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AES

AES Files Notice for New Rate Case with Forecasted Test Year (Case Nos. 25-958-EL-AIR, et al.)

Summary: As you may recall, provisions in House Bill 15 give electric distribution utilities (EDUs) the option to file for increased rates based on a forecasted test year. This means that the EDUs will provide little actual data on its revenues and costs when filing its application. This creates the potential for the EDUs to overestimate their costs and underestimate their revenues in order to request a higher revenue increase.

This week, AES gave notice of its intent to file a new rate case on or about November 10, 2025, despite only just settling its 2024 rate case. AES also requested that the Public Utilities Commission of Ohio (PUCO) waive certain filing requirements related to generation and transmission data. Given recent instances of other EDUs attempting to own generation assets and ongoing claims of a transmission capacity constraint, OMAEG intends to oppose AES' waiver requests as the data AES seeks to avoid presenting may be pertinent.

Enbridge

PUCO Accepts Updated Cost-of-Service Study and Denies Requests for Reconsideration (Case Nos. 23-894-GA-AIR, et al.)

Summary: As you may recall, the PUCO granted reconsideration of its order in the Enbridge rate case, reversing its prior decision regarding placing negotiated contract customers in their own customer class. The revised COSS filed in this case revealed that keeping negotiated contract customers in their current customer classes rather than placing them in their own class has a negative impact on other large customers and improperly allocates costs. As such, OMAEG sought reconsideration of the PUCO's decisions to (1) keep negotiated contract customers in existing rate classes, (2) establish volumetric rates for large customers for two of Enbridge's above-market charges, and (3) reconsider the appropriate allocation of certain above-market charges.

This week, the PUCO rejected OMAEG and other parties' requests for reconsideration, accepted the revised COSS, and directed Enbridge to file updated tariffs based on the revised COSS. As such, the PUCO's initial order accepting Enbridge's requests to make several adjustments that will reduce the decrease in rates to approximately \$20 million still stands, so while customers will still see a rate decrease, it will not be as large as initially hoped.