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### **FirstEnergy**

#### **OMAEG Replies to FirstEnergy's Withdraw of Its Fifth Electric Service Plan (ESP V) (Case Nos. 23-301-EL-SSO and 14-1297-EL-SSO)**

**Summary:** This week, OMAEG filed a response to FirstEnergy's withdrawal of the fully litigated ESP V. OMAEG challenged FirstEnergy's withdrawal as inconsistent with Ohio law and precedent. OMAEG further explained that returning to ESP IV would expose customers to an ESP riddled with corruption—including benefits and favors for parties that entered into side deals linked to the tainted House Bill 6 (HB 6), riders that are the subject of numerous PUCO investigations, and a rider that should have, by law, been terminated years ago. OMAEG urged the PUCO to reject FirstEnergy's gamesmanship and blatant attempt to force customers to pay unreasonable and unjust costs.

#### **OMAEG Files Initial Brief on FirstEnergy Corporate Separation Violations (Case No. 17-0974-EL-UNC)**

**Summary:** As you may recall, following the revelation of FirstEnergy's integral role in passing the corrupt HB 6, the PUCO ordered a second corporate separation audit to determine whether FirstEnergy violated Ohio's corporate separation laws while carrying out the HB 6 bribery scheme.

OMAEG submitted its [initial brief](#) urging the PUCO to impose the maximum amount of forfeitures authorized by law for each and every violation by FirstEnergy (including, but is not limited to, the 21 ongoing violations that occurred between November 2016 to October 31, 2020). Among FirstEnergy's many violations was the failure to even maintain basic procedural documents addressing corporate separation requirements. According to the auditor, "FirstEnergy's approach to compliance is to assume . . . that compliance is happening until it is not happening." At the hearing, one auditor admitted to "a sense of unease" due to FirstEnergy withholding key records of its then-chief ethics officer, who was tasked with overseeing FirstEnergy's corporate separation compliance program. Both corporate separation audits also found significant "gaps" in FirstEnergy's so-called corporate separation plan, which FirstEnergy failed to address.

OMAEG also challenged rulings at hearing that prevented parties from presenting evidence directly related to corporate separation violations that occurred during the audit period regarding former Chair Randazzo.

### Columbia Gas Transmission, LLC

#### **Parties Oppose Columbia Gas Transmission's Filed Transmission Rate Increase (Docket No. RP24-1103)**

**Summary:** OMAEG filed a protest with other industrial customers with the Federal Energy Regulatory Commission (FERC) regarding Columbia Gas Transmission, LLC's (Columbia) proposed rate increase that relied on an excessive 14.61% return on equity and an unjust recovery mechanism seeking \$2.9 billion in modernization revenues. Nearly 60 interventions have been filed (many with multiple intervenors) along with 23 protests. In addition to the issues raised in our protest, others raised concerns regarding Columbia's Income Tax Allowance, ADIT, and cost allocation of corporate overhead and between incremental and non-incremental services, and storage and transmission services. Columbia filed an answer to the protests.

FERC accepted and suspended the proposed rate increases, to be effective upon motion April 1, 2025, subject to refund and hearing. FERC also accepted, without suspension, TCO's rate decrease for Rate Schedule FT-C service effective November 1, 2024, subject to the outcome of the hearing procedures.