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## **AEP**

### **OMAEG Urges PUCO to Adopt AEP's Rate Case Settlement (Case Nos. 20-585-EL-AIR, et al.)**

**Summary:** OMAEG has submitted a [brief](#) in the AEP distribution rate case that urged the PUCO to adopt a settlement that OMAEG, AEP, and most consumer groups have joined. Specifically, the brief explains that the settlement is the product of serious negotiations, is beneficial to customers when compared to AEP's initial proposal, and is consistent with Ohio's laws, regulations, and public policy.

The brief opposes non-signatory parties' proposals that, if added to settlement, would require customers to pay up to \$65 million annually in energy efficiency costs, or would allow AEP to acquire ownership rights over technology for which there is market demand.

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

### **PUCO Approves AES Ohio's Global Settlement (Case Nos. 20-680-EL-UNC, et al.)**

**Summary:** The PUCO has approved a global settlement filed by AES Ohio and several parties, including OMAEG, to resolve multiple AES Ohio proceedings, including grid modernization, quadrennial review, and significantly excessive earnings test (SEET) proceedings. Some of the benefits that the settlement secures for customers include but are not limited to: AES Ohio's commitment to file an application to establish a new electric security plan (ESP) by Oct. 1, 2023; the continuation and expansion of the Transmission Cost Recovery Rider-Non-bypassable Pilot Program; the provision of economic development incentives to qualifying signatory parties; and a commitment from AES Ohio to develop a new customer information system and provide customers at least 24 months of energy usage interval data.

## **PUCO Rejects Request for Reconsideration of AES Ohio's ESP Decisions (Case Nos. 08-1094-EL-ATA, et al.)**

**Summary:** As you may recall, the Office of the Ohio Consumers' Counsel (OCC) requested a rehearing of the PUCO's decision to reinstate AES Ohio's ESP I after AES Ohio withdrew its ESP III. Specifically, OCC argued that the PUCO erred by: (1) allowing AES Ohio to continue all charges related to its ESP I rather than only those that recover the cost of energy generation to serve standard service offer (SSO) customers; (2) failing to continue the distribution rate freeze of ESP I following AES Ohio's withdrawal of ESP III; (3) charging customers for storm recovery expenses incurred in 2016-2018 following AES Ohio's withdrawal of ESP III; (4) approving the rate stabilization charge (RSC), which allowed AES Ohio to collect provider of last resort costs from customers; (5) ruling that the parties were precluded from re-litigating the RSC issue; and (6) allowing AES Ohio to refile RSC tariffs without making them subject to refund.

The PUCO rejected all the OCC's arguments, finding that the OCC had incorrectly interpreted the relevant law or failed to timely bring the claims.

Although the PUCO determined that it lacked the discretion to make the RSC refundable, it directed AES Ohio to add language to the RSC tariffs making the charge "refundable to the extent permitted by law." Without this language, the Supreme Court of Ohio would have no need to decide on appeal whether the PUCO has discretion to make the RSC refundable. Thus, the PUCO attempted to strike a balance by allowing OCC to effectively appeal the decision that the RSC cannot be made refundable.

### **FirstEnergy**

## **OMAEG Submits Reply on Proposal to Refund HB 6 Decoupling Charges (Case No. 21-484-EL-ATA)**

**Summary:** OMAEG submitted [reply comments](#) that asked the PUCO to require FirstEnergy to return to customers all charges previously collected through the HB 6 decoupling mechanism in a single bill credit, plus interest. The reply comments also advocated for greater transparency from FirstEnergy in all PUCO proceedings but particularly in those directly or indirectly related to HB 6.