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AES Ohio

PUCO Approves AES' Fourth Electric Security (ESP IV) Settlement (Case Nos. 22-900-EL-SSO, et al.)

Summary: The Public Utilities Commission of Ohio (PUCO) approved without modification AES' ESP IV settlement, which only the Office of the Ohio Consumers' Counsel (OCC) opposed. Among other benefits, the settlement significantly reduces the new and increased rider charges originally proposed by AES and provides various customer benefits, including favorable transmission billing and economic development incentives to support new or expanding businesses in AES' service territory. Additionally, AES agreed to withdraw its application in a different case to recover \$51 million in decoupling amounts, and its request to own, operate, or maintain electric vehicle supply equipment, which is a competitive product and service.

With the implementation of ESP IV, the ongoing base rate freeze ends – and the new base rate increases from AES' recent distribution rate case will go into effect (Case No. 20-1651-EL-AIR). This base rate increase includes a total revenue requirement of \$320,559,726 (representing a \$75,616,813 increase), an ROR of 7.43%, and an ROE of 9.999%.

Duke

PUCO Approves Recovery of Efficiency and Demand Response Program Costs (Case Nos. 19-622-EL-RDR, et al.)

Summary: Prior to House Bill 6, Duke implemented energy efficiency and peak demand response (EE/PDR) programs to achieve specified annual energy savings. In 2021, Duke filed an amended application for final reconciliation of all of its outstanding cost recoveries associated with EE/PDR programs from 2018 through 2021. PUCO staff recommended reducing the amount collected from customers by \$266,598.

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The OMAEG supported the recommendation and also recommended a more thorough audit of the costs already collected from customers.

This week, the PUCO approved Duke's request to recover program costs, lost distribution revenue, and performance incentives related to its EE/PDR programs, subject to staff's disallowance. However, the PUCO declined to adopt the OMAEG's recommendation of an additional independent audit.

FirstEnergy

U.S. Attorney Requests Another Stay of All HB 6 Discovery Proceedings (Case Nos. 17-0974-EL-UNC, et al.)

Summary: The U.S. Attorney's office this week requested an additional six-month extension of the stay of discovery in the FirstEnergy House Bill 6 proceedings, arguing that continued discovery in the PUCO proceedings will directly interfere with or impede the ongoing federal criminal investigation.