 2022 Highlights

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- ▶ OCC served as the voice for millions of Ohio residential utility consumers, calling for consumer protections in more than 96 cases before the PUCO, FERC and the Ohio Supreme Court.
- ▶ OCC testified for consumers before the General Assembly on 12 occasions. OCC testified in opposition to House Bill 317 (ESP replacement) and as an Interested Party for Senate Bill 307 (EV charging infrastructure), both 4 times.
- ▶ OCC pressed for more transparency at the PUCO and for an independent investigation of the forced outages affecting nearly 250,000 AEP consumers.
- ▶ OCC's inquiry into the House Bill 6 scandal was halted after the U.S. Attorney filed to stay case preparation discovery and the PUCO granted the stay request.
- ▶ In response to a complaint by OCC, FERC ruled in December that AEP must stop charging consumers for an RTO Adder (extra profits). OCC estimates that FERC's granting of OCC's complaint will save AEP consumers about \$20 million per year.
- ▶ OCC asserted that DP&L owes consumers a rate freeze, consistent with the terms of a 2009 settlement that OCC, DP&L and others signed. The PUCO agreed and prevented DP&L from charging the \$75 million increase while DP&L is operating under its first electric security plan.
- ▶ OCC helped educate consumers about utility service during a total of 685 virtual and in-person outreach events.
- ▶ OCC added a language translation tool to its website and provided additional printable fact sheets in both Spanish and Somali that can be distributed at resource fairs.

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## Mission

The Ohio Consumers’ Counsel advocates and educates to secure for Ohioans affordable, reliable and equitable residential utility services that are essential to their well-being.

## Vision

To be an independent voice of Ohio residential consumers, including at-risk communities, for achieving justice, equity and regulatory reform regarding their utility services.

## Core Values

### **Justice**

We will advocate for what is fair and equitable for Ohio’s residential utility consumers.

### **Respect**

We will treat each other, our partners and the public with consideration and appreciation.

### **Communications**

We will share information and ideas to contribute to the making of optimal decisions by our colleagues and ourselves.

### **Excellence**

We will produce work that is high quality and we will strive to continuously improve our services.

### **Integrity**

We will conduct ourselves in a manner consistent with the highest ethical standards.

# Governing Board Chair

## A message from Michael Watkins

The Ohio Consumers' Counsel Governing Board appreciates the opportunity to present this 2022 Annual Report to the Ohio General Assembly. The Annual Report includes descriptions of the expenditures, the participation in proceedings and other activities of the Office of the Ohio Consumers' Counsel (OCC or Agency).

In 2022, Ohio residential utility consumers saw soaring energy prices, inflation and the reality or threat of power outages. That was unfortunate for Ohioans, including at-risk communities. What consumers did not see was meaningful government utility regulatory reform in response to the FirstEnergy, House Bill 6 and PUCO scandals. That was also unfortunate for Ohioans. I note that, before this Annual Report went to press, the jury returned guilty verdicts in the United States corruption trial against former Ohio Speaker Larry Householder and Matt Borges related to FirstEnergy and House Bill 6.



With regard to soaring prices and electric outages, the Agency sought to prevent or moderate utility rate increases and sought a full public investigation of a major outage in central Ohio impacting hundreds of thousands of AEP consumers. There was much more success with the former than the latter.

With regard to utility regulatory reform, 2022 was the third year in a row that I wrote to the Chair, Secretary and members of the PUCO Nominating Council. The OCC Board Chair is a standing member of the Nominating Council. In my Nov. 23, 2022 letter (clickable [here](#)), I once again requested a meeting of the Nominating Council to publicly discuss and adopt reforms for its processes. Those reforms are especially needed considering that the Nominating Council's process led to the nomination and appointment of Mr. Sam Randazzo to the PUCO. In that process the Council did not necessarily have the availability of all relevant information.

It's a frustration for consumer protection that 2022 was also the third year in a row that not a single other member of the Nominating Council joined my request for a separate meeting to discuss reform. In an Aug. 25, 2020 resolution (clickable [here](#)), the OCC Governing Board called for the replacement of the Nominating Council with an election process or for reform of the Nominating Council.

I thank Vice-Chair Grossman and the members of the Governing Board for their public service to Ohioans in 2022. The Board members are essentially volunteers who guide the Agency Director and Deputy in their consumer protection. The Board members are a key part of the Agency's commitment to doing the right thing for millions of Ohioans. In March 2022, the Board honored former Vice Chair Stuart Young with a resolution for his Board service, after he served at his last Board meeting in November 2021. In January 2022, Mr. Young was appointed by the Governor to serve as the business representative on the PUCO Nominating Council. In September 2022, the Board honored Mr. Timothy Callion for his Board service, after he began his retirement. Their resolutions can be viewed on OCC's website.

The Governing Board thanks our guests who spoke at our public meetings in 2022. Guest speakers were FERC Commissioner Mark Christie, State Representative Laura Lanese, PJM Vice President of Operations Michael Bryson, and Ohio Association of Community Action Agencies Executive Director Philip Cole. We appreciate the information and insights that they provided to the Board and the public.

# Governing Board Chair

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On behalf of the OCC Governing Board, I thank the Governor for his leadership during the financial crisis Ohioans faced in 2022. We also thank the General Assembly for their consideration of issues affecting millions of residential utility consumers. And we thank the Attorney General's Office for their services to the Board and Agency.

The OCC Governing Board and I commend the public service of our appointees, Consumers' Counsel Bruce Weston and Deputy Consumers' Counsel Larry Sauer, and commend their hardworking staff. We thank Director Weston and Deputy Sauer for their principled leadership of OCC and unwavering consumer advocacy.

At year-end Consumers' Counsel Weston informed me that he will be retiring in 2023. He has continued to serve while the Board conducts a search for his successor. Beginning as a legal intern in 1978, his illustrious career as an attorney for the Office of the Ohio Consumers' Counsel has included about 30 years of service, during two tours of duty. His career will be concluding with nearly 12 great years as the Agency Director, in Ohio's top job for giving residential utility consumers a voice. With more than four decades of experience in the field, his knowledge is vast for how utility regulation should work in the public interest.

Mr. Weston is only the fourth Consumers' Counsel in OCC's 46-year history. That stability in leadership reflects the independence of the Agency as it was created by the legislature in 1976. It also reflects that Mr. Weston, Deputy Sauer, OCC staff, and the Governing Board (like the Board's predecessors) have been courageous in guarding OCC's independence despite the field being rife with utility influence. Just look at OCC's allegiance to the public while the scandals involving FirstEnergy, House Bill 6 and the PUCO unfolded. On a related matter, the Governing Board, Consumers' Counsel Weston and OCC staff defended OCC in 2020 from capture under Substitute House Bill 246, originally introduced after OCC opposed House Bill 6. Fortunately for the public, that bad bill (HB246) was not heard from again after Speaker Larry Householder was indicted. Click [here](#) for the Board's resolution opposing the bill.

That brings me to Deputy Consumers' Counsel Larry Sauer. Mr. Sauer has served Ohioans for 20 years with the Agency. Nine of those years were as the Board-appointed Deputy. Deputy Sauer was a key part of the courage and dedication I already described in OCC's leadership. It was known last year that the Deputy would be retiring. As this Annual Report goes to press, the Deputy retired as of March 31, 2023. For his retirement, the Board honored Deputy Sauer with a resolution. In the resolution, which can be seen [here](#), the Board commended the Deputy's "outstanding public service" to consumers and wished him "success and happiness" in the future.

In sum, the Office of the Ohio Consumers' Counsel in 2022 rose to the challenges of these times in service to millions of Ohio consumers.



## A message from Bruce Weston

As the publishing date for this 2022 Annual Report grew closer, a jury in U.S. District Court found two defendants, one being former Ohio Speaker Larry Householder, guilty of federal corruption charges related to tainted House Bill 6. Meanwhile, the Ohio Consumers' Counsel's own investigatory efforts related to the FirstEnergy scandals ground to a halt in August 2022. At that time the U.S. Attorney filed a request asking the PUCO to halt legal discovery for a half-year in the regulatory investigations of FirstEnergy – and the PUCO then stayed most all activity in the cases. In March 2023, the U.S. Attorney again requested a half-year stay and the PUCO again granted it. We respect the U.S. Attorney's concerns about his office's work in the justice system.

However, the Office of the Ohio Consumers' Counsel (OCC or Agency) is also concerned about justice (and delays in justice) for millions of Ohio utility consumers. Their electric utility rates may have been impacted by any improper ratemaking related to the FirstEnergy scandals, including FirstEnergy's involvement with House Bill 6 and the former PUCO Chair.

Last October OCC, like other state agencies, submitted its budget proposal to the Administration. Earlier the OCC Governing Board had voted to support an Agency request for a \$700,000 increase, from \$5.8 million to \$6.5 million. For context, OCC's budget for consumer protection was about \$8.5 million in 2011, before several million dollars were slashed that year (seemingly with utility influence involved). Then, earlier this year, the Governor included a \$500,000 increase in his state budget proposal. As stated in my budget [testimony](#) to the House Finance Subcommittee, I am grateful for the Governor's consideration. OCC hopes to still achieve its full budget request to further its advocacy for millions of Ohio utility consumers. With the budget proposal we also proposed legislative reforms to improve our services and justice for utility consumers.

This Annual Report describes OCC's activities for 2022. OCC staff has been busy for consumers. Ohio law provides utilities with multiple ways to file for rate increases. There are not so many ways for consumers to file for rate decreases. In any event, OCC's dedicated staff has been busy in our public service, as we must be for consumer protection. I thank OCC staff for their hard work for the public.

Please feel welcome to visit OCC's website, at [www.occ.ohio.gov](http://www.occ.ohio.gov). There is information (including fact sheets) about ways to save money, avoid scams, find bill-payment and other assistance, and be an informed consumer about utility services. You can read our mission, vision and values [here](#). At OCC, we put consumers first.

Thanks to Governor DeWine for his leadership through the pandemic and through the recent financial challenges. For our part, we have been very concerned about the impact of soaring energy prices on Ohioans, including at-risk communities, in 2022.

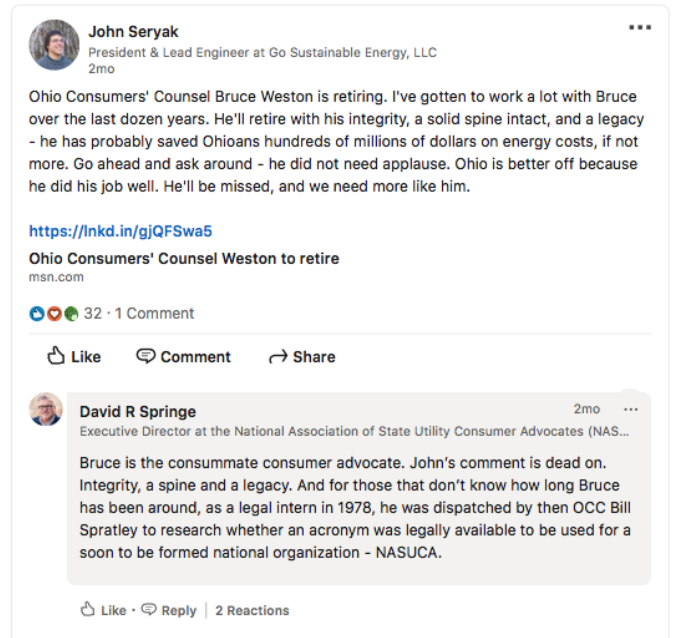
# Ohio Consumers' Counsel

Thanks to the legislature for considering our utility consumer perspectives on legislation. And thanks to the Attorney General's Office for their services to the Agency and the Board.

With my retirement planned for 2023, I express my gratitude to the Consumers' Counsel Governing Board, past and present, that permitted me the privilege of serving millions of Ohioans in this appointed position. Thanks to Chairs Solove, Moliterno, Krebs, and Watkins for their confidence, support, guidance, and time over the years. OCC Board members are essentially volunteers, and I appreciate their devoting time to the pursuit of justice for Ohio residential utility consumers.

Simply put, the Board expected me to do the right thing for the millions of Ohio consumers that we serve. That I have tried to do every day.

## John Seryak's Post



**John Seryak**  
President & Lead Engineer at Go Sustainable Energy, LLC  
2mo

Ohio Consumers' Counsel Bruce Weston is retiring. I've gotten to work a lot with Bruce over the last dozen years. He'll retire with his integrity, a solid spine intact, and a legacy - he has probably saved Ohioans hundreds of millions of dollars on energy costs, if not more. Go ahead and ask around - he did not need applause. Ohio is better off because he did his job well. He'll be missed, and we need more like him.

<https://lnkd.in/gjQFSwa5>  
Ohio Consumers' Counsel Weston to retire  
msn.com

32 · 1 Comment

Like Comment Share

**David R Springe**  
Executive Director at the National Association of State Utility Consumer Advocates (NAS...  
2mo

Bruce is the consummate consumer advocate. John's comment is dead on. Integrity, a spine and a legacy. And for those that don't know how long Bruce has been around, as a legal intern in 1978, he was dispatched by then OCC Bill Spratley to research whether an acronym was legally available to be used for soon to be formed national organization - NASUCA.

Like Reply 2 Reactions

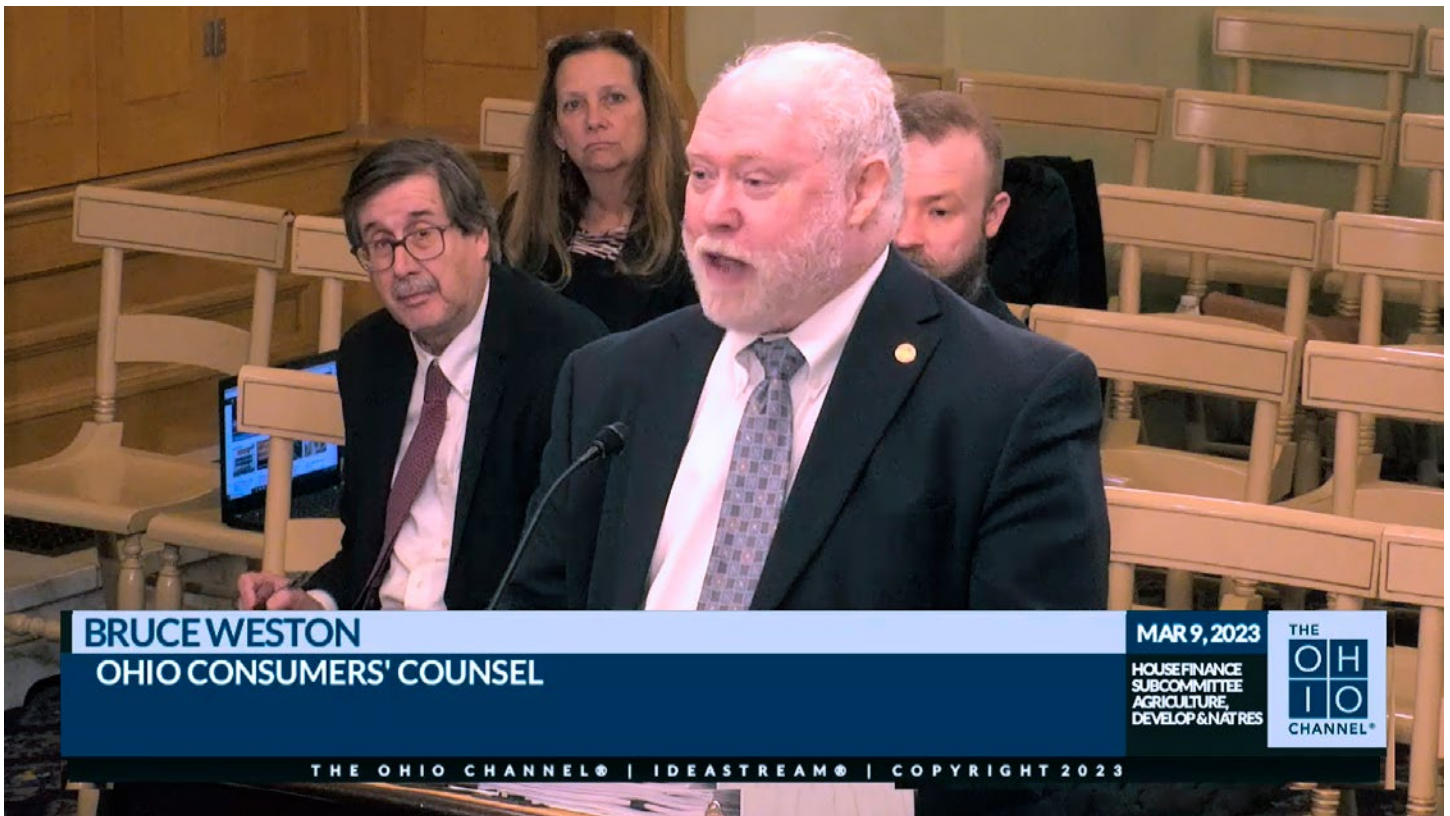


Photo: Consumers' Counsel Bruce Weston testifying before the House Finance Subcommittee on Agriculture, Development, and Natural Resources.

# Governing Board

By law, the Ohio Attorney General appoints nine members to the Consumers' Counsel Governing Board. The Board consists of three members each for residential consumers, labor and family farmers. No more than five members of the Board may be from the same political party. Board members are subject to confirmation by the Ohio Senate and serve three-year terms. The Board is responsible for appointing the Consumers' Counsel (the Agency's Director) and the Deputy Consumers' Counsel.



## Michael A. Watkins

**Chair, 2017 – present**  
**Vice-Chair, 2015 – 2017**  
**Term(s): 2010 – 2023**  
**Representing: Organized Labor**  
**Hometown: Elida**

Michael Watkins has served as a member of the Fraternal Order of Police (FOP), Lima Lodge No. 21 since 1976 when he began his career as a police officer in Lima, Ohio. He retired as an active law enforcement officer in 1999. He served six terms as president of FOP Lima Lodge No. 21 and currently serves as the recording secretary. Mr. Watkins retired from the FOP, Ohio Labor Council Inc. in Columbus, Ohio as an Administrative Assistant. Mr. Watkins was trustee of the FOP's 6th district from 1993-to 1995 and has served in that position again since 2007.



## Cheryl Grossman

**Vice-Chair, 2022 – present**  
**Term(s): 2019 – 2023**  
**Representing:**  
**Residential Consumers**  
**Hometown: Grove City**

Cheryl Grossman is the Executive Director of the Ohio Board of Embalmers and Funeral Directors. She is a former State Representative (23rd House District) and Mayor of Grove City. She was a member of the General Assembly from 2009-to 2017, where she served as Assistant Minority Whip, Assistant Majority Whip and Majority Whip. She has received more than 30 legislator awards, including the 2016 National Autism Speaks Legislator of the Year. Ms. Grossman chaired the Transportation Sub-Committee, Gas Tax Task Force and the Ohio Housing Study Committee, as well as served on several additional committees. She is a founding member of the Grove City Rotary Club and serves on the BIA Foundation Board and Ohio Access to Justice Board. She is a lifelong resident of Grove City.



## Randy Brown

**Term(s): 2022 – 2025**  
**Representing: Family Farmers**  
**Hometown: Morral**

Randy Brown is a fifth-generation farmer in Wyandot County. Brown and his son grow corn and soybeans and are also contract pig growers. Brown presently serves on the Wyandot Popcorn Museum Board, Wyandot County Community Foundation Board and the United States Pork Center of Excellence Board. In the past, Brown has served on the Ohio Pork Council Board, Wyandot County Farm Bureau Board, Ridgedale School Board, and the National Pork Board.



## David Fleetwood

**Term(s): 2022 – 2025**  
**Representing: Organized Labor**  
**Hometown: Toledo**

David Fleetwood has served as the Business Manager and Secretary-Treasurer of the Laborers' International Union of North America (Local 500) since 2013. Mr. Fleetwood is the Chair of the Toledo-Lucas County Port Authority Board. He formerly was a member of the Lucas County Workforce Development Board. He also serves as an Associate Pastor of the Body of Christ Church in Toledo.



## Dorsey Hager, Jr.

**Term(s): 2020 – 2024**  
**Representing: Organized Labor**  
**Hometown: Marysville**

Dorsey Hager has an extensive family background in organized labor. Both his mother and father were union members. His career began in 1994 as an apprentice with the International Association of Heat and Frost Insulators Local 50. There, he served in the elected positions of



# Governing Board

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Financial Secretary and then Business Manager. In 2014, he was elected to his current position of Executive Secretary-Treasurer of the Columbus/Central Ohio Building & Construction Trades Council. Mr. Hager resides in Marysville.



## Kelly C. Moore

**Term(s): 2015 – 2024**  
**Representing:**  
**Residential Consumers**  
**Hometown: Newark**

Kelly Moore is the corporate Vice President of GKM Auto Parts, Inc., an independent jobber of NAPA Auto Parts. A member of the National Federation of Independent Business/ Ohio, Mrs. Moore serves as a member of the group's Ohio Leadership Council. She serves on various committees, including the Workers Compensation committee and the legislative committee. She is the former Chair and Vice-Chair of the Zanesville NFIB Area Action Council. In addition, Mrs. Moore is the Chairperson of the NFIB/OH PAC.



## Jan Shannon

**Term(s): 2019 – 2022**  
**Representing:**  
**Residential Consumers**  
**Hometown: Orient**

Jan Shannon is retired as the Executive Director of the Pickaway County Community Foundation, an organization led by a board of community leaders dedicated to strengthening the community through charitable giving. She is currently involved in the creation of a Children's Museum in Pickaway County. She is a farm owner and advocate for agriculture. Ms. Shannon serves as Vice-Chair on the Pickaway County Chamber of Commerce Board, is a member of the Pickaway Ross Career and Technology School Board, and secretary of the Muhlenberg Board of Zoning Appeals. She is a graduate of the AgriPower VIII program with the Ohio Farm Bureau. She enjoys volunteering her time for a number of non-profits and promoting philanthropy.



## Connie Skinner

**Term(s): 2020 – 2023**  
**Representing: Family Farmers**  
**Hometown: Delaware**

Connie Skinner and her family are sixth generation crop farmers, operating Hardscrabble Farms in Delaware County. She is a Brown Township Trustee and enjoys serving her community. She also currently serves on the Delaware County hunger alliance through the United Way, as treasurer for the Delaware County Township Association, and as secretary for the Delaware County District Library Board. She previously served on the Delaware County Farm Bureau Board, the Future Farmers of America Chapter Advisory Committee, a local 4-H leader and on the Delaware County Red Cross Board.



## Josh Yoder

**Term(s): 2022 – 2024**  
**Representing: Family Farmers**  
**Hometown: Plain City**

Josh Yoder is a fifth-generation farmer and operates his own retail business selling seed and crop inputs to local farmers. Mr. Yoder has served on the board of the Ohio Corn and Wheat Growers Association. Mr. Yoder is a member of his township's zoning commission and is an adjunct professor for Rosedale Bible College teaching microeconomics. Mr. Yoder is a member of the Environmental Defense Fund (EDF) Growers Council. The Council advises the EDF on farming issues and advocates for incentives to improve water quality and conservation efforts. Mr. Yoder has a Bachelor of Science in Agribusiness and Applied Economics from The Ohio State University, a Masters of Science in Agricultural Economics, and a Masters of Business Administration from The Ohio State University.

# Senior Management

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**Bruce Weston**  
**Consumers' Counsel**

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Bruce Weston has served Ohioans as the Consumers' Counsel (Agency Director), by appointment of the Consumers' Counsel Governing Board, since March 2012. He was named interim Consumers' Counsel in September 2011 and previously served as the Deputy Consumers' Counsel where he directed the Agency's Legal Department. His career spans more than 40 years in public utilities law, which he draws upon in his public service to the Agency and to Ohio residential consumers.

Bruce has informed the Governing Board that he plans to retire in 2023. In his announcement to the Board, he quipped that he looks forward to life away from utility influence and crony-capitalism.

Bruce is committed to giving Ohioans a voice in their government's regulatory and legislative processes for regulation of essential utility services, among the powerful corporate interests and undue influence of public utilities. He seeks affordable rates and reliable utility services for millions of Ohio consumers. His consumer protection priorities include but are not

limited to: reforming the process for selecting PUCO commissioners to provide balance and more transparency for consumers; improving justice and equity for consumers at the PUCO, such as giving consumers refunds when the Supreme Court overturns a PUCO rate order; protecting at-risk Ohioans regarding their utility services; reforming the ratemaking in Ohio's 2008 energy law that favors electric utilities over consumers; repealing the subsidy charged to consumers for coal power plants in tainted House Bill 6 (2019); enabling competitive markets, instead of monopolies and subsidies, where competition can be effective for providing consumers with lower prices and greater innovation; and increasing consumer protections regarding services from energy marketers.

Bruce initially joined the Agency in 1978 when he was hired as a legal intern by the first Consumers' Counsel, William Spratley. In between his periods of service at the Agency, he was in private law practice. He received his bachelor's degree in business administration from the University of Cincinnati. He earned his law degree from The Ohio State University College of Law. He served as the Chair of the Public Utilities Law Committee of the Ohio State Bar Association for two years beginning in June 2010.



**Larry Sauer**  
**Deputy Consumers' Counsel**

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Larry Sauer was appointed as the Deputy Consumers' Counsel by the Consumers' Counsel Governing Board in September 2014. As Deputy, he performs the duties of the Consumers' Counsel during any times of the Consumers' Counsel's unavailability. Larry also serves as the Director of the Legal Department.

He joined the Agency in March 2003 as an Assistant Consumers' Counsel. He has served as counsel in electric and natural gas cases and has advised the Agency on consumer issues involving the transition to competitive markets for utility services.

Prior to joining the Agency, he worked for 24 years as an accountant, analyst, and attorney for American Electric Power. Larry received his bachelor's degree in accounting from Indiana University. He earned his law degree from Capital University Law School.

# Senior Management

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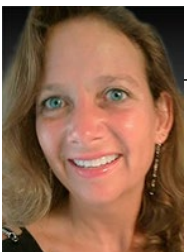


**Daniel Duann**  
Analytical Co-Director –  
Traditional Regulation

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Daniel Duann was named Ohio Consumers' Counsel Analytical Co-Director – Traditional Regulation in 2021. He has worked for the OCC since January 2008. He was previously Assistant Director, Principal Regulatory Analyst, and Senior Regulatory Analyst analyzing, reviewing, and preparing testimony on electric and natural gas cases, and other regulatory proceedings, and legislation in Ohio. Daniel was a senior research specialist for nine years at the National Regulatory Research Institute at The Ohio State University and was an economist with the Ohio Division of Energy (later transferred to the Public Utilities Commission of Ohio) for two years.

He has a master's degree in economics from the University of Kansas, and a master's degree in energy management and policy and a doctorate in public policy from the Wharton School, University of Pennsylvania.



**Susan Loe**  
Operations Director

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Susan Loe serves Ohioans as the Operations Director. The Operations Department manages human resources, information technology and budget and fiscal matters for OCC. Susan joined the Agency in September 2021. Prior to joining OCC, Susan held positions in HR/Fiscal Management at the State Medical Board and the Ohio Ethics Commission. She also previously held Chief of Staff and administrative positions in private sector law firms for more than a decade.

Susan earned a bachelor's degree from Franklin University, with a dual major in Business Management and Human Resources Management. Susan also received her Ohio Certified Public Manager (OCPM) certification from Ohio State's John Glenn College of Public Affairs and is a graduate of the Ohio Fiscal Academy and the Office of Collective Bargaining Academy.



**Mike Haugh**  
Analytical Co-Director –  
Markets and Competitive Services

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Mike Haugh was named Analytical Co-Director – Markets and Competitive Services in 2021. He joined the OCC in June 2014 as the Assistant Director of the Analytical Department.

He previously worked for OCC from 2004-2007 as a Regulatory Analyst. He provides leadership, support, and analysis concerning energy markets, regulatory policy, and strategic planning, among other projects. In addition, he is advocating on behalf of Ohioans in various proceedings before the Public Utilities Commission of Ohio and the Federal Energy Regulatory Commission.

Mike has a long history working on utility issues. He has been an Energy Trader at Enron and AEP Energy, a Regulatory Analyst at Integrys Energy Services, and the Regulatory Affairs Manager at Just Energy. Previously, Mike was a Senior Fellow with the R Street Institute writing and researching issues in the competitive energy markets. Mike earned his bachelor's degree from The Ohio State University's Max M. Fisher College of Business.



**J.P. Blackwood**  
Public Affairs Acting Manager

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J.P. Blackwood serves Ohio consumers as the Acting Manager of the Public Affairs Department which supports OCC's efforts in communications, outreach and education, and legislative services. J.P. joined the Agency as a Public and Legislative Affairs Specialist in 2018. J.P. served the public for 20 years with the City of Columbus Department of Public Service where he led a communications program for road construction and was part of the department's public relations team. J.P. earned a bachelor's degree in economics and public relations from the University of Oklahoma as well as master's degrees in Public Policy and Management and Political Science from the Ohio State University.



## Legislative Activities

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The Office of the Ohio Consumers' Counsel represented Ohio consumers at the General Assembly in 2022. Throughout the year OCC testified 12 times on 6 separate pieces of legislation, including five testimonies in the 2022 lame-duck session. Testimony issues included: electric vehicle infrastructure development; natural gas infrastructure funded at consumer expense; subsidization of water infrastructure at consumer expense; the repeal of electric security plans for competitive power plans; and the development of community solar projects.

# Legislative Activities

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## **OCC's efforts to repeal charges to consumers for the remaining subsidy provisions of House Bill 6:**

OCC continued in 2022 to seek repeal of the remaining subsidies in House Bill 6. Those subsidies include charges to Ohioans for subsidizing AEP, Duke and AES for two coal power plants. H.B. 6 (by Representatives Jamie Callender and Shane Wilkin) was passed by the General Assembly and signed by the Governor in July of 2019. It has been at the center of Ohio's energy policy and later became the epicenter of a political scandal. Unfortunately, there were no hearings on repeal legislation, such as House Bill 351 and Senate Bill 117 in 2022.

## **Legislation and Testimony**

### **Senate Bill 307 - Regards electric vehicle incentives, transport**

**electrification:** The bill (by Senator Michael Rulli) began as legislation that would allow for a charge on consumers' electric bills to develop programs that promote, prepare and support electric vehicle infrastructure. On Dec. 6, 2022, OCC testified in the Senate Energy and Public Utilities Committee: "After reviewing the substitute bill, OCC is changing its position from opponent to interested party. We appreciate that the substitute bill removes the subsidy language that OCC opposed."

The substitute bill added the creation of a "Task Force" to "evaluate improvements needed to the electric utility grid to support the growing demand for electric vehicles." In the Dec. 6, 2022 testimony, OCC advocated for the Consumers' Counsel or the Consumers' Counsel's designee to be added to the Task Force.

**House Bill 317 - Replaces electric security plans with competitive power plans:** The bill (by Representative Shane Wilkin) was touted as repealing electric security

plans (ESPs). But the bill, as amended over time, included some problematic provisions for consumers. In testimony on Nov. 15, 2022 in the House Public Utilities Committee, OCC proposed for the bill "to fix the anti-consumer provisions in..." electric security plans instead of starting over with a new regulatory approach.

*"In conclusion, we are competing on behalf of consumers against lawyered-up utilities and others in ratemaking and policymaking forums. That does cost money. The \$60 million that FirstEnergy reportedly spent in connection with House Bill 6 is about eleven times OCC's budget for all our consumer advocacy in a year."*

*- Ohio Consumers' Counsel Bruce Weston*

OCC testified as an opponent to the bill on four occasions in 2022. The bill did not receive enough support to be voted out of the House Public Utilities Committee.

### **House Bill 364 - Charges to consumers for water utility ratemaking:**

The bill (by Representative Tom Patton) relates to PUCO ratemaking that affects the monthly water and wastewater bills charged to Ohio consumers by monopoly water utilities. The bill would expand and extend the use of riders (add-on charges) by regulated water and wastewater utilities and extend surcharge eligibility to include the "replacement of an existing plant." The bill also delayed the termination of the riders (infrastructure improvement surcharge) to Dec. 31, 2036. On Dec. 6, 2022, OCC testified in the Senate Energy and Public Utilities Committee that: "At this time, efforts

should be made to limit charges instead of creating more flexibility for increasing charges to consumers for essential monopoly utility services."

OCC testified twice as an opponent to House Bill 364 in 2022, once in each chamber during its committee hearings. However, House Bill 364 was signed into law on Jan. 3, 2023.

### **House Bill 450 - Allow development of community solar projects:**

The bill (by Representatives Laura Lanese and Brian Baldrige) would encourage the development of community solar projects and allow for customers to offset a portion of their electric consumption with energy generated by the project through subscriptions.

# Legislative Activities

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OCC testified on the bill as an interested party on March 2, 2022, in the House Public Utilities Committee. OCC's testimony included that: "If subsidies and cost-shifting are not eliminated from HB450, then OCC respectfully opposes the bill."

**House Bill 685 - Charging natural gas consumers to subsidize infrastructure development:** The bill (by Representatives Jay Edwards and Jon Cross) creates areas within which tax and other incentives are available to encourage the development of natural gas pipelines and other infrastructure. The bill allows charging consumers \$1.50 per customer per month in addition to the \$1.50 monthly subsidy that currently exists in R.C. 4929.162.

Businesses (even the largest businesses) are benefited by paying no more than the same \$1.50 charge that residential consumers would pay. The bill also allows natural gas utilities to "collect" up to a 12% rate of return on these infrastructure investments. Furthermore, the bill implements a "rollover" system where a utility's unspent subsidy from consumers may be retained by the utility for collection from consumers for future projects.

On Dec. 13, 2022, OCC presented opponent testimony in the House Energy and Natural Resources Committee. OCC stated that: "Unfortunately, the subsidy and related ratemaking parts of this bill override needed consumer protections."

The bill was not voted out of committee at the end of the General Assembly.

**House Bill 690 - Require one PUCO commissioner be nominated by consumers' counsel:** The bill (by Representatives Laura Lanese and Gayle Manning) would require one public utilities commissioner to be nominated by the Office of the Consumers' Counsel. This reform bill comes in the wake of issues at the PUCO regarding former PUCO Chair Sam Randazzo and FirstEnergy.

The bill did not receive a committee hearing, so there was not an opportunity for OCC to testify. OCC supported the bill as a needed reform.

## Other Legislation

Other bills of interest to utility consumers included the following legislation.

**House Bill 260 – Enabling refunds for consumers:** The bill (by Representatives Laura Lanese and Daniel Troy) sought to refund to consumers any illegal utility charges. Presently, refunds to consumers are generally not allowed by the PUCO after Supreme Court reversals and other rulings. Denied electric refunds since 2009 have totaled \$1.5 billion. This regulatory reform is a key issue for consumer protection.

**House Bill 273 – Restoring OCC's budget and call center:** The bill (by Representative Michael O'Brien) would restore OCC's ability to operate a call center. The bill also would restore OCC's budget to its level before OCC's funds were slashed by the 2011 budget cut. The bill did not receive a hearing.

**House Bill 389 – Electric energy efficiency programs and charges to consumers:** The bill (by Representatives Bill Seitz and David Leland) would restore some components of Ohio's energy efficiency law which were eliminated by H.B. 6. The bill would have allowed electric utilities to create "voluntary" energy efficiency programs. Residential consumers and smaller businesses would be given just one chance at the beginning of a program to opt out.

Energy efficiency is a good thing. It is also something that Ohioans can and do obtain in the competitive market from businesses without legislation. The bill had early hearings and OCC testified twice in opposition to this bill in 2021.

**House Bill 430 – Reduced protections for consumers' basic phone service:** The bill (by Representative Jon Cross), as amended in committee, proposed to undo consumer protection rules the PUCO implemented that required consumer protections when a phone company withdraws basic telephone service.

OCC testified as an opponent of the bill along with other pro-consumer groups, Pro Seniors, Inc., the Ohio Poverty Law Center, and Advocates for Basic Legal Equity, Inc. Despite OCC's concerns, House Bill 430 was signed into law on June. 24, 2022.

# The Columbus Dispatch

## Ohio Consumers' Counsel: How the little public law firm represents 4.5 million clients

August 24, 2022

cleveland.com

Opinion  
HB 690 would aid PUCO reform in balancing the public's interest with utility interests: editorial

Published: Jun. 17, 2022, 5:59 a.m.

cleveland.com

Opinion  
Top-down reform of PUCO and its nominating process is needed

Published: Feb. 04, 2022, 5:53 a.m.

GONGWER  
SINCE 1906

### Consumers' Counsel, Manufacturing Group Push For Investigation Into Power Outages

Tuesday, June 16, 2022

## OHIO CAPITAL JOURNAL

### FirstEnergy collected \$460 million from customers; auditor unsure if it was spent on bribes

BY: JAKE ZUCKERMAN - JANUARY 18, 2022 4:00 AM

## ENERGY NEWS NETWORK

### Eye on Utilities: FirstEnergy continues to play hardball with Consumers' Counsel and others

FirstEnergy bucks efforts to get more facts and impose consequences for the alleged HB 6 conspiracy.



by Kathiann M. Kowalski  
May 16, 2022

cleveland.com

### FirstEnergy should pay nearly \$1.5 billion in penalties for misusing grid-modernization fee, state agency argues

Updated: Apr. 26, 2022, 9:33 a.m. | Published: Apr. 25, 2022, 8:28 a.m.

cleveland.com

Opinion  
End HB 6 coal subsidies, probe utility influence - critical Ohio resolutions for the new year

Published: Jan. 09, 2022, 5:59 a.m.

## THE BLADE

### Editorial: PUCO being PUCO

February 23, 2022

September 16, 2022



Hannah  
CAPITOL CONNECTION

### OCC, Partners Expand Push for PUCO Overhaul of Winter Reconnect Order



Hannah  
CAPITOL CONNECTION

### Feds Deny AEP More 'FERC Candy,' Repeal Transmission Subsidy, Order Refund

December 21, 2022

cleveland.com

### Ohio Consumers' Counsel blasts PUCO decision to push back NOPEC case, saying delay could increase electric bills

Updated: Dec. 16, 2022, 1:21 p.m. | Published: Dec. 16, 2022, 12:32 p.m.

# House Bill 6 Timeline

**04/12/2019** – House Bill 6 (H.B. 6) introduced

**05/05/2019** – House Bill 246 to “reform” OCC (and PUCO) introduced 11 days after OCC’s testimony against H.B. 6

**06/06/2019** – House passes H.B. 6

**07/23/2019** – Gov. DeWine signs H.B. 6 within hours of receiving it

**07/21/2020** – House Speaker and four others arrested on bribery charges connected to H.B. 6

**11/20/2020** – PUCO Chair resigns

**03/02/2021** – OCC Testifies on H.B. 128 for repeal of H.B. 6

**07/22/2021** – FirstEnergy admits guilt in U.S. Deferred Prosecution Agreement; agrees to pay \$230 million fine. FirstEnergy admits paying Mr. Randazzo \$4.3 million shortly before his appointment to the PUCO

**03/07/2022** – PUCO law judge Gregory Price withdraws from H.B. 6 cases

**03/09/2023** – Jury finds Ex-Speaker Larry Householder and Matt Borges guilty

**04/24/2019** – OCC testifies against H.B. 6

**05/22/2019** – Bail-out added to H.B. 6 for AEP, Duke and AES coal power plants

**07/17/2019** – Senate passes H.B. 6; OCC and OMA ask Governor to veto the bill

**05/28/2020** – Sub. House Bill 246 would give legislature control of 6 of 9 OCC Board appointments

**11/16/2020** – FBI raids home of PUCO Chair Randazzo

**02/16/2021** – H.B. 128 introduced to partially repeal H.B. 6

**03/31/2021** – Gov. DeWine signs H.B. 128, which partially repeals H.B. 6

**11/02/2021** – FirstEnergy Advisors files shocking text messages reflecting communications between FirstEnergy CEO and PUCO Chair Randazzo

**01/23/2023** – Trial of Larry Householder and Matt Borges begins



# OCC advocated for truth and justice for consumers amid the FirstEnergy bribery scandals

In 2022 OCC continued efforts to protect consumers from FirstEnergy's scandals involving tainted House Bill 6 and the former PUCO Chair.

Former U.S. Attorney David DeVillers described the House Bill 6 scandal as "likely the largest bribery, money laundering scheme ever perpetrated against the people of the state of Ohio."

In March of 2022 it was announced that the trial of former Speaker of the House Larry Householder and lobbyist Matt Borges would be held in January 2023. Householder and Borges were found guilty in March 2023.

In a U.S. Deferred Prosecution Agreement, FirstEnergy admitted intent to bribe elected and appointed officials. Such officials included individuals later identified as then Speaker of the House Larry Householder and then PUCO Chair Sam Randazzo. Mr. Randazzo resigned in November 2020. He has not been charged with a crime. In the Deferred Prosecution Agreement, FirstEnergy admitted that it "paid \$4.3 million dollars to Public Official B (Randazzo) through his consulting company in return for Public Official B performing official action in his capacity as PUCO Chairman to further FirstEnergy Corp's interest."

In early 2022 it came to light that Mr. Randazzo had a hand in writing House Bill 6.

FirstEnergy sought to slow OCC's work on the investigations of the scandals and to keep scandal-related records secret. It filed more than 20 motions at the PUCO to shield records from public release. It also filed

at FERC to prevent OCC from obtaining H.B. 6-related documents.

On Aug. 16, 2022, the PUCO issued a stay of the FirstEnergy/H.B. 6 investigations in response to a request from U.S. Attorney Kenneth Parker. The stay halted the four PUCO cases investigating the H.B. 6 scandal. This halted the progress OCC was making to uncover details of the scandal. Unfortunately for consumers, that stay

was extended by another six months on March 8, 2023, again at the request of U.S. Attorney, Kenneth Parker.

The longer there is a stay, the longer it will be until consumers receive relief in the form of penalties against FirstEnergy or potential refunds for improper charges. The stay also harms OCC's ability to investigate these issues as over time witnesses become unavailable, memories fade and documents disappear.

Of the four cases involving investigations of FirstEnergy, one of them (Case 20-1502, about political spending) languished for more than a year without the PUCO hiring an independent auditor to investigate. It wasn't until OCC filed another motion in 2021 for an audit, that the PUCO in 2022 began the process of hiring an auditor.

*"Consumers paid nearly half a billion dollars for FirstEnergy's unlawful modernization charge. We are reviewing the PUCO audit of the charge, to learn if FirstEnergy consumers are being protected. We've asked the PUCO to end its delay with granting our subpoenas, so we can question Oxford about its unfinished audit and a shocking FirstEnergy internal text on 'burning' the final report."*

*– Ohio Consumers' Counsel Bruce Weston*

# Partnerships

OCC partners with other consumer advocacy groups for advancing consumer protection goals. In 2022, OCC worked with at least 10 such partners to protect consumers. OCC joined with partners to help get the best rates for consumers, to stop PIPP Plus customers from being charged more for electricity, to gain additional consumer protections, and seek proper investigations into AEP summer power outages. The OCC joined its partners writing letters to the Governor and Nominating Council to call for PUCO reform in the Nominating Council process and in choosing a commissioner that represents consumer interests.

The OCC is grateful for the opportunity in 2022 to work with these other organizations and their staffs, who courageously served the public interest.





## Electric Consumer Protection



OCC advocated for millions of Ohio residential electric consumers in 2022. OCC made consumer recommendations for lower rates, more prudent utility management, reliable service, bill-payment assistance, and ending subsidies.

More than two decades after Ohio's 1999 deregulation law, electric utilities continued to seek subsidies from their monopoly consumers. OCC's "Subsidy Scorecard," at the end of this Annual Report, shows that more than \$15 billion in above-market subsidies have been charged to Ohio consumers by their electric utilities since 2000.

In 2022, utility consumers continued to need protections especially as they faced rising electricity prices and continued to recover from the financial difficulties that came from the time of the pandemic. Examples of OCC's advocacy on behalf of electric consumers are highlighted below. A full listing of the Agency's case activities can be found at the back of this Annual Report.

# Electric Consumer Protection

## Power outages cause disruption and turmoil for Ohio Consumers

*OCC and others ask the PUCO for full investigation of utilities*

During the week of June 13, power outages impacted more than 600,000 AEP Ohio consumers. The outages occurred due to transmission line problems in the wake of severe thunderstorms with high winds followed by increased electricity demand caused by temperatures above 90 degrees. In response, AEP Ohio shut-off power to homes and business throughout parts of Central Ohio. More than 250,000 AEP Ohio consumers lost power because of the forced outages in the Columbus metro area.

OCC, the Ohio Poverty Law Center and Pro Seniors jointly asked the PUCO to open an investigation into the outages. OCC and the consumers groups recommended that the PUCO hire an independent auditor to investigate the outages and to hold public hearings to allow consumers voices to be heard about the outages. OCC and the others also asked the PUCO to determine if AEP Ohio is negligent and is liable to consumers for perishable food and other damages.

Unfortunately, the PUCO did not grant the consumer groups' motions and their request for an independent investigation. In fact, the PUCO did not even open a case for the AEP outages. The PUCO Staff issued a report on the outages without a case.

*PUCO Case No. 20-1111-EL-ESS and 21-1268-EL-RDR*

## OCC seeks fair rates for at-risk consumers

The Ohio Department of Development (ODOD), in May of 2022, filed an application for PUCO approval of increases to the Universal Service Fund Rider (USF) that is charged to all consumers to fund the low-income program. The adjustment resulted in the USF rider, that all consumers pay, increasing substantially from 2022 to 2023.

Part of the problem for consumers who fund the low-income program has been that the PUCO allowed generation rates for consumers in the Percentage of Income Payment Plan (PIPP) to be significantly higher than the rates charged to Standard service offer (SSO) electric customers. In OCC's view, this result was unlawful. The law does not allow the PUCO to accept charges for electricity to low-income consumers that exceed what non-low-income consumers pay for the utilities' standard offers. In addition to being unlawful, it also does not make sense to charge low-income consumers more than non-low-income consumers.

*“It is bad timing for utilities to be seeking rate increases at the PUCO, with consumers already hurting from soaring energy prices and inflation. Ohio should lead with its heart and keep Ohioans connected to their utility services.”*

*– Ohio Consumers' Counsel Bruce Weston*

Further, these high PIPP generation rates from electricity marketers were bad for low-income (PIPP) consumers because the higher charges inflated their arrearage (debt) balances. That means consumers could end up owing more to their utilities if they leave the PIPP program. OCC opposed the settlement reached by parties in the case. But the PUCO approved it. The PUCO's decision on OCC's application for rehearing is still pending.

OCC also expressed concern with the excessively high PIPP generation rates in the PIPP eligibility emergency rule proceeding (initiated by the Governor's Executive Order 2022-12D) and in the Special Reconnect Order (Previously called the Winter Reconnect Order) case. In both cases, the PUCO dismissed OCC's concerns regarding the high PIPP generation rates.

As the Annual Report goes to press, language has been added to the budget bill (HB33) to fix the problem for low-income consumers and all consumers who pay to fund the low-income programs. That could be welcome though in OCC's view the law already prevents higher charges to low-income consumers.

*PUCO Case No. 22-556-EL-USF, 22-731-GA-ORD, and 22-668-GE-UN*

# Electric Consumer Protection

## Consumers protected - AES rate freeze reinstated

On Nov. 26, 2019, AES filed a notice of withdrawal in Case 16-395-EL-SSO. The PUCO subsequently ordered on Dec. 19, 2019 that AES had a statutory right to withdraw and approved the notice. In OCC's view, electric utilities should not be allowed to withdraw cases after they receive unfavorable rulings. The law should be reformed. But once the PUCO approved the AES withdrawal, AES reverted from its latest electric security plan (ESP III) to its first ESP. Its first electric security plan (approved in 2009) includes a so-called stability charge to consumers, which OCC considers unlawful. If readers think this process sounds complicated, they should know that it is. But it's complicated in a way that favors utilities like AES so the law should be changed.

In this situation, OCC and others had negotiated an agreement with AES (then DP&L) to freeze rates while the utility was operating under its first electric security plan. So OCC led the effort for AES to keep its promise to not raise rates.

The PUCO agreed with OCC's argument and ordered a rate freeze to remain in effect until AES Ohio obtains a new electric security plan. The freeze will save AES consumers more than \$6 million monthly.

*PUCO Case No. 16-395-EL-SSO, 20-1651-EL-AIR, 20-1652-EL-AAM, and 20-1653-EL-ATA*

## Consumers harmed by a Duke electric settlement approved by the PUCO

OCC opposed a Settlement in the Duke Electric rate case. First, the Settlement placed 92.4% of the \$23.1 million dollar rate increase on Duke's residential consumers, shielding commercial and industrial consumers from nearly all of the increase. Second, the Settlement permitted Duke to earn more profits with a high rate of return of 9.5%. OCC advocated for a more reasonable rate of return of 8.84%, which would have resulted in lower bill for consumers.

Third, the Settlement "dangled" money in front of groups serving low-income consumers to induce them to sign, which calls into question whether there was serious negotiation.

Finally, an agreed upon bill-payment assistance program—that should have benefited all Duke residential consumers—was only made available to residents of the City of Cincinnati. No other residential consumers in the Duke service territory received this benefit. OCC believes that Duke should have been required to use shareholder money to fund such programs for all consumers in its territory and not just consumers in one city of many. The PUCO approved the Settlement on Dec. 14, 2022.

*PUCO Case No. 21-887-EL-AIR, 21-888-EL-ATA, and 21-889-EL-AAM*

*“Especially given soaring energy prices and inflation, this is not the time for AES’ proposals to increase the electric rates of Dayton-area consumers. We have presented our evidence to the PUCO for why it should completely deny AES’ proposed rate increase this week. We hope the PUCO will protect consumers.”*

*– Ohio Consumers’ Counsel Bruce Weston*



## Natural Gas Consumer Protection



OCC advocates for millions of Ohio natural gas consumers in cases affecting their monthly natural gas bills.

This section describes significant consumer issues that OCC addressed during the year on behalf of natural gas consumers. These efforts were particularly important as the price of natural gas soared during the year. A full listing of the Agency's case activities can be found at the back of this Annual Report.

# Natural Gas Consumer Protection

## OCC and NOPEC team up to protect consumers in major Columbia Gas settlement that reduces Columbia's proposed rate increase by hundreds of millions of dollars

In October 2022, OCC, NOPEC, the PUCO Staff, the Ohio Manufacturers' Association and others signed a Settlement with Columbia Gas. The Settlement relates to natural gas distribution service, which includes the pipes through which natural gas is delivered but not the natural gas that flows through the pipes.

The Settlement cuts \$153 million annually from Columbia's proposed \$221 million increase in its rate case. Columbia also filed two so-called rider cases (for add-on charges) with hundreds of millions of dollars at issue for consumers over a period of years. Compared to Columbia's proposals for the add-on charges, the Settlement eliminated hundreds of millions of dollars in total from the riders that would have been charged to consumers.

Also, Columbia agreed in the Settlement to eliminate its non-low-income energy efficiency program that would have been charged to consumers. That will result in more than a \$100 million savings to residential consumers on their Columbia Gas bill.

The Settlement does include a program of about \$70 million in weatherization for low-income consumers. There will be a bill-payment assistance program, with shareholder funding, that will make \$700,000 available annually for five years to at-risk consumers.

The Settlement added an important consumer privacy protection that OCC

has been seeking throughout the state. Consumers can electronically opt-out from Columbia sharing their personal contact information with energy marketers.

In January 2023, the PUCO adopted the Settlement with some modifications. While the Settlement required that bill-payment assistance be funded significantly by Columbia shareholders, the PUCO required that Columbia shareholders pay 100% of the bill-payment assistance program.

*PUCO Case No. 21-637-GA-AIR, et al.*

## Advocates teamed up to call for consumer protections for the Special Reconnect Order

Consumer advocates joined with OCC to advocate for additional consumer protections for the PUCO's implementation of the annual Special Reconnect Order (Previously called the Winter Reconnect Order).

First, to help consumers, OCC and other parties requested a moratorium on electric and natural gas disconnections during the winter heating season. Second, OCC and the parties advocated to permit consumers to use the Special Reconnect Order once per utility during the winter months. That means the Order can be used for both electric and natural gas service. Third, a request was made to suspend dropping PIPP customers from utility service, given some program administrator delays in reverifying income during the Special Reconnect Order timeframe. Fourth, OCC and the parties requested the PUCO to require electric and natural gas utilities to report monthly and annual disconnection and reconnection data by zip code.

*“Today we and others reached a major settlement sparing consumers nearly \$153 million from Columbia Gas's proposed \$221 million rate increase. Columbia agreed to save consumers an additional \$110 million in charges by ending its non-low-income energy efficiency program. For low-income Ohioans, Columbia will offer more than \$70 million for home weatherization and \$3.5 million for bill-payment assistance over 5 years. We remain concerned about the impact of rising natural gas prices on Ohio families and businesses.”*

*– Ohio Consumers' Counsel Bruce Weston*

# Natural Gas Consumer Protection

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Finally, OCC and the consumer advocates asked the PUCO to revise PIPP auctions to insure that PIPP consumers are not paying more for electric generation than a non-PIPP consumer.

Unfortunately, the PUCO did not agree with most of our consumer protection recommendations for the most vulnerable Ohioans. However, the PUCO did agree with us that a consumer can use the Special Reconnect Order once per utility during the winter months instead of just once in total.

*PUCO Case No. 22-668-GE-UNC*

## **OCC seeks fair rates for at-risk consumers**

The Ohio Department of Development (ODOD) in May of 2022 filed an application approving increases to the Universal Service Fund Rider (USF). The USF rider increased substantially from 2022 to 2023 because competitive auctions for the PIPP program electricity supply resulted in generation rates significantly higher than the rates charged to all other SSO customers. OCC argued the PIPP auction result was unlawful since the winning bid did not reduce the cost of PIPP, but actually increased the cost.

Higher PIPP generation rates can harm PIPP customers with higher debt and other concerns. But the higher rates also will harm all residential electric customers because they are charged by utilities to fund the USF program.

OCC opposed the settlement reached by parties in the case because the settlement allowed for PIPP customers to be charged higher generation rates than generation rates charged to residential consumers under each of the Ohio utilities' standard service offers. But the PUCO approved it.

*PUCO Case No. 22-731-GA-ORD, 22-668-GA-UNC and 22-556-EL-USF*

## **Lengthy negotiations by OCC, Duke and others result in Settlement for Duke's return of \$71 million owed to natural gas consumers**

The PUCO approved a Settlement between the Ohio Consumers' Counsel, Duke, the Ohio Energy Group, and the PUCO Staff. Through the Settlement, \$71 million was returned to approximately 400,000 Duke natural gas consumers for the overcollection of federal taxes in its utility rates. The money was returned to consumers through a \$133 one-time bill credit issued in June 2022 on their natural gas bill.

The Settlement resolved charges for Duke's cleanup of long defunct Manufactured Gas Plant (MGP) sites and related pollution, along with additional Ohio river cleanup that may be needed. Also, a \$3.8 million bill-spaysment assistance program was created to serve Duke's at-risk consumers and seniors, to be funded by MGP cleanup insurance proceeds.

Also, Duke agreed to replace the "gas cost recovery rate (GCR)" with a new auction-based rate for selling natural gas to consumers who choose to get their gas supply through Duke. The new rate is for a "standard service offer" that will be based on a competitive auction process. The auction process has been used by Ohio's other regulated natural gas utilities and has a good track record of providing lower prices for consumers.

Duke also agreed to provide OCC with shadow-billing information upon request. Duke provided the first disclosure at the Settlement's signing and it showed consumers (in total) paid \$70 million more to energy marketers than if they had bought gas from Duke, from Jan. 1, 2019 to July 31, 2021. OCC has been advocating for shadow-billing to be implemented by energy utilities statewide. The information shows whether consumers saved or lost money over time by choosing marketer' offers, compared to the utilities' standard offers. Generally, the standard offers have saved consumers more in the aggregate over time than offers by energy marketers.

*PUCO Case No. 14-375-GA-RDR, et al., 18-1830-GA-UNC, et al.*





## Telephone Consumer Protection



The PUCO's oversight over traditional telephone wireline service has been diminished through deregulation. Despite this, many rural Ohioans still rely on traditional telephone wireline service. The OCC seeks to protect consumers' access to basic telephone service that is reliable and reasonably priced as the telephone industry transitions to wireless and internet services.

In 2022, at-risk utility consumers needed additional protections for wireline service. Spotlighted in this section are OCC's efforts to maintain reliable and affordable telephone services. A full listing of the Agency's case activities can be found at the back of this Annual Report.

# Telephone Consumer Protection

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## **OCC and its partners advocate to maintain Lifeline telephone discount for low-income residents that rely on wireline service**

OCC and other consumer groups continued to advocate in 2022 that at-risk AT&T consumers should have equal access to affordable and reliable service with a monthly Lifeline discount. AT&T Ohio requested to stop providing the \$5.25 per-month federal Lifeline discount to low-income consumers who need assistance.

AT&T Ohio filed an application to relinquish its Eligible Telecommunications Carrier (ETC) designation for the remaining areas of its Ohio service territory where it was required to provide the Lifeline discount. Some low-income Ohioans without adequate access to broadband service depend on wireline telephone service to provide a literal lifeline to emergency medical and safety services, friends and family. The PUCO Staff found that some households may not have reliable access to broadband in order to obtain Lifeline service from an alternative wireless provider.

In addition, obtaining Lifeline service from a wireless provider may cost the consumer more if voice-only Lifeline service is not available. The FCC delayed the phase-out of the Lifeline program through the end of 2022 out of a concern that consumers should have access to reliable and affordable voice-only Lifeline service.

OCC and its consumer partners argued that AT&T Ohio should not have been permitted to abandon the Lifeline service to consumers who do not have a reliable and affordable alternative to voice-only Lifeline service. The consumer partners and OCC also argued that the PUCO should have conducted an independent study of the impact on consumers of AT&T Ohio's relinquishment of its ETC status.

The PUCO granted AT&T Ohio's request to relinquish its ETC status. But the PUCO required AT&T Ohio to continue to provide the Lifeline discount until the phase-out of the Lifeline program to customer addresses that are at or near AT&T exchange boundaries and without reliable wireless coverage.

*PUCO Case No. 21-917-TP-UNC*

## **OCC and others pursue consumer protection in telephone service**

OCC and other consumer advocates throughout the state continue to seek consumer protections in a case at the PUCO where the PUCO Staff Report on basic telephone service was produced as required under Substitute House Bill 402 (enacted in 2019).

House Bill 402 allows telephone companies to charge more each year for basic telephone service. And, after four years, the bill has no limit on what telephone companies can charge consumers.

In 2022, OCC, Legal Aid Society of Southwest Ohio and Pro Seniors Inc. all filed consumer protection comments in the case. The groups asked the PUCO to consider adding analysis of public comments to the reports required by the PUCO to facilitate reliability of basic local service. Unfortunately, the PUCO did not agree with the consumer groups and rejected the recommendation.

*PUCO Case No. 19-173-TP-ORD*



## Water Consumer Protection



Under Ohio law, the PUCO regulates price and service quality for the investor-owned water and wastewater companies like Aqua Ohio that provide utility service to consumers. The rates for water and wastewater services are regulated by the PUCO under traditional ratemaking standards. (Many water utilities in Ohio are operated by local governments, which the PUCO does not regulate.)

In 2022, OCC reached a Settlement with Aqua Ohio, the PUCO Staff and other parties after Aqua's application for a rate increase was filed. Spotlighted below is OCC's effort to obtain the best outcome for Ohio's water customers.

# Water Consumer Protection

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## OCC helps to obtain \$20,000 annually for low-income bill assistance

In July 2022, OCC reached a Settlement with Aqua Ohio, PUCO Staff, and other parties that resolved Aqua Ohio's application to increase rates. The Settlement reduced Aqua's proposed rate increase by more than \$4 million.

Along with the reduction in Aqua's rate increase request, the Settlement provides assistance to low-income consumers. There, \$20,000 will be available annually for a low-income bill-payment assistance program for consumers (Aqua Aid) to help prevent water disconnections. Aqua Ohio also agreed to provide OCC and the PUCO Staff with disconnection data on a quarterly basis.

The quarterly reports show the number of consumers and the dollar amounts sought for Aqua Aid bill-payment assistance to better assess the needs for consumer assistance. The PUCO approved the Settlement in September 2022.

*PUCO Case No. 21-595-WW-AIR,  
21-596-ST-AIR*

## OCC advocates for consumer protections during water rules review

In August 2022, the PUCO ordered a review of its rules for the waterworks and sewage disposal companies' service to consumers. The rules are in Ohio Administrative Code Chapter 4901:1-15.

OCC provided recommendations on strengthening the rules to better protect water and wastewater consumers. OCC's proposals included capping the amount of time utilities can back-bill for metered service, have water utilities provide quarterly disconnection data to OCC and PUCO, have water utilities provide a second disconnection notice if payment is not made and have water utilities offer consumers payment plan options currently offered by electric and natural-gas utilities.

The PUCO did not agree to these consumer protections in the water and wastewater rules. However, the PUCO agreed to OCC's recommendation that requires waterworks and wastewater utilities to make every effort to reconnect service if a payment is made after 12:30 p.m. on a day that precedes a weekend or a holiday. The PUCO also included OCC's rule recommendation that affirmed consumers' rights to have adequate and reliable water and wastewater service and facilities.

OCC recently filed an application for a rehearing.

*PUCO Case No. 22-771-WS-ORD*

*“Aqua Consumers will benefit from the water and wastewater services Settlements filed by Aqua, OCC, PUCO Staff, and Marion in two rate cases. The rate increase will be lower for consumers than what Aqua originally proposed. There are important consumer justice protections including stockholder funding of low-income bill-payment assistance. Aqua will also make public data about the number of its consumer disconnections from water service, which is something that was sought.”*

*– Ohio Consumers' Counsel Bruce Weston*



## Ohio Supreme Court Appeals

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During 2022, the Ohio Consumers' Counsel represented residential utility consumers in two important appeals at the Ohio Supreme Court. The OCC appealed PUCO decisions in order to save consumers money under Ohio law.

# Ohio Supreme Court Appeals

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## **OCC appeals the PUCO’s approval of an AES settlement that harms consumers**

OCC appealed a PUCO ruling that approved a settlement signed by AES and others that harmed consumers in two ways.

First, the PUCO ruled that AES’s “rate stabilization charge” was lawful despite Ohio Supreme Court precedent that substantially similar charges were unlawful. Second, the PUCO denied more than \$61 million in refunds to consumers, despite finding that AES had charged consumers for too-high profits. The PUCO denied more than \$61 million of refunds to Ohio consumers because of AES’s future investments in its SmartGrid.

The case has been fully briefed and oral arguments will likely be held in 2023.

*OSC Case No. 2021-1473*

## **OCC appeals the PUCO’s approval of an outdated rate of return that allows unreasonable profits for Dominion and charges to consumers**

OCC appealed a PUCO ruling that harmed consumers by allowing Dominion to collect a 12-year-old rate of return on its current investments even though that rate of return is significantly higher than the prevailing rate of return.

By allowing Dominion to collect the higher rate of return, the PUCO permitted Dominion to collect \$73 million more than it would have collected under the rate of return per current market conditions.

This case has been fully briefed and an oral argument is scheduled for early May 2023. A decision is expected in 2023 after the oral argument.

*OSC Case No. 2022-458*



**Panel 4: Regional Transmission Facility for Reliability Cost Management Practices**  
*Regional Transmission Planning for Reliability and Cost Management*

Afternoon Session

▶ | 🔊 24:13 / 58:28



## Federal Energy Regulatory Commission Cases

The Ohio Consumers' Counsel represented Ohio's utility consumers at the Federal Energy Regulatory Commission in 2022.

# Federal Energy Regulatory Commission Cases

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## **OCC and NOPEC join in settlement of Columbia Gas transmission rate case before FERC**

Columbia filed a settlement in the Columbia Gas Transmission rate cases that resolved certain specified issues raised in its Rate Case Filing on Oct. 29, 2021. On Nov. 18, 2021, and after negotiating on the settlement, the Office of the Ohio Consumers' Counsel and Northeast Ohio Public Energy Council ("NOPEC) jointly filed comments at FERC in support of the Columbia Transmission rate case Settlement. OCC and NOPEC also noted that the Settlement resolves many issues that inure to the benefit of Ohio consumers.

The Settlement in these rate cases was uncontested by any of the parties in the cases. On Feb. 25, 2022, FERC issued a letter order approving the settlement.

*FERC Case Nos. RP20-1060, RP20-1159 et al.*

## **Consumers deserve protection from charges for industry association dues and certain civic, political and related expenses**

OCC filed comments at FERC on Feb. 22, 2022 to protect consumers from funding utility charges for industry association dues and certain civic, political and related expenses. In addition, OCC recommended that FERC should scrutinize utility payments to non-profits, social welfare organizations, charities, and civic organizations, prior to allowing such expenses to be collected from consumers.

OCC's comments, among other things, recommended that FERC should require utilities to exclude industry association dues from transmission rates charged to consumers by accounting for these expenses in below-the-line (unregulated activities) accounts.

FERC should require utilities to demonstrate that any proposed charge for industry dues directly and primarily benefits customers, in order for FERC to authorize these expenses to be collected from consumers.

FERC's decision is pending.

*FERC Case No. RM22-5*

## **OCC seeks disclosure of FirstEnergy audit documents**

OCC filed to intervene in FERC's case for auditing FirstEnergy, on Feb. 22, 2022. OCC seeks to protect transmission services consumers from unwarranted charges, such as charges related to Ohio House Bill 6.

On March 22, 2022, FirstEnergy filed a request at FERC to reject OCC's Motion to Intervene. Among other things, FirstEnergy is arguing that this case has been decided and OCC has no interest because the audit is over. OCC and the Ohio consumers it represents have a strong interest in this investigation, which is not over. The implementation of the audit recommendations has yet to occur and is in its nascent stages of development. And refunds to consumers have yet to be fully quantified.

The FERC audit in the case included a review of the service company and other associated companies in the FirstEnergy holding company system. FERC's audit evaluated the FirstEnergy companies' level of compliance with: (1) cross-subsidization restrictions on affiliate transactions; (2) service companies accounting and recordkeeping; (3) accounting and reporting requirements for franchised public utilities for their transactions with associated companies; and (4) preservation of records requirements for holding companies and service companies. The audit additionally included a review of FirstEnergy expenditures related to the scandal involving Ohio House Bill 6.

FERC's Feb. 4, 2020 audit report included revelations, including shortcomings in FirstEnergy and its subsidiaries' internal controls over financial reporting. These include, among other things, controls over accounting for expenses relating to civic, political, and related activities, such as lobbying activities performed by and on behalf of FirstEnergy and its subsidiaries.

On April 28, 2022, OCC filed a Motion for Disclosure of FirstEnergy Audit Documents. This motion requested FERC provide OCC with certain documents that FERC Staff received from FirstEnergy. These documents could be related to other HB6 investigations at the PUCO. On May



# Federal Energy Regulatory Commission Cases

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13, 2022, FirstEnergy filed an Answer in Opposition to OCC's request. FERC's decision is pending.

*FERC Case No. FA19-1*

## **OCC comments that long-term planning for the transmission grid of the future can be a good thing for consumers**

OCC filed comments at FERC on Aug. 17, 2022, "Supporting Long-Term Regional Transmission Planning with Costs Allocated to The Consumers Who Benefit and Opposing Subsidies Charged to Consumers for Network Upgrades for Generation Interconnections..." Among other things, the comments indicated that long-term planning for the transmission grid of the future can be a good thing for consumers. But a bad thing would be charging Ohio consumers for transmission projects that provide them little or no benefit.

The comments also recommended that FERC should continue to promote competition for the provision of transmission services. Under competition, customers in one state should not be required to pay for (subsidize) transmission or generation projects needed to satisfy public policies adopted by another state.

Finally, OCC's comments recommended that consumers should not be required to pay costs to connect generators to the transmission grid and consumers should not be charged for transmission upgrades caused by that interconnection.

FERC should consider grid-enhancing technologies as opposed to transmission expansion, only where these technologies can save consumers money or provide a needed level of service reliability that otherwise is lacking.

And FERC should adopt the formation of Independent Transmission Monitors to improve transparency and consumer protection for the provision of transmission services. Transmission Monitors should work with Regional Transmission Operators' Independent Market Monitors to better coordinate their respective roles. OCC filed reply comments at FERC on Sept. 19, 2022 recommending that,

to benefit consumers, FERC should remain committed to facilitating competition in any revisions to its transmission planning and cost allocation rules.

Also, to avoid consumer subsidies, FERC's transmission planning rules should define the benefits of investment in long-term regional transmission facilities in terms of the flow of electrons and allocate the costs of new investment to those receiving the electrons from the new renewable generating plants to be interconnected.

Finally, OCC recommended that, to protect consumers from potential unnecessary charges, FERC's transmission planning rules should subject all transmission projects in PJM (69 kV and above) to a competitive solicitation requirement. Otherwise, FERC should implement a federal backstop for overseeing the planning and costs of supplemental and local transmission projects.

FERC's decision is pending.

*FERC Case No. RM21-17*

## **OCC supports fair and reasonable settlement**

OCC filed comments on Oct. 20, 2022, supporting a Settlement in the Eastern Gas Transmission Storage case.

OCC believes that this Settlement is fair and reasonable, and in the interest of the millions of Ohio residential utility customers that OCC represents.

On Oct. 29, 2022, FERC issued its order approving the Eastern Gas rate case filing. On Sept. 30, 2022 Eastern Gas filed its final Uncontested Agreement of Settlement. As a result of the settlement, Eastern refunded over \$91 million to consumers in its service territory.

*FERC Case No. RP21-1187*

# Federal Energy Regulatory Commission Cases

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## **OCC files complaint against AEP, FirstEnergy (American Transmission Systems) and Duke Energy Ohio requesting FERC to reduce unnecessary transmission profits charges to consumers**

In an earlier decision sought by OCC and the PUCO, FERC prohibited AES from charging Ohio consumers for extra profits (RTO Adder) if AES joined a regional transmission organization (RTO) such as PJM. Then, on Feb. 24, 2022, OCC filed a complaint asking FERC to use that precedent and find that AEP's, ATSI's (FirstEnergy) and Duke Ohio's transmission rates in Ohio are excessive, and thus unjust and unreasonable. OCC noted that Ohio utilities are required by law to join an RTO, so there is no need to allow them to charge consumers for a profit incentive to join an RTO. OCC requested that FERC direct all three transmission utilities in Ohio to modify their transmission rates to consumers to eliminate the RTO Adder for extra profit.

On Dec. 15, 2022, FERC issued its decision agreeing with OCC. FERC found that consumer rates for Ohio Power and AEP-Ohio Transmission are unjust and unreasonable because of an RTO Adder for profits that AEP is charging to consumers when their continued participation in a Transmission Organization is mandatory. In his concurring opinion on the Dec. 15, 2022 decision, FERC Commissioner Christie described the RTO Adder as “FERC candy taken directly from consumers and redistributed to transmission owners.”

But, contrary to its consumer protection decision on AEP, FERC found that the transmission rates for Duke and ATSI are not unjust and unreasonable because FERC did not specifically grant them an RTO Adder. FERC noted that the transmission owners' rates were the products of comprehensive settlements among various parties.

OCC filed a request for reconsideration concerning FERC's decision on FirstEnergy (ATSI) and Duke. OCC estimates AEP's rate decrease for consumers at \$20 million annually.

*FERC Case No. EL22-34*

# Consumer Education

Ohio Consumers' Counsel helps inform Ohioans about money saving decisions. OCC's Speakers Bureau is staffed by Outreach and Education Specialists who help Ohioans make informed decisions regarding their utility services. OCC's specialists returned to in-person fair events in 2022 and participated in 685 total in-person and remote events.

## Ohio Consumers' Counsel helps inform Ohioans about money saving decisions

OCC specialists informed the public and public-interest organizations on how to keep utility services connected, manage utility bills, choose an energy supplier, and save money by making homes more energy efficient.

OCC's Public Affairs Department assists Ohioans with utility inquiries. Consumers can view and download fact sheets and other useful information on OCC's website. In 2022, OCC added a language translation tool and provided additional printable fact sheets in both Spanish and Somali. Consumers may also follow OCC on Twitter @OCC4Consumers to keep up to date on utility news and other OCC activities. Videos on how to choose an energy supplier and other consumer topics can also be found on OCC's website and YouTube.

At OCC, we put consumers first.

The Office of the Ohio Consumers' Counsel remains committed to providing Ohioans with a reliable source for objective information about their utility service and competitive choices. OCC's provides consumer education through our website at [www.occ.ohio.gov](http://www.occ.ohio.gov), fact sheets, social media, consumer presentations and by directly answering questions from consumers and organizations.



*Photo: Governing Board Chair Michael Watkins visits Senior Outreach & Education staff Amy Carles at the OCC booth during the Allen County fair.*

# 2022 Fiscal Report

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This fiscal report is for fiscal year 2022, ended June 30, 2022. The Agency is funded through an assessment on the intrastate gross receipts of entities regulated by the PUCO, based on Section 4911.18 of the Ohio Revised Code. The Agency assessed more than 1,000 regulated entities for operating funds for fiscal year 2022.

## Operating Budget Expenditures

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Payroll and Benefits .....	\$ 3,919,051.00
Purchased Personal Services .....	\$ 904,114.00
Supplies and Maintenance .....	\$ 474,611.00
Equipment.....	\$ 24,642.00
Other Refunds.....	\$ 0.00
<b>Total .....</b>	<b>\$ 5,322,420.00</b>

# Employee Recognition

Exceptional employees are recognized as Employee of the Quarter by the Consumers' Counsel, the Deputy Consumers' Counsel, and the Agency's directors. Employees are acknowledged for their outstanding work on behalf of Ohio's residential utility consumers and for exemplifying OCC's mission, vision and values.



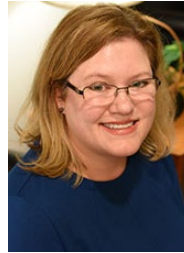
## Tracy Greene

Tracy Greene was named OCC's Employee of the First Quarter. Tracy joined the OCC in July of 2019. Tracy has more than 30 years-experience supporting legal staff through court communications, case scheduling, filings and more. Prior to joining OCC, she was a paralegal for Barham & Maucere LLC. In addition, Tracy has nearly 18 years experience supervising office staff with Weltman, Weinberg & Reis Co., LPA. She is a graduate of Fairfield Union High School in Lancaster.



## Amy Carles

Amy Carles is a Senior Outreach and Education Specialist in the Public Affairs Department and was chosen OCC's Employee of the Second Quarter. Amy's first term with OCC spanned from June 2004 until July 2011. She returned to OCC in November 2014 and works with consumers daily, serving the Northwest and West Central Ohio area. Prior to returning to OCC, Amy served as program coordinator and executive director for Hancock County Saves at OSU Extension, Hancock County. She also worked for the Humane Society & SPCA of Hancock County. Before her work at OCC, Amy was also a Consumer Education Coordinator with the Ohio Attorney General's office, as well as the director of complaint management and dispute resolution and the director of advertising review for the Better Business Bureau serving Northwest Ohio and Southeast Michigan. Amy earned her Bachelor's degree in Organizational Management from Bluffton University. Prior to this, she graduated from Owens Community College with an associate degree in Sales and Marketing with a certificate in Supervision and earned a certificate in Management Advancement for Public Service in Public Relations and Marketing from the John Glenn Institute for Public Service and Public Policy at The Ohio State University.



## Angela O'Brien

Angela O'Brien was chosen OCC's Employee of the Third Quarter. Angela practiced as an attorney for 10 years in the Regulated Industries and Litigation departments of Mayer Brown, LLP in Chicago. Prior to joining Mayer Brown, she practiced in the Energy, Telecommunications and Utilities group of Barnes & Thornburg, LLP in Indianapolis, Indiana. Her work at both firms included representing incumbent local exchange carriers and competitive natural gas and retail electric suppliers before state public utility commissions. In 2015, Angela and her family moved from Chicago to the Columbus, Ohio area. Angela earned her bachelor's degree in Sociology from the University of Houston and her juris doctor degree from the Indiana University School of Law, Indianapolis.



## Dan Shields

Dan Shields was named Employee of the Quarter for the fourth quarter of 2022. Dan Shields currently serves the OCC Analytical Department as a Senior Regulatory Analyst in Federal Utility Matters. He joined OCC in March 2014 as the department director and retired from that leadership role in 2021. He provides advice and recommendations for OCC's consumer advocacy on technical and policy issues related to utility regulation and legislation. Before joining OCC, Dan served as the Federal Energy Advocate at the PUCO and managed the Office of the Federal Energy Advocate and has worked as a Senior Policy Specialist in State and Federal Energy and Telecommunications issues. He previously served as a staff leadership committee member of the Organization of PJM States, Inc. Dan earned his Master of Business Administration from Ashland University and his bachelor's degree in Business Administration from Ohio University.

# Recognition: Consumers' Counsel Bruce Weston



## Consumers' Counsel Bruce Weston announces retirement from long career in service to Ohio utility consumers

At year-end Mr. Weston informed OCC Board Chair Mike Watkins that he will be retiring in 2023 after a dozen years as the Agency's Director. At the Governing Board's January meeting, Mr. Weston informed the Board members that he will retire after the Board appoints his successor. He expressed his gratitude and appreciation to the Board members and to their predecessors for their confidence and support in permitting him the honor of serving millions of Ohioans who are residential utility consumers.

In his remarks to the Board, Mr. Weston emphasized that the Agency's most key attribute for consumer advocacy is its independence – which was established by its legislative founders. He expressed admiration for the Board's courage when House Bill 246 was introduced to “reform” OCC right after the Consumers' Counsel opposed tainted House Bill 6. When a substitute version of HB246 was introduced in

2020 to give the legislature a majority of appointments to the OCC Board, the Board passed a resolution to defend its and the Agency's independent advocacy for millions of Ohioans.

Mr. Weston has been the fourth Consumers' Counsel in the Agency's history. He was hired as a legal intern in 1978 by the first Consumers' Counsel (William Spratley) and the first Legal Director (Richard Goodman). He was then a student at The Ohio State University College of Law. Mr. Weston's service at the Office of the Ohio Consumers' Counsel spanned about 30 years in two tours of duty, with a dozen years in private law practice in between. Prior to his appointment as Consumers' Counsel, he served the Board and the third Consumers' Counsel (Janine Migden-Ostrander) as the Board-appointed Deputy Consumers' Counsel.

Mr. Weston has had a distinguished career in the law with many accomplishments for the public interest. He expresses his appreciation to present OCC staff, to retiring Deputy Larry Sauer, to decades of OCC friends and colleagues for their courage and dedication to the public, to the National Association of State Utility Consumer Advocates, and to those organizations and people who have been partners in consumer advocacy with the Office of the Ohio Consumers' Counsel.

Mr. Weston's talent for consumer advocacy and leadership in the Agency blossomed early in his career as evidenced by the following Governing Board resolution written in 1992 when Mr. Weston left the Agency after his first 14 years of service to Ohio consumers.

**John Seryak** • President & Lead Engineer at Go Sustainable Energy, LLC  
2mo • 🌐

Ohio Consumers' Counsel Bruce Weston is retiring. I've gotten to work a lot with Bruce over the last dozen years. He'll retire with his integrity, a solid spine intact, and a legacy - he has probably saved Ohioans hundi ...see more

**Ohio Consumers' Counsel Weston to retire**  
msn.com • 1 min read

👍👍👍 Chuck Keiper and 31 others

**David R Springe** • Executive Director at the National Association of State Utility Con...  
2mo • ...

Bruce is the consummate consumer advocate. John's comment is dead on. Integrity, a spine and a legacy. And for those that don't know how long Bruce has been around, as a legal intern in 1978, he was dispatched by then OCC Bill Spratley to research whether an acronym was legally available to be used for a soo ...see more

Like · 🗨️ 2 | Reply

# Governing Board Honors Bruce Weston in 1992

Bruce J. Weston has been a valued mentor for many OCC attorneys, a trusted advisor to Consumers' Counsel William A. Spratley and a respected counselor to the Governing Board.

## Office of the Consumers' Counsel



77 South High Street, 15th Floor  
Columbus, Ohio 43266-0550  
Bd. R. 92-24

### RESOLUTION OF THE CONSUMERS' COUNSEL GOVERNING BOARD STATE OF OHIO

Honoring Bruce J. Weston for Public  
Service as an Advocate for Ohio  
Residential Utility Consumers

- WHEREAS, Bruce J. Weston has conscientiously served the residential utility consumers of Ohio as an effective advocate since October, 1978;
- WHEREAS, his dedication to OCC and its mission continually inspired the Staff of the OCC who chose Bruce as the 1992 Ohio Consumers' Counsel Employee of the Year;
- WHEREAS, Bruce J. Weston, as Telecommunications Counsel, has established important groundwork for OCC's involvement in telecommunication issues, past, present and in the future;
- WHEREAS, Bruce J. Weston's skilled work, tenacity and attention to detail earned Bruce a state and national expert reputation recognized by utility commissions, the telecommunications industry, and fellow consumer advocates;
- WHEREAS, Bruce J. Weston has successfully argued and won key cases before the Ohio Supreme Court on behalf of residential utility consumers, and has greatly assisted other OCC attorneys with their appellate work;
- WHEREAS, Bruce J. Weston was designated to represent consumers in the 1987 oral arguments before Judge Greene of the United States District Court for the District of Columbia in the AT&T Divestiture case;
- WHEREAS, Bruce J. Weston has also served with distinction on the National Association of State Utility Consumer Advocates Telephone Committee and has been an observer on the National Association of Regulatory Utility Commissioners Staff Communications Committee;
- WHEREAS, Bruce J. Weston was instrumental in OCC's telecommunications policy development, especially the H.B. 563 telephone deregulation bill and resulting implementation; and recently Bruce's experienced advocacy achieved the Public Utilities Commission of Ohio's Opinion and Order requiring consumer safeguards if Caller ID is implemented in Ohio Bell Telephone's service territory;
- WHEREAS, as OCC's lead attorney in the 1988 Centerior emergency rate case, Bruce J. Weston was instrumental in demonstrating the lack of basis for an emergency increase and convincing the Public Utilities Commission of Ohio to deny the entire \$210 million rate increase request;
- WHEREAS, Bruce J. Weston has been a valued mentor for many OCC attorneys, a trusted advisor to Consumers' Counsel William A. Spratley and a respected counselor to the Governing Board and Ohio utility consumers; and,

THEREFORE, BE IT RESOLVED THAT, the Governing Board of the Ohio Consumers' Counsel expresses its appreciation to Bruce J. Weston in honor of his professional, innovative and accountable consumer advocacy and conveys wishes to him for continued success in his future endeavors.

*Babe Erdos*  
HAROLD "BABE" ERDOS, CHAIRMAN

*Lurtissia D. Brown*  
LURTISSIA D. BROWN

*John Herringshaw*  
JOHN HERRINGSHAW

*Larry Mitchell*  
LARRY MITCHELL

*Frank Sollars*  
FRANK SOLLARS, VICE CHAIRMAN

*James W. Harris*  
JAMES W. HARRIS

*Herbert E. Kollman*  
HERBERT E. KOLLMAN

*Clarence Seavers*  
CLARENCE SEAVERS

RICHARD J. SOLOVE

An Equal Opportunity Employer

DATED: August 26, 1992



# Recognition: Deputy Consumers' Counsel Larry Sauer



After 20 years of service and nearly a decade as Deputy Consumers' Counsel, Larry Sauer retired in March 2023.

In his address to the Governing Board at their March 2023 meeting, Deputy Sauer said "It's been an honor and a privilege to serve in this role. It's a job that I have loved and had tremendous passion for. I will miss the work we do on behalf of consumers. I will miss the opportunity to discuss with Bruce the many issues that we confronted over the past nine years. And I'll miss each of you who I respect for dedicating yourself to advancing OCC's mission and vision for the public."

Consumers' Counsel Weston told the Board that his recommendation to appoint Larry as the Deputy was "maybe my best advice ever to the Board." He remarked, that at the time of his recommendation to appoint Deputy Sauer, "What I didn't know is that Larry was this dedicated to OCC's mission for the public; didn't know he was this hard working; didn't know he was this courageous for consumers when

the chips are down, which they often are; didn't know he would share a common vision for doing the right thing and doing it when it sometimes was way harder than the alternatives."

During his tenure at OCC, Deputy Sauer served as legal director and participated in hundreds of utility cases in a variety of forums. In their resolution honoring Deputy Sauer, the Board had praise for him, noting his tireless efforts and countless contributions.

The Board's resolution read, in part, "Larry Sauer performed his public service with distinction and in fulfillment of the Ohio Consumers' Counsel's core values of justice, excellence, respect, communications, and integrity."

Here is a link to the resolution honoring the Deputy: <https://www.occ.ohio.gov/docs/OCC-Board-Resolution-Honoring-Deputy-Larry-Sauer-032123.pdf>





# Recognition: Analytical Co-Director Daniel Duann, PhD



Daniel Duann retired in 2022 after more than a decade of service to Ohio consumers. Dr. Duann demonstrated exceptional knowledge and expertise as a true consumer advocate in the many roles that he served in the OCC Analytical Department since 2008.

As a case team member on over 160 utility cases during that time, Daniel provided invaluable assistance to the Agency in evaluating the financial impact(s) associated with many utility proposals and ultimately the cost to consumers. His recognized expertise in advocating effectively before the PUCO is reflected in the 47 pieces of expert testimony that he sponsored and defended while serving at OCC.

The breadth of Daniel's regulatory knowledge and expertise goes well beyond the financial analysis he provided. It extends to the contributions he made in helping develop other analysts to effectively address service quality, reliability, and protection of at-risk Ohioans in literally countless OCC cases.

Our best wishes are extended to Daniel and his family for good health, safe travels, and having a great retirement. The legacy of the work he performed at OCC continues and exemplifies consumer advocacy at its finest.



# 2022 Case Activity

<i>Case Number</i>	<i>Entity</i>	<i>Issue</i>	<i>Consumer Impact</i>
<b>Electric Cases at the Public Utilities Commission of Ohio</b>			
22-1140-EL-ATA; 22-1141-EL-AAM	Ohio Power	Application for Minimum Stay	This case is pending before the PUCO. OCC has advocated for measures that will reduce volatility and lower costs of the Standard service offer that consumers pay for generation when they choose not to shop.
22-1138-EL-ATA; 22-1139-EL-WVR	Dayton Power & Light	Application for Minimum Stay	This case is pending before the PUCO. OCC has advocated for measures that will reduce volatility and lower costs of the Standard service offer that consumers pay for generation when they choose not to shop.
22-1129-EL-ATA	Duke Energy	Application for Minimum Stay	This case is pending before the PUCO. OCC has advocated for measures that will reduce volatility and lower costs of the Standard service offer that consumers pay for generation when they choose not to shop.
22-1127-EL-ATA	Ohio Edison Company; Cleveland Electric Illuminating Company; Toledo Edison Company	Application for Minimum Stay	This case is pending before the PUCO. OCC has advocated for measures that will reduce volatility and lower costs of the Standard service offer that consumers pay for generation when they choose not to shop.
22-0932-EL-AEC	Nestle Purina PetCare Company	Economic Development	Nestle Purina PetCare Company filed an application for a reasonable arrangement with Duke. Under the Arrangement, Nestle Purina commits to employ no less than 300 people in the facility and will pay Duke's charges subject to a \$0.004 per kilowatt-hour credit. OCC reviewed and did not oppose the application, which was approved by the PUCO.
22-0900-EL-SSO	Dayton Power & Light	Electric security plan	DP&L filed an application proposing a new electric security plan, which would add five new rider charges to residential consumers' bills. DP&L also seeks to collect approximately \$100 million in deferred expenses related to decoupling and OVEC subsidies. This case is currently pending at the PUCO. OCC is conducting discovery and participating in settlement negotiations.
22-0806-EL-WVR	Northeast Ohio Public Energy Council	Limited Waiver of Coordination with CRES Providers	To protect consumers from paying high energy bills, NOPEC sought a waiver of the PUCO's switching rules so that consumers served by NOPEC governmental aggregations could return more quickly to the lower priced FirstEnergy Standard service offer. OCC advocated for consumers in support of the waiver.
22-0693-EL-ABN	Ohio Power Company	Abandonment of Electric Service Lines	AEP Ohio filed an application to abandon electric service lines to consumers who receive submetered electricity service from a reseller of electricity, Nationwide Energy Partners ("NEP"). OCC advocated to protect residential consumers who may lose important protections that are not necessarily provided to consumers served by resellers of public utility service.

# 2022 Case Activity

Case Number	Entity	Issue	Consumer Impact
22-0556-EL-USF	Ohio Department of Development	Universal Service Fund	The Universal Service Fund (USF) Rider is a charge on all consumers' bills that reflects the cost of the Percentage of Income Payment Plan (PIPP) Plus program and other related costs. In 2022, PIPP consumers of some utilities were charged twice the amount of the rates that Standard service offer consumers pay. Significantly higher USF rider rates increase costs to all consumers who pay the USF rider. As a result of a Settlement that OCC opposed, in 2022 all consumers (who pay the USF rider) will be charged an extra \$170 million because of PIPP rates being significantly higher than the Standard service offer rates. OCC advocated for the protection of PIPP consumers and for those who pay for PIPP through the USF rider; that PIPP rates under law should be reduced in relation to the Standard service offer rates. The PUCO disagreed with OCC.
22-0514-EL-UNC	Dayton Power & Light	Significantly Excessive Earning Test	If the PUCO finds DP&L had significantly excessive earnings in 2021, then consumers will be entitled to a refund. But DP&L is attempting to reduce its profits (on paper) to avoid any refunds to consumers. The case is currently pending as of January 2023, with no procedural schedule in place.
22-0391-EL-RDR	FirstEnergy	Non-Market Based Services Rider	PUCO initiated its review of the FirstEnergy ("NMB") charge Opt-Out Pilot Program. This Opt-Out program allows non-residential consumers to be billed directly by PJM or their marketer and to no longer be subject to the NMB rider rates that residential consumers pay. OCC's concern is that the transmission-related charges the participants avoid may be shifted (paid) by non-participating consumers (including residential consumers). On January 23, 2023, the Attorney Examiner extended the timeframe for the audit report until April 10.
22-0279-EL-CSS	Duke Energy Ohio v. Nationwide Energy Partners	Submetering	Duke filed a complaint against Nationwide Energy Partners ("NEP"), a reseller of electric service, related to NEP's construction requests that would allow NEP to resell or redistribute (submeter) electric utility service to Duke's consumers. OCC seeks to protect residential consumers who may lose important protections if forced to take NEP's service. NEP has opposed OCC's motion to intervene. The case is still pending at the PUCO.
22-0163-EL-RDR	Duke Energy	Power Future Initiative Rider	Duke's Power Future Initiative Rider (Rider PF) charges consumers for work on its data access projects described in the settlement reached in Case No. 17-032. Under Duke's proposal, residential consumers will be billed \$0.47 per month for the program. OCC recommended no additional adjustments to Duke's proposal. The case is pending at the PUCO.
22-0089-EL-RDR	Ohio Power Company	Distribution Investment Rider	This audit case is in the very early stages at the PUCO. OCC will advocate that consumers pay just and reasonable rates and receive improved reliability as a result of the infrastructure investment costs charged to consumers through the Distribution Investment Rider.
21-0990-EL-CSS	AEP v. Nationwide Energy Partners	Submetering Issues	AEP filed a complaint against Nationwide Energy Partners ("NEP") related to NEP's construction requests that would allow NEP to resell or redistribute (submeter) electric utility service to over 1,000 AEP consumers living in apartment complexes. OCC seeks to protect residential consumers who may lose important protections if forced to take NEP's service. The Attorney Examiner denied OCC's motion to intervene and OCC filed an interlocutory appeal with the PUCO, which was denied.
21-0956-EL-ESS	Dayton Power & Light	Reliability Standards	OCC advocated for improved reliability for DP&L consumers in this case. The case is in the briefing stage and we expect a decision in 2023.

# 2022 Case Activity

Case Number	Entity	Issue	Consumer Impact
21-0887-EL-AIR; 21-0888-EL-ATA; 21-0889-EL-AAM	Duke Energy	Rate Case	The PUCO approved a settlement signed by Duke, the PUCO Staff, and others that will allow Duke to increase its electric distribution rates by \$23.1 million. OCC advocated for a rate decrease for Duke consumers and opposed the settlement because it does not contain sufficient protections for residential consumers.
21-0573-EL-RDR	Duke Energy	Distribution Capital Investment Rider	Duke has spent hundreds of millions of dollars on distribution capital investment. The PUCO hired an auditor to review the charge to consumers. The PUCO issued an Entry adopting the auditor's recommendations, with modifications. The revenue requirement charged to consumers was reduced by \$2.5 million.
21-0541-EL-UNC; 20-1006-EL-UNC; 20-1166-EL-UNC	Ohio Power	Quadrennial Review & Significantly Excessive Earnings Test	AEP is required to file annual profits review for 2019 and 2020 and the PUCO must conduct a quadrennial review to determine if AEP earned too high profits under its electric security plan. These cases were resolved by a settlement that was filed in late February 2022. OCC did not sign and did not oppose the settlement.
21-0499-EL-RDR	Ohio Power	Ohio gridSMART 2	This audit case is in the very early stages at the PUCO. OCC will advocate that consumer should receive improved service reliability given how much they have been charged (approximately \$55 million) under AEP's gridSMART 2 charge.
21-0478-EL-ORD	Commission Rules Review	Market Monitoring	The PUCO is reviewing the rules governing utilities' reporting obligations regarding the electric wholesale market. Consumers rely on the competitive wholesale market to reduce costs and increase innovation. OCC has advocated for greater transparency in the rules.
21-0477-EL-RDR	Duke Energy Dayton Power & Light AEP Ohio	OVEC Generation Purchase Rider Audits	The PUCO is doing a prudence review of the subsidy collected by Duke, DP&L and AEP in 2020 for the dirty, uneconomic OVEC coal plants. This rider was codified under H.B. 6 and has been the subject of legislative repeal efforts. OCC intervened and hired a consultant to review the utilities' charges.
21-0092-EL-RDR	Dayton Power & Light	Storm Damage Costs	OCC successfully advocated to protect consumers from paying approximately \$1.1 million in unreasonable and unjust carrying charges on storm costs.
20-1672-EL-RDR	FirstEnergy	AMI Tariffs	This case involves the audit of FirstEnergy's Grid Modernization Rider spend of approximately \$260 million. The case is at the early stages. OCC will advocate that FirstEnergy should only collect prudently incurred costs from its consumers through this rider and that the rider rate must be just and reasonable.
20-1651-EL-AIR; 20-1652-EL-AAM; 20-1653-EL-ATA	Dayton Power & Light	Rate Increase	DP&L filed to increase distribution rates consumers pay by an additional \$121 million per year. OCC challenged DP&L's request, asking, among other things, for the PUCO to enforce a "rate freeze" that DP&L agreed to in 2009, under its ESP 1. The PUCO agreed. A rate increase of \$75 million was authorized but cannot be implemented until a new electric security plan is approved. It is anticipated that a new ESP will not be approved before August of 2023.

# 2022 Case Activity

Case Number	Entity	Issue	Consumer Impact
20-1629-EL-RDR	FirstEnergy	Delivery Capital Recovery Rider	FirstEnergy utilities spent hundreds of millions on distribution investment. A PUCO audit will determine if the investments were reasonable and prudent. The auditor has found that approximately \$24.4 million was spent on H.B. 6 activities and not distribution investment and has recommended refunds. The case has been stayed since August 2022 at the U.S. Attorney's request so as to not interfere with the pending United States' Government's criminal trial involving H.B. 6 matters.
20-1502-EL-UNC	FirstEnergy	House Bill 6	In response to OCC's 2020 motions regarding H.B. 6 spending by the FirstEnergy utilities, the PUCO opened this case. OCC will be exploring whether FirstEnergy used money collected from consumers to fund H.B. 6 activities. The case has been stayed since August 2022 at the U.S. Attorney's request so as to not interfere with the pending United States' Government's criminal trial involving H.B. 6 matters.
20-1205-EL-RDR	Duke Energy	Distribution Capital Investment Rider	Duke charges customers for the replacement of aging infrastructure through the Rider DCI. In January 2022, OCC signed a settlement that reduced these monthly charges to consumers and required reporting and work plan improvements to protect consumers from being overcharged. The PUCO subsequently adopted the settlement, specifically noting OCC's recommendations for improvements in the Order.
20-1111-EL-ESS	AEP	Reliability - Outages	In response to June 2022 outages affecting 600,000 consumers in AEP's service territory, OCC advocated for enhanced consumer protections. The consumer protections included, among other things, a detailed, independent investigation into the outages and greater transparency. The matter remains pending at the PUCO.
20-0167-EL-RDR	Duke Energy	Price Stabilization Rider (OVEC)	Duke has collected from Ohio customers \$23.6 million in charges to subsidize Duke's interest in two dirty old, uneconomic power plants owned by OVEC, one of which is in Indiana. The PUCO is auditing this charge that Duke's customers paid during 2019.
18-6000-EL-UNC	Duke	Standard service offer Auction	OCC has advocated for greater consumer protections in the standard service auctions for electric generation. Prices have increased in the auctions. OCC has recommended that the PUCO take a detailed, comprehensive look into the auctions to evaluate ways to decrease volatility in market prices to protect consumers.
18-1004-EL-RDR; 18-1759-EL-RDR	AEP Ohio	OVEC Coal Plant Subsidy	The PUCO is conducting a prudency review of the \$74.5 million OVEC subsidy coal plant costs collected by AEP Ohio from its consumers for 2018 and 2019.
18-1003-EL-RDR	AEP Ohio	OVEC Coal Plant Subsidy	The PUCO is conducting a prudency review of the \$70 million OVEC subsidy coal plant costs collected by AEP Ohio from its consumers for 2016 and 2017.
17-2474-EL-RDR	FirstEnergy	Application for Tariff Riders	The PUCO had undertaken an audit of FirstEnergy's Distribution Modernization Rider. The audit was to determine if FirstEnergy was using the funds collected from consumers to support grid modernization. The PUCO expanded the audit scope to cover the period of H.B. 6 activities. The case has been stayed since August 2022 at the U.S. Attorney's request so as to not interfere with the pending United States' Government's criminal trial involving H.B. 6 matters.

# 2022 Case Activity

Case Number	Entity	Issue	Consumer Impact
17-2391-EL-UNC	Ohio Power Company	Standard service offer Auction	OCC has advocated for greater consumer protections in the standard service auctions. Prices have increased in the auctions. OCC has recommended that the PUCO take a detailed, comprehensive look into the auctions to evaluate ways to decrease volatility in market prices for consumers.
17-0974-EL-UNC	FirstEnergy	Corporate Separation	In this case the PUCO will be auditing FirstEnergy's compliance with its obligations to keep its monopoly distribution utility business separate from its competitive electric generation business. In response to OCC's 2020 motions, the PUCO will be expanding the audit to include the time period associated with H.B. 6 activities. The case has been stayed since August 2022 at the U.S. Attorney's request so as to not interfere with the pending United States' Government's criminal trial involving H.B. 6 matters.
17-0957-EL-UNC	DP&L	Standard service offer Auction	OCC has advocated for greater consumer protections in the standard service auctions for electric generation service. Prices have increased in the auctions. OCC has recommended that the PUCO take a detailed, comprehensive look into the auctions to evaluate ways to decrease volatility in market prices for consumers.
16-0892-EL-CRS	Green Choice Energy	Renewal Certification	To protect consumers from misleading and deceptive marketer practices, OCC has objected to Green Choice doing business in Ohio. The case remains pending at the PUCO.
16-0776-EL-UNC	FirstEnergy	Standard service offer Auction	OCC has advocated for greater consumer protections in the standard service auctions for electric generation service. Prices have increased in the auctions. OCC has recommended that the PUCO take a detailed, comprehensive look into the auctions to evaluate ways to decrease volatility in market prices for consumers.
13-1453-EL-CRS	XOOM Energy	Competitive Retail Generation Provider and Power Marketer	To protect consumers from improper marketer practices, OCC has intervened in this case regarding XOOM's application to renew its certificate to provide electric service to Ohio consumers. The case is still pending at the PUCO while the PUCO investigates XOOM's alleged misleading and deceptive marketing practices.
08-1094-EL-SSO; 08-1095-EL-ATA; 08-1096-EL-AAM; 08-1097-EL-UNC	Dayton Power & Light	Electric security plan Charges to Customers	The PUCO in early 2020 allowed DP&L to revert back to ESP 1, following its stopping of a so-called distribution modernization rider. OCC challenged the rates implemented, including a \$79 million per year stability charge. OCC also asked for the PUCO to honor the rate freeze the PUCO approved under the ESP 1 plan. OCC has asked the Ohio Supreme Court to reverse the PUCO order allowing DP&L to charge consumers for stability. OCC is seeking consumer refunds of charges paid since 2021.
00-2317-EL-GAG	Northeast Ohio Public Energy Council	Certificate for Governmental Aggregators	The PUCO issued a show-cause order as to why NOPEC's certificate to operate as a governmental aggregator should not be suspended. The PUCO's order was in response to NOPEC returning consumers to the SSO offered by the utility instead of the continuing to change consumers higher price service under governmental aggregation. OCC filed comments in support of NOPEC's continued certification.
ODOD	Electric Percentage of Income	Eligibility Rules Change	Both the PUCO and ODOD requested comments on their proposals to temporarily and then permanently decrease the income requirement for PIPP. These rules changes expanded the number of customers who can receive assistance in paying electric bills. OCC supported the changes.

# 2022 Case Activity

<i>Case Number</i>	<i>Entity</i>	<i>Issue</i>	<i>Consumer Impact</i>
<b>Telephone Cases at the Public Utilities Commission of Ohio</b>			
21-0917-TP-UNC	AT&T	Relinquishing Eligible Telecommunication Carrier	AT&T Ohio requested to relinquish its Eligible Telecommunications Carrier ("ETC") status for the remainder of its service territory where it was still an ETC. OCC intervened to advocate for consumers at risk of losing the Lifeline discount. The PUCO previously granted AT&T Ohio's request to relinquish ETC status for 95% of its service territory. The Lifeline discount was ultimately phased out at the end of 2022.
19-0173-TP-ORD	Commission Rules Review	Commission Implementation of Sub. H.B. 402 - Basic Local Exchange Service	Sub. H.B. 402 mandated that the PUCO file a report on the status of Basic Local Exchange Service (BLES) including the amount of line loss and change in price in Ohio. The bill mandated that the PUCO allow three months for public comment on the report. Working with a consultant, OCC filed a report demonstrating that BLES still plays a critical role in the Ohio telecommunications industry and is important to Ohioans. A significant number of Ohio residential consumers continue to depend on BLES, and are impacted by price increases and deteriorating quality of service. OCC's report found that BLES protections should be enforced as required by law. Service quality should be investigated. OCC's report has gone on to the legislature.
14-1554-TP-ORD	Commission Rules Review	Lifeline Services	The PUCO conducted its five-year rule review for the Lifeline service telephone rules. The PUCO sought comment on proposed changes to rules that determines what happens when a telephone company files to abandon basic local telephone service, including access to emergency 9-1-1 service. The PUCO adopted the rules (with changes based on comments from OCC and others). The PUCO finalized the rules on Oct. 31, 2022, with an effective date of November 7, 2022.
<b>Natural Gas Cases at the Public Utilities Commission of Ohio</b>			
22-1015-GA-UNC	Vectren	Demand Side Management Programs	Vectren is seeking to increase its energy efficiency charge to consumers for 2024-2029. Vectren already has approval to spend \$5.9 million for 2023. OCC's has advocated that consumers who do not use or benefit from DSM/ Energy Efficiency should not be required to pay for it. There is no hearing date set at this time.
22-0809-GA-ORD	Commission Rules Review	Minimum Gas Service Standards	In this case the PUCO reviewed the rules governing minimum gas service standards. The minimum gas service standards promote the availability of adequate, reliable, and reasonably priced natural gas services to consumers. OCC advocated for increased protections for consumers. The case resulted in additional consumer protections for natural gas service consumers.
22-0731-GA-ORD	Commission Rules Review	Percentage of Income Payment Plan Rules	In response to the Governor's Executive Order expanding low-income eligibility for Percentage of Income Payment Plan Plus (PIPP) for electric consumers, the PUCO opened this docket expanding Ohioans' eligibility for natural gas PIPP on a permanent basis for public health and safety. OCC with our consumer partners filed comments generally supporting the increased eligibility, but recommended that the PUCO monitor the situation. We advocated that the PUCO should not allow higher charges to PIPP consumers than what they would pay were they not in the PIPP program. The PUCO noted OCC's comments, but found that they were better addressed in a general proceeding such as a five-year rule review. The PUCO adopted the rule change expanding income eligibility for PIPP.

# 2022 Case Activity

<i>Case Number</i>	<i>Entity</i>	<i>Issue</i>	<i>Consumer Impact</i>
22-0705-GA-RDR	Suburban Natural Gas	Infrastructure Replacement Program Rider	On January 26, 2023, the PUCO approved Suburban's application to adjust its Infrastructure Investment rider charge. The rider was initially set at \$0.00, but Suburban asked the PUCO to approve a charge of \$0.26/month/consumer. This provides Suburban opportunity to collect up to \$59,763 from consumers annually for the next five years. A settlement was reached between Suburban and the PUCO Staff on November 17, 2022 which OCC did not oppose.
22-0621-GA-RDR	Columbia Gas	Capital Expenditure Program Rider	Columbia sought to adjust its capital expenditure charge. OCC successfully negotiated a settlement that resolved important consumer protection matters as part of Columbia's pending rate case and limited the charge to \$7.33 per month.
22-0619-GA-RDR	Dominion East Ohio	Capital Expenditure Program Rider	In this case Dominion sought to adjust (increase) its capital expenditure program charge to consumers. OCC advocated for a reduced rate of return (profit) in the charge and the adoption of consumer protections reflected in the audit report. OCC was successful in getting the consumer protections in the audit report adopted.
22-0179-GA-ATA; 22-0180-GA-UNC	Dominion East Ohio	Carbon Offset Program	Dominion is seeking to educate consumers on the availability of carbon offset offerings. OCC is advocating that any such program should not be paid for by consumers and should be competitively neutral (e.g., not favor one marketer over another so that competition is not reduced, to consumers' detriment). The case remains pending at the PUCO.
21-1109-GA-ALT	Dominion East Ohio	Expanded Energy Efficiency Program	Dominion is seeking to expand their energy efficiency program. OCC opposed charging monopoly consumers \$73 million for the non-low-income energy efficiency which can be obtained in the competitive market without monopoly consumer funded subsidies. The case is pending at the PUCO.
21-1095-GA-RDR	Dominion	Pipeline Infrastructure Replacement	Dominion sought to charge consumers approximately \$201 for calendar year 2021 for its spending on its pipeline infrastructure replacement (PIR) program. OCC argued against using Dominion's inflated and outdated 9.91% rate of return in the PIR rider charges to consumers. That outdated profit increases charges to consumers by an extra \$45.8 million for the 12-month period under review. The PUCO denied OCC's request to reduce the rate of return used to calculate the PIR revenue requirement. The PUCO found the PIR charge reasonable, including adopting Dominion's 13-year-old inflated rate of return as applied to the charge (which OCC had opposed). OCC filed an application for rehearing, which remains pending. The excessive rate of return issue has been appealed to the Supreme Court in a related case.
21-1029-GA-ATA	North Coast Transmission LLC	Application to Become Natural Gas Company	North Coast is an intrastate pipeline seeking to become a natural gas company to serve all consumers, including residential consumers. OCC opposed the application because the company's proposal lacked adequate consumer protections. Specifically, the company proposed charging consumers through individually negotiated contracts instead of through publicly-filed tariffed rates. OCC opposed North Coast's application. North Coast withdrew its residential tariff and committed to not serve residential consumers.
21-0943-GA-RDR	Ohio Gas	Right of Way Rider	The PUCO approved Ohio Gas's request to charge consumers for the costs to obtain rights of way for distribution facilities, with an estimated \$1.88 increase to the residential consumers' monthly charges for utility service.



# 2022 Case Activity

Case Number	Entity	Issue	Consumer Impact
21-0903-GA-EXM; 21-0904-GA-ATA; 21-0905-GA-AAM	Duke Energy	Wholesale Auction Procedure	As a result of a settlement with OCC in another proceeding, Duke filed an application with the PUCO to transition its gas commodity sales from a gas cost recovery (GCR) mechanism to a Standard service offer (SSO) auction process for non-shopping consumers. The case is currently pending.
21-0637-GA-AIR; 21-0638-GA-ALT; 21-0639-GA-UNC; 21-0640-GA-AAM	Columbia Gas	Rate Increase	Columbia Gas filed an application for an increase in gas distribution rates of \$221.4 million. Columbia Gas also sought approval of an alternative rate plan. In January, 2023, the PUCO issued an order approving a settlement signed by OCC, Columbia, the PUCO Staff and others, on October 31, 2022, that reduced Columbia's initially proposed rate increase by \$153 million. The settlement further reduced and capped the amount that Columbia can charge consumers under its Infrastructure Replacement Program Rider and Capital Expenditure Program Rider. The settlement also preserves over \$70 million for weatherization services for low-income consumers. Columbia will also provide \$3.5 million in bill-payment assistance to at-risk consumers. Columbia also committed to ramp-down its DSM program for non-low-income consumers and not charge consumers \$10 million in shared savings as Columbia initially proposed.
21-0619-GA-RDR	Dominion East Ohio	Capital Expenditure Program	The PUCO approved Dominion's charge for its capital expenditure program, with an estimated \$5.52 increase to the residential consumers' monthly charges for utility service.
21-0618-GA-RDR	Duke Energy	Capital Expenditure Program	The PUCO approved Duke's charge for its capital expenditure program, with an estimated \$5.65 increase to the residential consumers monthly charge for utility service.
20-1634-GA-ALT	Dominion East Ohio	Pipeline Infrastructure Replacement Renewal	Dominion sought to charge consumers its pipeline infrastructure replacement (PIR) program costs using an outdated 13-year-old rate of return. The stale rate of return results in consumers overpaying and Dominion earning profits that are too high for current market conditions. The Settlement (which OCC negotiated but did not sign) did reflect some consumer benefits such as removal of all of the utility's financial incentives. The PUCO rejected OCC's rate of return recommendation but modified the Settlement to require Dominion to file a distribution rate case in 2023 rather than 2024. OCC filed an application for rehearing challenging the use of the inflated rate of return.
20-0053-GA-RDR	Duke Energy	Collecting Costs from Customers for Manufactured Gas Plant Cleanup	As part of a global settlement between OCC, Duke, the PUCO Staff, and others, the following consumer benefits were achieved: (i) a \$107 credit per residential consumer, (ii) \$3.8 million for bill-payment assistance funding for low-income customers and seniors, (iii) Duke's agreement to provide important "shadow-billing" information to OCC for public transparency, and (iv) Duke agreeing to seek approval of a market-based "Standard service offer" to replace the gas cost recovery process for its consumers to obtain natural gas.
14-0375-GA-RDR; 15-0452-GA-RDR; 16-0542-GA-RDR; 17-0452-GA-RDR; 18-0283-GA-RDR; 19-0174-GA-RDR; 19-0175-GA-ATA	Duke Energy	Collecting Costs from Customers for Manufactured Gas Plant Cleanup	As part of a global settlement between OCC, Duke, the PUCO Staff, and others, the following consumer benefits were achieved: (i) a \$107 credit per residential consumer, (ii) \$3.8 million for bill-payment assistance funding for low-income consumers and seniors, (iii) Duke's agreement to provide important "shadow-billing" information to OCC for public transparency, and (iv) Duke agreeing to seek approval of a market-based "Standard service offer" for its consumers to obtain natural gas.

# 2022 Case Activity

<i>Case Number</i>	<i>Entity</i>	<i>Issue</i>	<i>Consumer Impact</i>
18-1205-GA-AIR; 18-1206-GA-ATA; 18-1207-GA-AAM	Suburban Natural Gas	Increased Rates to Customers	OCC successfully appealed this case to the Supreme Court of Ohio, which ruled that the PUCO misapplied the "used and useful" standard under Ohio law. On remand, the PUCO determined that only two miles of the pipeline was used and useful.
16-0893-GA-CRS	Green Choice	Competitive Retail Natural Gas Certification Renewal	To protect consumers from misleading and deceptive marketing activity, OCC has intervened in this case where Green Choice seeks to renew its certificate to provide electric service to consumers in Ohio. The case remains pending at the PUCO.
11-4795-GA-CRS	XOOM	Competitive Retail Natural Gas Supplier	To protect consumers from misleading and deceptive marketing activity, OCC has intervened in this case regarding XOOM's application to renew its certificate to market natural gas to Ohio consumers. The case is still pending at the PUCO while the PUCO investigates XOOM's alleged misleading and deceptive marketing practices.
<b>Gas &amp; Electric Cases at the Public Utilities Commission of Ohio</b>			
22-1004-GE-WVR	Duke Energy	Percentage of Income Payment Plan Billing Waiver	Duke applied for a waiver of PUCO rules, to avoid harm to about 5,600 low-income consumers that Duke mis-billed in August, September or October of 2022. The affected consumers participate in the Percentage of Income Payment Plan program. Ohio law requires protection of at-risk populations, per R.C. 4928.02(L). Duke's mis-billing resulted in consumer bills that were artificially low or that even showed credit balances. Consumer confusion and frustration has resulted from these mis-billings. Worse, the mis-billing created the potential, in the absence of action, for consumers to be disconnected. This waiver was approved by the PUCO on November 16, 2022 and provided a resolution for consumers that were harmed.
22-0668-GE-UNC	PUCO Review	Disconnection of Service in Winter Emergencies 2022-2023	This is the PUCO's annual Special Reconnect Order which is intended to protect consumers by allowing residential consumers who are disconnected or are facing disconnection to pay a maximum amount of \$175 to have their service maintained or restored during the winter months. OCC, along with other consumer protection agencies advocated for more consumer protections to be added. OCC requested a complete moratorium on disconnections in the winter, or at least a moratorium when a consumer was unable to get an appointment with a community action agency for help. OCC also advocated for the use of the special reconnect consumer protections for each utility, once for gas and once for electric. OCC also advocated that the PUCO freeze drops for PIPP consumers unable to reverify income. The PUCO agreed with OCC to permit the reconnect be used once for each utility and that consumers would be given a reprieve on disconnection until five days after an appointment with a community action agency is verified by fax or email by the community action agency. This solution still falls short of the needed protections for low-income consumers.
22-0583-GE-UNC	Direct Energy	Enforcement of Settlement	This case involves misleading and deceptive marketing practices by a marketer. OCC is advocating that marketers may not engage in misleading marketing practices and must maintain records sufficient to verify compliance with PUCO rules. The case is pending at the PUCO.

# 2022 Case Activity

Case Number	Entity	Issue	Consumer Impact
22-0441-GE-COI	Green Choice	Compliance with O.A.C.	To protect consumers, OCC intervened in this PUCO-ordered investigation into Green Choice's alleged misleading and deceptive marketing and enrollment practices. Green Choice markets electric and natural gas service to Ohio consumers. Evidentiary hearings were held in the Fall of 2022, and a PUCO order is expected in 2023.
22-0332-GE-WVR	Vista Energy	Waivers	Vista is an energy marketer seeking to waive the requirement of conducting live, independent, telephonic third-party verification when it goes door-to-door to sign up consumers for service. Vista instead sought to verify consumer enrollments through online/digital confirmation. OCC asked that the PUCO deny Vista's request, arguing that live, independent telephonic third-party verification protects consumers from marketers' illegally switching consumers' suppliers without proper consent. This predatory practice is known as slamming. OCC's briefs opposing Vista's request are pending before the PUCO.
22-0267-GE-COI	XOOM	Compliance with O.A.C.	To protect consumers, OCC intervened in this PUCO-ordered investigation into XOOM's alleged misleading and deceptive marketing and enrollment practices. XOOM markets electric and natural gas service to Ohio consumers. This case is still pending at the PUCO.
22-0029-GE-WVR	Inspire Energy	Waivers	Inspire Energy markets electric and natural gas service to Ohio consumers. OCC intervened in this case to oppose Inspire's application for a waiver from the PUCO's rules requiring live, telephonic, independent third-party verifications of consumer enrollments. Inspire is requesting permission to conduct third-party verifications of consumer enrollments through digital texts. Parties have filed comments regarding Inspire's request, and the case is currently pending at the PUCO.
22-0043-GE-WVR	Duke Energy	Waivers	Duke requested waivers of the PUCO's rules to give itself time to implement its new "customer connect" billing system. OCC was concerned that this could impact consumers' ability to enroll in budget billing, extended payment plans and PIPP during the six-week transition period. OCC together with our consumer partner, Legal Aid Society of Cincinnati, opposed Duke's waiver, and also recommended that the PUCO require Duke to stay any disconnections and work with consumers to get services restored before the billing transition. The PUCO agreed in part, and ordered Duke to make a public informational filing regarding its transition plan and resumption of disconnections, and to work with consumers regarding budget billing and extended payment plans.
21-1233-GE-UNC	Duke Energy	Bill Format	Duke proposed a redesign of its bill format. OCC recommended additional consumer protections be included on Duke's bill. OCC recommended improved placement of price to compare notices on bills, electric shadow bill reporting, and regular bill messages about the availability of the online bill calculator. OCC also recommended the separation of service notice on bills containing disconnection notices. While the PUCO did not adopt these recommendations, OCC was successful in getting other protections in the bill format. These include obtaining definitions for the major cost components on the bill, improving language related to non-payment of supplier charges, correcting OCC's contact information, and clarifying disclosure of privacy protections related to the Choice Service ID. Overall Duke's new bill format that the PUCO adopted was stronger because of OCC's consumer protection recommendations.

# 2022 Case Activity

Case Number	Entity	Issue	Consumer Impact
21-0902-GE-BRO	Ohio Power Siting Board	Rules Review	The PUCO is reviewing rules governing the Ohio Power Siting Board. To combat the soaring costs of supplemental transmission projects, OCC has advocated for consumer protections involving such projects. The case is pending at the PUCO.

## Water Cases at the Public Utilities Commission of Ohio

22-0771-WS-ORD	Commission Rules Review	Waterworks and Sewage Disposal Companies	In August, 2022, the PUCO ordered a review of the waterworks and sewage disposal companies in O.A.C. Chapter 4901:1-15. OCC provided recommendations on strengthening the rules to better protect water and wastewater consumers which included capping the amount of time utilities can back bill for metered service, provide quarterly disconnection data to OCC and PUCO, a second disconnection notice if payment is not made and requiring payment plan options that are offered by other utilities. The PUCO did not agree to these consumer protections. However, the PUCO agreed to OCC's recommendation that requires waterworks and wastewater utilities to make every effort to reconnect service if a payment is made after 12:30 p.m. on a day that proceeds a weekend or a holiday. The PUCO also included OCC's rule recommendation that affirmed consumers' rights to have adequate and reliable water and wastewater service and facilities.
21-0596-ST-AIR	Aqua Ohio Wastewater	Rate Increase	Aqua Ohio Wastewater requested a \$4.12 million rate increase to its wastewater consumers. OCC negotiated for a decrease to Aqua's proposed request. In July 2022, OCC reached a settlement with Aqua Ohio, PUCO Staff, and other parties that resolved an Aqua Ohio's application. Aqua's proposed wastewater service request was decreased by more than \$300,000; Aqua was granted a \$3.8 million increase instead of the \$4.1 requested. The PUCO approved the Settlement in September 2022.
21-0595-WW-AIR	Aqua Ohio Water	Rate Increase	Aqua Ohio Water requested a 10.5 % increase to its existing base rates. In July 2022, OCC reached a settlement with Aqua Ohio, PUCO Staff, and other parties that resolved Aqua Ohio's application to increase rates. The Settlement reduced Aqua's proposed rate increase by more than \$4 million and included important consumer protections. Along with the decreased rate increase, the Settlement provides \$20,000 annually to a low-income bill-payment assistance program (Aqua Aid) to help prevent water disconnections. Aqua Ohio also agreed to provide OCC and the PUCO disconnection data on a quarterly basis. The quarterly reports show the number of consumers and the dollar amounts sought for Aqua Aid bill-payment assistance to better assess the needs for water bill-payment assistance. The PUCO approved the Settlement in September 2022.

## Other Cases at the Public Utilities Commission of Ohio

22-1025-AU-COI	Commission Investigation	Implementation of the Federal Infrastructure Investment and Jobs Act's (IIJA) Electric-Vehicle Charging PURPA Standard	This case involves the implementation of federal legislation related to electric vehicle infrastructure. OCC has advocated that utility consumers should not be charged any money for such projects if the utility is awarded funds under the legislation, urged transparency, and advocated for promoting market-based solutions.
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# 2022 Case Activity

Case Number	Entity	Issue	Consumer Impact
22-1024-AU-COI	Commission Investigation	Implementation of the Federal Infrastructure Investment and Jobs Act's (IIJA) Demand-Response PURPA Standard	The IIJA took effect on November 15, 2021. The bill, in part, requires the PUCO to determine whether to implement new PURPA standards related to demand side management programs. OCC filed comments and reply comments advocating that demand response should only be provided as a competitive service and the EDU should serve as an independent and neutral intermediary between marketers and the electric distribution system.

22-0755-AU-COI	Commission Investigation	Implementation of Federal Infrastructure Investment and Jobs Act (IIJA)	This case involves the implementation of federal legislation related to electric infrastructure. OCC has advocated that utility consumers should not be charged any money for such projects if a utility is awarded funds under the legislation, urged transparency, and advocated for using any federal dollars awarded to increase consumer benefits such as reliability.
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## Cases at the Ohio Supreme Court

2022-0458	Dominion East Ohio	Capital Expenditure Program Rider	On April 25, 2022, OCC appealed a PUCO ruling that harmed consumers by allowing Dominion to collect a 12-year-old rate of return on its current investments even though that rate of return was significantly higher than the prevailing rate of return at the time of the investments.
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2021-1473	Dayton Power & Light	Significantly Excessive Earnings Test	In December 2021, OCC appealed a PUCO ruling that approved a settlement signed by DP&L and others that harmed consumers in two ways. First, the PUCO ruled that DP&L's "rate stabilization charge" was lawful despite Ohio Supreme Court precedent that substantially similar charges were found to be unlawful. Second, the PUCO denied more than \$61 million in refunds to consumers, despite finding that DP&L had charged consumers for too high profits. The case has been fully briefed and oral arguments are scheduled for early April, 2023.
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2021-1068	Dayton Power & Light	Distribution Modernization Rider	In August 2021, OCC appealed a PUCO ruling that harmed consumers in two ways. First, it ruled that DP&L's "rate stabilization charge" was lawful despite Ohio Supreme Court precedent that substantially similar charges were found to be unlawful. Second, it denied more than \$61 million in SEET refunds to consumers. The Court dismissed the appeal as premature. OCC refiled the appeal after the PUCO issued a final order in the case.
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## Cases at the Federal Energy Regulatory Commission

EL22-34	Complaint	OCC v. AEP, ATS and Duke	OCC filed a complaint against several Ohio electric transmission owners. FERC allows these utility owners to charge consumers for too high profits (adding an extra 50-basis point adder) for belonging to a Regional Transmission Organization (RTO). This is known as the "RTO Adder" or extra profits charge. The charge should not apply because Ohio's transmission owners are required to belong by Ohio law to an RTO. FERC agreed that AEP Ohio's transmission affiliates' rates should be reduced. AEP's rate reduction for consumers is approximately \$20 million annually. The interest on the refund back to February 24, 2022 will exceed \$925,000. OCC continues to pursue rate reductions for ATSI (FirstEnergy) and Duke.
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# 2022 Case Activity

<i>Case Number</i>	<i>Entity</i>	<i>Issue</i>	<i>Consumer Impact</i>
RM22-19	Notice of Proposed Rulemaking	Cybersecurity Incentives: Advanced Cybersecurity Investments	OCC advocated that FERC reduce its proposed incentives for electric transmission cybersecurity projects that exceed the norm to an extra 50-basis points on return on equity. FERC proposed 200-basis points. OCC advocated that FERC limit the duration of any incentives to the lesser of (a) three years, (b) the life of the assets for which the incentive is provided, or (c) the date on which such technologies or actions become obsolete or routine in the industry or become a new mandated standard. FERC's decision is pending.
AD22-8	Notice of Inquiry	Transmission Planning and Cost Management	OCC advocated that FERC adopt policies that require only those customers that directly benefit from a transmission project to pay for that project. OCC advocated that FERC require more regulatory oversight for smaller (supplemental) transmission projects. And, FERC should establish an Independent Transmission Monitor to oversee transmission expansion to make certain it's needed and prudent. OCC's Analytical Director was seated on a FERC panel addressing these issues. FERC does not issue rulemaking decisions in "AD" (administrative) dockets.
RM22-5	Notice of Proposed Rulemaking	Accounting for Utility Dues	OCC advocated that FERC protect consumers from funding utility charges for industry association dues and certain civic, political and related expenses. OCC advocated that FERC require utilities to exclude industry association dues from transmission rates by accounting for these expenses in below-the-line (unregulated activities) accounts. If utilities want consumers to pay, the utilities should have the burden of proof to demonstrate that any such proposed consumer charges provide a direct and primary benefit to consumers. FERC's decision is pending.
RP21-1187	Eastern Gas Transmission and Storage ("Eastern Gas")	Application to Increase Rates	OCC supported the Eastern Gas rate case settlement. The settlement resolves many issues that inure to the benefit of Ohio consumers, including reduced rates to consumers as compared to the utility's application. On October 29, 2022, FERC issued its order approving the rate case filing. Pursuant to the settlement, Eastern Gas refunded over \$91 million, including interest, to consumers.
RM21-17	Notice of Proposed Rulemaking	Electric Regional Transmission Planning	OCC filed comments and reply comments recommending that consumers only pay for transmission facilities that they directly benefit from (i.e., receive electrons). OCC advocated that FERC require more regulatory oversight for smaller (supplemental) transmission projects and should establish regional Independent Transmission Monitors to review the proposed transmission projects. If certain aspects of FERC's proposal are approved, Ohioans could end up paying billions of dollars for transmission built elsewhere from which they will receive no benefit. FERC's decision is pending.
RP20-1060; RP20-1159	Columbia Gas Transmission ("Columbia")	Application to Increase Rates	Columbia filed a settlement that resolved certain specified issues raised in its rate case filing on October 29, 2021. On November 18, 2021, the OCC and Northeast Ohio Public Energy Council ("NOPEC") jointly filed comments at FERC supporting the settlement. The settlement resolves many issues that benefit Ohioans, including reduced rates to consumers as compared to the Utility's application. On February 25, 2022, FERC approved the uncontested settlement.

# 2022 Case Activity

<i>Case Number</i>	<i>Entity</i>	<i>Issue</i>	<i>Consumer Impact</i>
FA19-1	FirstEnergy	Affiliate Transactions	FERC's February 4, 2020 audit report includes alarming revelations, including significant shortcomings in FirstEnergy and its subsidiaries' internal controls over financial reporting. These include, among other things, controls over accounting for expenses relating to civic, political, and related activities, such as lobbying activities performed by and on behalf of FirstEnergy and its subsidiaries. OCC filed to intervene in this audit case and to gain access to FERC's and FirstEnergy's audit documents. FERC's decision is pending.
<b>Case at the U.S. Court of Appeals for the Third Circuit</b>			
21-3068, et al	PJM Power Providers Group v. Federal Energy Regulatory Commission	MOPR Petition for Review	This case has been consolidated with 21-3205 (below).
21-3205	Electric Power Supply Association v. Federal Energy Regulatory Commission	MOPR Petition for Review	In this federal appeals court case parties are challenging FERC's revised minimum offer price rule for PJM's capacity auctions, which allows subsidized power plants to participate in such auctions. OCC has argued that subsidized power plants participating in PJM's capacity auctions could result in uneconomic prices for consumers. On January 10, 2022, OCC's FERC Counsel participated in an oral argument. During the oral argument, OCC's Counsel stated that OCC has always embraced competition. And, the Courts have authorized FERC's approach of using competitive markets to set electricity prices – but only if FERC safeguards the competitiveness of the markets. These cases have been briefed and the Court's decision is pending.

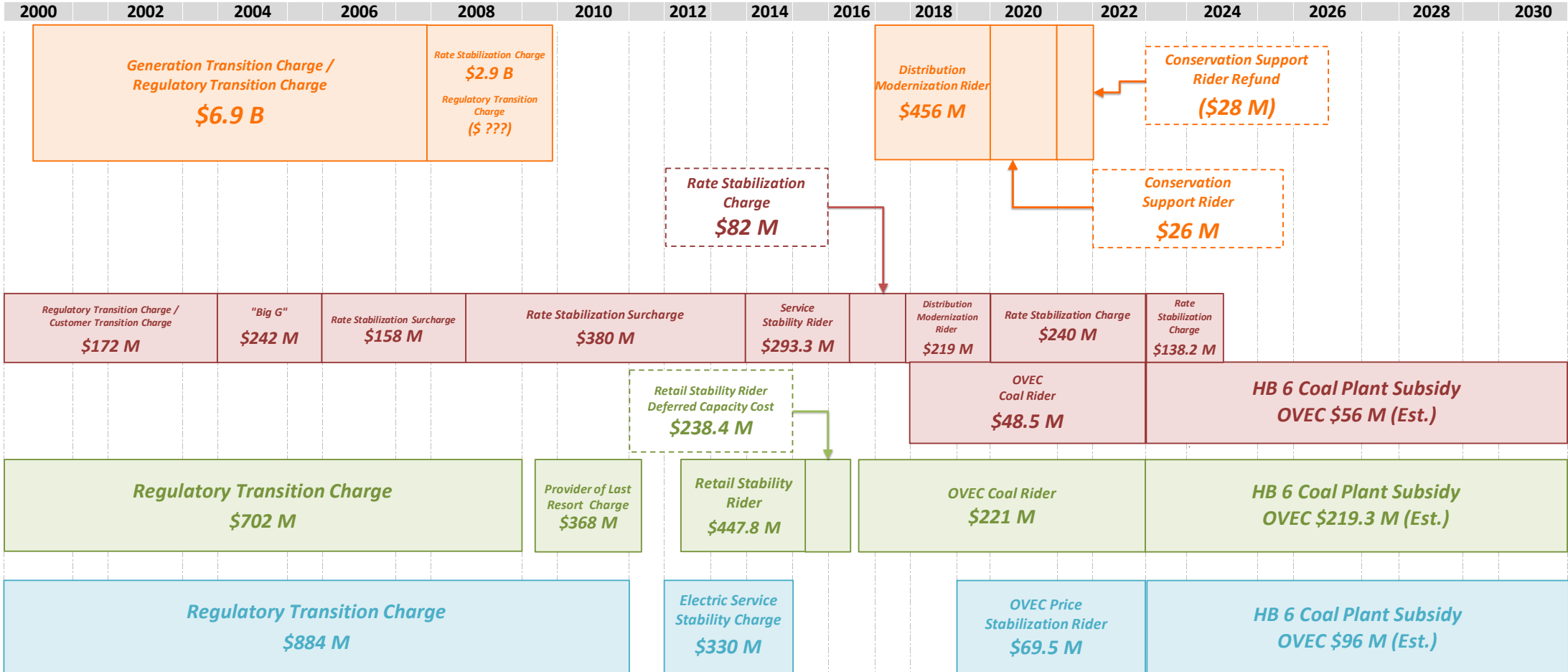
**\$15.29 Billion**  
Charged to Customers  
(2000 - 2022)

# SUBSIDY SCORECARD

**\$509.5 Million Projected**  
Charges to Customers  
(2023 - 2030)

- ELECTRICITY CHARGES TO OHIOANS -

**FirstEnergy**  
\$10.28 Billion

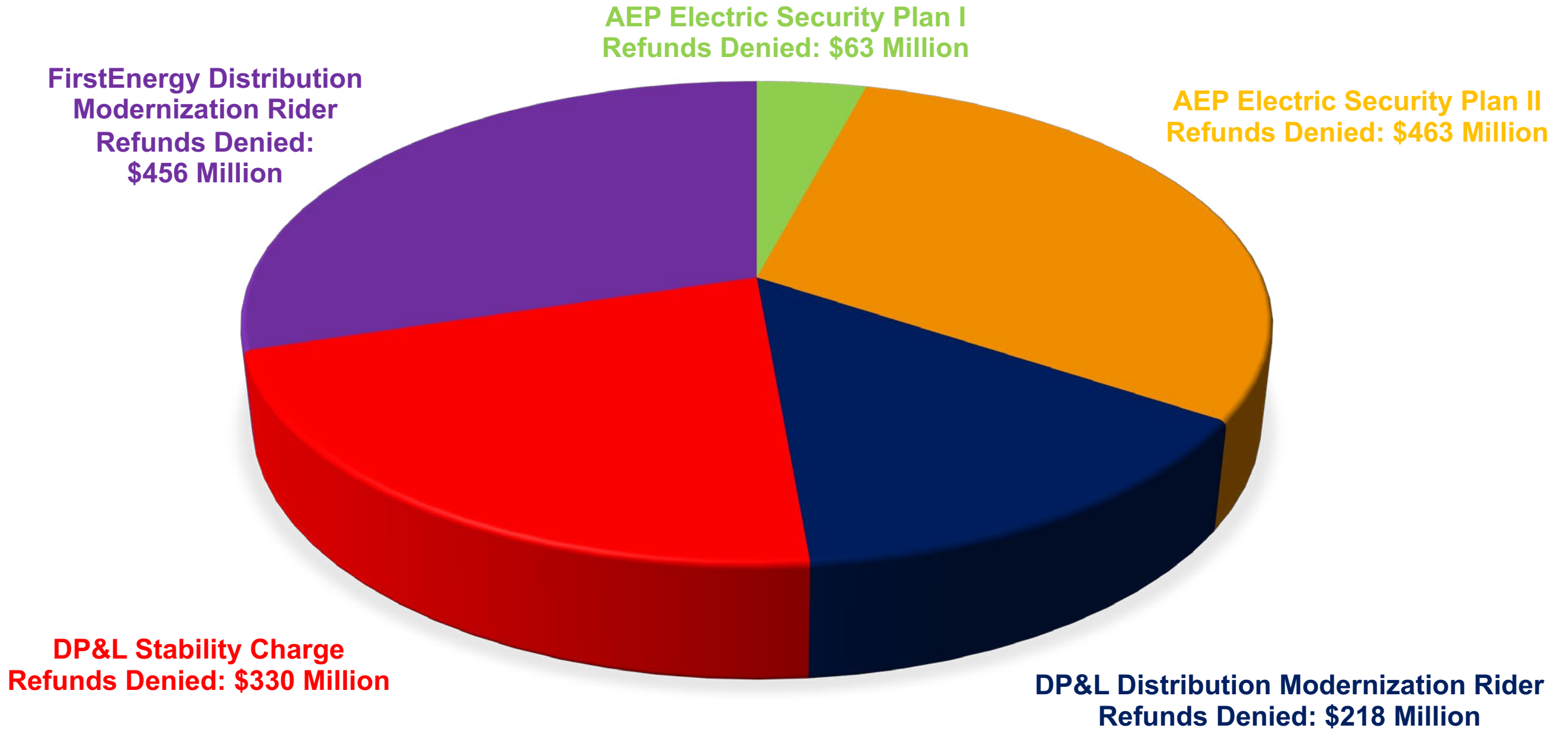


B=Billions; M=Millions

Rev. 03/07/2023



# OHIOANS DENIED \$1.5 BILLION IN ELECTRIC REFUNDS SINCE 2009





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