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AES

PUCO Upholds Rate Freeze for AES (Case Nos. 20-1651-EL-AIR, et al.)

Summary: The Public Utilities Commission of Ohio (PUCO) sided with the OMAEG and others by concluding that a distribution rate freeze is still in effect and prohibiting AES from increasing its base distribution rates at this time.

The PUCO found that AES is bound by the rate freeze agreed to in ESP I – and therefore any approved rate increases may not be implemented until AES is under a new ESP.

As for the rate increase that will become effective after the rate freeze ends, the PUCO adopted staff's recommendations, which results in a \$75,616,813 rate increase – a significant reduction compared to the \$120.8 million increase proposed by AES.

Dominion Gas

Dominion Increases Standard Choice Offer Rate (SCO)

Summary: Based on recent auctions and market activity, the default service rate for natural gas increased to \$6.892/Mcf from \$5.366/Mcf.

Duke

PUCO Approves Duke Rate Case Settlement (Case Nos. 21-887-EL-AIR, et al.)

Summary: The PUCO approved the parties' settlement agreement without modification. Given that the settlement significantly reduced the rate increase Duke initially sought –

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affording the utility an increase of \$22.6 million rather than \$54.7 million – and lowered the caps for the Distribution Capital Investment Rider (Rider DCI), the OMAEG agreed not to oppose the settlement. The settlement also allocated rates more in line with the cost of service and cost causation principles, allocating 64% of the rate increase to the residential rate class.

**Duke Increases Capital Expenditure Program Rider (Rider CEP)
(Case No. 89-8002-GA-TRF)**

Summary: Effective January 3, 2023, Duke will increase its Rider CEP to \$135.44 per month from \$98.22 per month for General Service-Large customers, and to \$24.16 per month from \$19.63 per month for General Service-Small customers.

Statewide

**Supreme Court of Ohio Freezes Randazzo's Assets
(Case Nos. 2022-1286, 20-CV-6281, et al.)**

Summary: In 2021, Attorney General Dave Yost seized \$8 million in assets from former PUCO Chairman Samuel Randazzo. But due to a technicality, the 10th District Court of Appeals ordered to unfreeze those assets earlier this year. AG Yost appealed the decision and requested a stay of the district court order pending resolution of the appeal. After reviewing the arguments, the Supreme Court of Ohio granted the AG's request for a stay so Randazzo's assets remain frozen.

**PUCO Authorizes OVEC to Issue Debt
(Case No. 22-926-EL-AIS)**

Summary: Although the PUCO approved OVEC's application requesting authority to take on \$185 million in short-term debt during 2023, the PUCO seemed to agree with the OMAEG's concerns regarding OVEC's plans to use some of these funds to support a coal-fired power plant in Indiana, admitting it "finds concerning the issues cited by the U.S. EPA regarding the Clifty Creek Plant." As such, the PUCO directed staff to "monitor the U.S. EPA action" concerning Clifty Creek and report back as the situation develops.

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**PUCO Approves Increases to Solar Generation Fund Riders (Riders SGF)
(Case Nos. 22-1036-EL-RDR, 22-1052-EL-RDR, 22-1059-EL-RDR, 22-1069-EL-RDR)**

Summary: The PUCO approved the applications of FirstEnergy, AEP, AES, and Duke to increase their Riders SGF to \$0.000285/kWh from \$0.000274/kWh in order to collect more money from customers for the Solar Generation Fund. Based solely on staff's report, the PUCO concluded that the increased rates do not appear to be unjust or unreasonable. Consequently, all four applications were approved "without the need for further hearing" – and the new rates become effective Jan. 1, 2023.