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### Statewide

#### **Attorney General (AG) Dismisses Civil House Bill 6 (HB 6) Claims Against “Randazzo Defendants” (Case No. 20-CV-6281)**

**Summary:** After reaching a settlement agreement with the estate of former Public Utilities Commission of Ohio (PUCO) Chair Randazzo and two of Randazzo’s companies that were involved in the HB 6 corruption scandal, the AG dismissed all claims against these defendants, with prejudice. The other civil claims against the remaining defendants are still pending, but stayed until the parallel criminal actions have been resolved.

#### **OMAEG Appeals Unjust, Unlawful, and Unreasonable Coal Subsidy (Case No. 21-477-EL-RDR)**

**Summary:** As you may recall, the PUCO recently approved the recovery of \$115 million from Ohio customers to subsidize two aging, uneconomic coal plants—one of which is in Indiana. OMAEG’s reconsideration request of the PUCO’s decision was denied. This week, OMAEG filed an appeal to the Supreme Court of Ohio urging the Court to reverse the PUCO’s rulings with respect to (1) excluding material evidence related to the coal plant subsidies, (2) finding that Duke, AES Ohio, and AEP Ohio (Sponsoring Companies) demonstrated the reasonableness and prudence of their actions and the costs incurred by those actions, (3) approving the Sponsoring Companies collection of \$115 million from customers, and (4) failing to make a determination on the prudence of the coal plants’ must-run commitment strategy.

### FirstEnergy

#### **PUCO Approves FirstEnergy’s Withdrawal of Fifth Electric Service Plan (ESP V) (Case No. 23-301-EL-SSO)**

**Summary:** After determining that FirstEnergy has a statutory right to withdraw its ESP, the PUCO approved FirstEnergy’s request to withdrawal ESP V and reinstated the terms and conditions of ESP IV, subject to modifications.

These modifications include (1) expanding the Rider Non-Market-Based Services Rider (Rider NMB) Pilot Program up to 100 MW (eligible participants have until January 2, 2025 to give notice to FirstEnergy); (2) allowing customers participating in FirstEnergy’s discriminatory interruptible

program to also participate in a PJM demand response program; (3) eliminating the storm and vegetation cost recovery riders that were not included in the original ESP IV; (4) reinstating the \$390 million annual revenue cap for the Delivery Capital Recovery Rider (Rider DCR) (but *not* reinstating the \$15 million annual cap increases); and (5) reinstating the base rate freeze, which will remain in place until a new ESP is approved.

### **PUCO Approves FirstEnergy Grid Modernization Phase II Settlement (Case Nos. 22-704-EL-UNC, et al.)**

**Summary:** The PUCO approved the Gride Mod Phase II settlement, which provides significant benefits to customers, including: (1) reducing the overall program costs by \$205 million (32.74%), (2) requiring FirstEnergy to create and publish a circuit capacity hosting “heat map” by December 2026, (3) establishing operational savings credits, (4) implementing a rate design and allocation method more favorable to manufacturers, and (5) eliminating provisions permitting non-competitive, utility-owned battery energy storage and electric vehicle charging systems.

### **OMAEG Urges PUCO to Impose Forfeitures on FirstEnergy For Corporate Separation Violations (Case No. 17-0974-EL-UNC)**

**Summary:** Despite both audit reports finding numerous instances of corporate separation violations spanning years, FirstEnergy continues to claim that these examples of non-compliance are “minor” and therefore unworthy of consequences. OMAEG’s [reply brief](#) urged the PUCO to reject this flawed argument and impose the maximum amount of forfeitures authorized by law for each and every violation by FirstEnergy (which includes, but is not limited to, the 21 violations specifically identified by the second auditor). Notably, all of the intervenors agreed with OMAEG’s recommendation to impose significant forfeitures, and PUCO Staff repeatedly affirmed the PUCO’s authority to impose forfeitures on FirstEnergy for corporate separation violations.

### **Enbridge (formerly Dominion)**

#### **Enbridge Attempts to Improperly Modify Rate Increase Application (Case No. 23-0894-EL-AIR, et al.)**

**Summary:** As you may recall, Enbridge requested a significant rate increase of \$218.2 million, which would result in a 25.53% increase to Enbridge’s current revenue requirement. This week, a few weeks prior to the hearing in this case, Enbridge filed new testimony that essentially serves as a new application requesting a rate increase of \$59.8 million, which still represents a 6.57% increase compared to current rates.

**Columbia Gas Transmission, LLC**

**Prehearing Conference Held on Columbia Gas Transmission's (Columbia Transmission)  
Proposed Rate Increase  
(Docket No. RP24-1103)**

**Summary:** Columbia Transmission's rate increase application filed with the Federal Energy Regulatory Commission continues to face intense scrutiny from nearly 60 intervenors. The application requests \$2.9 billion in modernization revenues and an excessive 14.61% return on equity. This week, parties established the dates for settlement negotiations and set September 30, 2025 as the first day of hearing. Significantly, the proposed rates will go into effect on April 1, 2025, subject to refund pending the outcome of the case.