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Statewide

Court Declines to Take Notice of \$4.3 Million Payment to Regulator in Suvon Case (Case No. 2020-1009)

Summary: As you may recall, the Office of the Ohio Consumers' Counsel (OCC) and Northeast Ohio Public Energy Council (NOPEC) appealed the PUCO's decision to certify Suvon, LLC (FirstEnergy Advisors) as a Competitive Retail Electric Service (CRES) power broker and aggregator. NOPEC also requested that the Supreme Court of Ohio take notice of FirstEnergy Corp.'s disclosures regarding a \$4.3 million payment to an unnamed regulator acting at the request or benefit of the Company. The Court denied the request this week without comment. Justice Brenner dissented, stating he "would grant the motion as to undisputed matters appearing on public websites or in agreements by the parties, such as dates of appointment to or resignation from the Public Utilities Commission of Ohio and statements that certain individuals are the subject of Securities and Exchange Commission filings."

Duke

Duke Proposes Updates to H.B. 6 OVEC Rider (Case No. 21-567-EL-RDR)

Summary: Duke proposed updates to its nonbypassable Legacy Generation Resource Rider (Rider LGR), which subsidizes the uneconomic Ohio Valley Electric Corporation (OVEC) coal plants. If approved, the following rates would become effective July 1, 2021 for non-residential customers:

- **Part A (Statewide) for first 833,000 kWh per month** \$0.001481/kWh, an increase from \$0.000855/kWh.
- **Part B (Electric Distribution Utility True up) for first 833,000 kWh per month** \$0.000320/kWh, a decrease from \$0.000946/kWh.