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## **Statewide**

### **Subpoenaed Text Messages Show Former PUCO Chair Acted for FirstEnergy's Benefit**

**Summary:** Recently subpoenaed documents show former PUCO Chair Sam Randazzo, whom FirstEnergy Corp. admitted to bribing, overruled other commissioners and staff to secure favorable policies for FirstEnergy.

A March 2020 text message exchange between then-FirstEnergy executives Chuck Jones and Dennis Chack state: “[Randazzo] will get it done for us but cannot just jettison all process. Says the combination of overruling staff and other commissioners on decoupling, getting rid of SEET and burning the DMR final report has a lot of talk going on in the halls of PUCO about does he work there or for us? He’ll move it as fast as he can. Better come up with a short-term work around.”

The decoupling provision included in the scandal-ridden House Bill 6 allowed utilities to lock in guaranteed revenue. “SEET” – the Significantly Excessive Earnings Test – is supposed to prevent utilities from earning significantly excessive profits under their respective electric security plans at customers’ expense. An amendment to the 2020-2021 budget bill allowed FirstEnergy’s three distribution utilities to be treated as one under the SEET to shield the earnings of the most profitable utility.

The “DMR report” refers to a never-filed audit of FirstEnergy’s Distribution Modernization Rider (DMR), a recovery mechanism that allowed FirstEnergy to collect annually more than \$150 million from customers between 2017 and 2019 until the Supreme Court of Ohio held that the PUCO had improperly approved the charge.

**AES Ohio (formerly DP&L)**

**PUCO Approves Decrease to AES Ohio's Tax Savings Credit  
(Case No. 19-568-EL-ATA)**

**Summary:** The PUCO approved a decrease to AES Ohio's Tax Savings Credit Rider. Effective November 1, on a bills-rendered basis, customers will be credited 2.4939% of their distribution charges instead of 4.2735% of their distribution charges.