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Federal

PUCO Submits Comments to FERC on Utilities' Political and Civic Expenses (Docket No. RM22-5-000)

Summary: FERC recently solicited [comments](#) on whether customers should pay for industry association dues; whether increased transparency on utilities' spending on political, civic, charitable, and industry associations is warranted; and how to define such expenses.

This week, the PUCO submitted comments advocating that "costs of political, charitable, and lobbying activities, whether those are part of industry associations or otherwise, should be borne by shareholders and that it would not be just and reasonable to recover them from ratepayers." The PUCO urged FERC to update definitions in its Uniform System of Accounting, including those related to advertising expenses, association dues, and community welfare purposes.

Additionally, the PUCO cited to its ongoing House Bill 6-related audits of the FirstEnergy Utilities "to inform the conversation" concerning utilities' political and charitable spending.

AES Ohio

PUCO Approves a New Infrastructure Investment Rider for AES Ohio (Case No. 21-1110-EL-RDR)

Summary: The PUCO has approved a new non-bypassable rider for AES Ohio. The Infrastructure Investment Rider (IIR) recovers incremental investment and operation and maintenance (O&M) costs associated with AES Ohio's Smart Grid Plan Phase 1. A charge of 3.4840% of customers' distribution charges will become effective on a bills-rendered basis April 1, 2022. However, the PUCO denied AES Ohio's request to include carrying charges in the IIR. A global settlement joined by AES Ohio, OMAEG, and several other parties limits total recovery under the IIR to \$267.6 million and subjects the investments and expenses to an annual PUCO audit.

Duke

PUCO Denies Duke's Request for Rehearing of EE Order (Case Nos. 16-574-EL-POR, et al.)

Summary: In 2020, pursuant to a Supreme Court of Ohio decision, the PUCO removed a cost cap of \$38.6 million on Duke's recovery from customers for 2018 and 2019 energy efficiency and peak demand response (EE/PDR) costs and shared savings. However, the PUCO reduced Duke's maximum allowable shared savings for 2017-2020 to \$7.8 million (pre-tax) annually from \$12.5 million. The PUCO also prohibited Duke (and other utilities) from recovering lost distribution revenue (LDR) after Dec. 31, 2020, even if the LDR is attributed to energy savings achieved in 2018, 2019, or 2020. Duke requested rehearing of the order, which OMAEG opposed.

This week, the PUCO sided with OMAEG and other consumer groups, denied Duke's request, and stated: "Our decision to lower the amount that customers must pay Duke was procedurally sound, based on evidence, and consistent with the law."