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Statewide

Attorney General Seeks to Enjoin FirstEnergy's HB 6 Decoupling Rider (Case Nos. 20-CV-6281, et al.)

Summary: On Jan. 13, 2021, Ohio Attorney General Dave Yost requested that the Franklin County Court of Common Pleas enjoin FirstEnergy from collecting approximately \$102 million from customers in 2021 through the HB 6 Decoupling Rider.

HB 6 authorized FirstEnergy to implement the Decoupling Rider, which guarantees FirstEnergy at least as much revenue as it earned in 2018 – a highly profitable year. The attorney general further requested that the PUCO revoke approval of the Decoupling Rider and that FirstEnergy be required to withdraw its Decoupling Rider application and refund customers any amounts collected under the rider.

Duke

OMAEG Submits Comments on Duke's OVEC Rider (Case No. 20-165-EL-RDR)

Summary: OMAEG submitted [joint reply comments](#) in the 2019 audit of Duke's Price Stabilization Rider (PSR), which recovers OVEC costs pursuant to the Intercompany Power Purchase Agreement. In their comments, OMAEG and Kroger asserted that Duke failed to meet its burden of proof in demonstrating that the roughly \$24 million in OVEC costs collected from customers in 2019 were prudently incurred. More specifically, the comments argue that Duke's acquisition of FirstEnergy Solutions' OVEC entitlement and poor fuel management practices were unnecessarily costly to customers.

The comments also advocated that the OVEC plants' offer strategy in the PJM market did not benefit customers, and that Duke should be required to submit a study on the OVEC plants' participation in PJM's ancillary services market to determine whether OVEC could earn additional revenue to lower costs to customers.