

## Electric Service And Safety Standards

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4901:1-10-01 Purpose and scope.

- (A) The rules in this chapter:
- (1) Apply to investor-owned electric ~~light~~ DISTRIBUTION companies AND TRANSMISSION OWNERS, as defined in ~~section 4905.03 of the Revised Code, which have a certified electric service territory established pursuant to section 4933.82 of the Revised Code~~ THIS CHAPTER;
  - ~~(2) Apply to electric service companies, where specified in each rule;~~
  - ~~(3)~~(2) Are intended to promote safe and reliable service to consumers and the public, and to provide minimum standards for uniform and reasonable practices.
- (B) The commission may, in addition to the rules in this chapter, require electric distribution companies AND/OR TRANSMISSION OWNERS to furnish other or additional service, equipment, and facilities upon any of the following:
- (1) The commission's own motion;
  - (2) Formal or informal commission resolution of a complaint;
  - (3) The application of any electric distribution company.
- (C) The commission may waive any requirement of Chapter 4901:1-10 of the Administrative Code for good cause shown or upon its own motion.
- (D) The rules in this chapter shall not relieve the electric distribution ~~company~~ COMPANIES AND/OR TRANSMISSION OWNERS from:
- (1) Providing adequate service and facilities as prescribed by the commission;
  - (2) Complying with the laws of this state.
- (E) Except as set forth below, the rules of this chapter supersede any inconsistent provisions, terms, and conditions of the electric

distribution company's tariffs. A company may adopt or maintain tariffs providing superior standards of service, reliability or safety, or greater protection for customers or consumers. Further, a company may adopt or maintain tariffs which are not inconsistent with the rules of this chapter.

- (F) When an electric distribution company AND/OR TRANSMISSION OWNER in a complaint proceeding under section 4905.26 of the Revised Code demonstrates compliance with the relevant service or performance standard of this chapter, EXCLUDING RULE 4901:1-10-27 OF THE ADMINISTRATIVE CODE, a rebuttable presumption is created that the electric ~~distribution company~~ UTILITY is providing adequate service regarding that standard. Such presumption applies solely to the specific standard addressed by the commission for the time period at issue in the complaint proceeding. No such presumption is created merely by compliance with any reporting requirement of this chapter.

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Certification \_\_\_\_\_  
Gary Vigorito, Secretary

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4933.17, 4933.121, 4933.122  
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4901:1-10-02 Definitions.

As used in this chapter:

- (A) "Applicant" means a person who requests or makes application for service.
- ~~(B)~~ ~~"Chief of compliance" means the chief of the compliance division of the commission's consumer services department.~~
- ~~(C)~~(B) "Chief of the public interest center" means the chief of the public interest center of the commission's consumer services department.
- ~~(D)~~(C) "Commission" means the public utilities commission of Ohio.
- ~~(E)~~(D) "Consumer" means any person who receives service from an electric distribution company or electric service company.
- ~~(F)~~(E) "Coordinator" means the emergency-outage coordinator of the commission's consumer services department.
- ~~(G)~~(F) "Critical customer" means any customer or consumer on a medical or life-support system WHO HAS PROPERLY IDENTIFIED THEMSELVES TO THE ELECTRIC DISTRIBUTION COMPANY AND for whom an interruption of service would be immediately life-threatening.
- ~~(H)~~(G) "Customer" means any person who has an agreement, by contract and/or tariff with an electric distribution company or by contract with an electric service company, to receive service.
- ~~(I)~~(H) "Customer premises" means the residence(s), building(s), or office(s) of a customer.
- (I) "DIRECTOR OF THE CONSUMER SERVICES DEPARTMENT" MEANS THE COMMISSION'S DIRECTOR OF CONSUMER SERVICES.
- ~~(J)~~ ~~"Fraudulent practice" means an intentional misrepresentation or concealment of a material fact that the electric distribution company relies on to its detriment.~~

- ~~(K)~~(J) "Electric distribution company" means, FOR THE PURPOSES OF THIS CHAPTER, an investor-owned electric light company DISTRIBUTION UTILITY, as defined in DIVISION ~~(A)~~(A)(6) OF section ~~4905.03~~ 4928.01 of the Revised Code, which has a certified electric service territory established pursuant to section ~~4933.82~~ of the Revised Code.
- ~~(L)~~ "Electric service company" means any person, without electric distribution and transmission wires, that is engaged in the business of providing electric service to consumers in this state pursuant to the commission approved conjunctive electric service program. Electric service company excludes:
- ~~(1)~~ Electric service companies that are owned or operated by a municipal corporation, or that are operated not for profit; or
  - ~~(2)~~ Electric distribution companies as defined in paragraph ~~(K)~~ of this rule.
- (K) "ELECTRIC UTILITY" INCLUDES ELECTRIC DISTRIBUTION COMPANIES, AS DEFINED IN THIS CHAPTER, AND ELECTRIC TRANSMISSION OWNERS.
- (L) "FRAUDULENT PRACTICE" MEANS AN INTENTIONAL MISREPRESENTATION OR CONCEALMENT OF A MATERIAL FACT THAT THE ELECTRIC DISTRIBUTION COMPANY RELIES ON TO ITS DETRIMENT.
- (M) "MICROTURBINE" MEANS A COMBUSTION TURBINE WITH A PEAK GENERATING CAPACITY OF ONE HUNDRED KV OR LESS.
- ~~(M)~~(N) "Person" includes an individual, corporation, company, copartnership, association, or joint venture.
- (O) "SLAMMING" MEANS THE TRANSFER OF OR REQUESTING THE TRANSFER OF A CUSTOMER'S COMPETITIVE ELECTRIC SERVICE TO ANOTHER PROVIDER WITHOUT OBTAINING THE CUSTOMER'S CONSENT.
- (P) "VOLTAGE EXCURSIONS" ARE THOSE VOLTAGE CONDITIONS THAT OCCUR OUTSIDE OF THE VOLTAGE LIMITS AS DEFINED IN THE ELECTRIC UTILITY'S TARIFFS

THAT MAY RESULT FROM: THE OPERATIONS OF CUSTOMER EQUIPMENT (E.G. SPOT WELDERS OR MOTOR STARTING), LIGHTNING, STORMS, WINDS, ACCIDENTS, OR OTHER FACTORS BEYOND THE CONTROL OF THE ELECTRIC UTILITY; THE ELECTRIC UTILITY'S SYSTEM OPERATIONS (E.G., SWITCHING OPERATIONS); OR BY EMERGENCY OPERATIONS.

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4901:1-10-03 Retention of records.

- (A) Unless otherwise specified in this chapter or in paragraph (B) of this rule, the regulations governing the retention and preservation of electric ~~distribution company~~ UTILITY records are set forth in appendix A to rule 4901:1-9-06 of the Administrative Code.
  
- (B) Unless otherwise specified in this chapter, each electric ~~distribution company~~ UTILITY shall ~~establish records in compliance with the rules of this chapter and~~ maintain these records for three years **THAT ARE SUFFICIENT TO DEMONSTRATE COMPLIANCE WITH THE RULES OF THIS CHAPTER.**

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4901:1-10-04 Equipment for voltage measurements AND SYSTEM VOLTAGE AND FREQUENCY REQUIREMENTS.

(A) Portable indicating instruments (e.g. electro-mechanical indicating, electronic indicating, and electronic indicating and recording) used to test or record service voltage at the customer's premises in response to a customer inquiry or complaint shall be checked for accuracy against a recognized ~~standards institute~~ STANDARD. Accuracy checks shall be conducted as recommended by the manufacturer or annually if no period is specified. The most recent accuracy test record shall be kept with each such instrument, or at a central location for the electric ~~distribution company~~ UTILITY.

(B) STANDARD VOLTAGE.

(1) EACH ELECTRIC UTILITY SUPPLYING ELECTRICAL ENERGY FOR GENERAL USE SHALL ADOPT NOMINAL SERVICE VOLTAGES TO BE SUPPLIED TO ITS CUSTOMERS AND SHALL MAKE EVERY REASONABLE EFFORT BY THE USE OF PROPER EQUIPMENT AND OPERATION TO MAINTAIN THE SERVICE VOLTAGES TO ITS CUSTOMERS WITHIN THE LIMITS AS DEFINED WITHIN THIS RULE.

(2) EACH ELECTRIC UTILITY SHALL FILE WITH THE COMMISSION AS PART OF ITS TARIFFS, NOMINAL SERVICE VOLTAGE AVAILABLE TO CONSUMERS, INCLUDING THE NUMBER OF PHASES AND SERVICE CONFIGURATIONS, AND THE VOLTAGE VARIATIONS FOR EACH AVAILABLE SERVICE CONFIGURATION. THESE NOMINAL SERVICE VOLTAGES SHALL BE BASED ON THE CURRENT VERSION OF THE AMERICAN NATIONAL STANDARDS INSTITUTE (ANSI) STANDARD C84.1, ELECTRIC POWER SYSTEMS AND EQUIPMENT VOLTAGE RATINGS OR STANDARD AS LATER AMENDED.

(3) THE LIMITS SPECIFIED WITHIN THIS RULE DO NOT APPLY TO VOLTAGE EXCURSIONS.

(4) EACH ELECTRIC UTILITY SHALL DEVELOP PROCEDURES TO REASONABLY ASSURE THAT THE DELIVERED SERVICE VOLTAGES ARE WITHIN THE

RANGES AS SPECIFIED IN PARAGRAPH (B)(2) OF THIS RULE.

THE PROCEDURES SHALL INCLUDE A DESCRIPTION OF THE ELECTRIC UTILITY'S PRACTICES TO ASSURE THAT SERVICE VOLTAGES ARE WITHIN ACCEPTABLE LIMITS AND MAY INCLUDE THE INSPECTIONS OF SUBSTATION VOLTAGE REGULATION EQUIPMENT, LINE VOLTAGE REGULATION EQUIPMENT (I.E., VOLTAGE REGULATORS AND CAPACITORS), AVAILABLE SUBSTATION VOLTAGE MONITORING EQUIPMENT AND OTHER FIELD INVESTIGATIONS AND SYSTEM VOLTAGE STUDIES.

(C) CORRECTIVE ACTION.

WHENEVER THE ELECTRIC UTILITY KNOWS THAT VOLTAGE LEVELS EXIST OUTSIDE OF THE VOLTAGE RANGES AS SPECIFIED IN PARAGRAPH (B)(2) OF THIS RULE, THE ELECTRIC UTILITY WILL, IN A NONDISCRIMINATORY MANNER, PROMPTLY TAKE STEPS TO INVESTIGATE AND INITIATE CORRECTIVE ACTION, IF WITHIN THE ELECTRIC UTILITY'S CONTROL TO RESTORE THE VOLTAGE LEVELS TO WITHIN ACCEPTABLE LIMITS. THE ELECTRIC UTILITY SHALL DOCUMENT THE SPECIFICS OF THE INVESTIGATION, ITS FINDINGS, AND ANY CORRECTIVE ACTION THAT WAS NECESSARY.

(D) SPECIAL CONTRACTS OR CONDITIONS.

THE VOLTAGE REQUIREMENTS OUTLINED IN THIS RULE MAY BE AMENDED OR MODIFIED BY CONTRACTUAL AGREEMENT BETWEEN THE ELECTRIC UTILITY AND ITS CUSTOMER(S) PROVIDED THE SERVICE RENDERED DOES NOT IMPACT OTHER CUSTOMERS ON THE SYSTEM.

(E) SPECIAL APPLICATIONS.

THE CUSTOMER IS RESPONSIBLE FOR INSTALLING REGULATING APPARATUS FOR SPECIAL EQUIPMENT REQUIRING VOLTAGE REGULATION OTHER THAN THOSE PRESCRIBED BY THESE RULES OR AS DEFINED IN THE ELECTRIC UTILITY'S TARIFFS.

**(F) EACH ELECTRIC UTILITY SUPPLYING ALTERNATING CURRENT SHALL ADOPT A STANDARD FREQUENCY OF 60 HERTZ AND SHALL BE STATED IN THE ELECTRIC UTILITY'S TARIFF.**

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4901:1-10-05 Metering.

- (A) ELECTRIC USAGE SHALL BE METERED BY COMMERCIALY ACCEPTABLE MEASURING DEVICES THAT COMPLY WITH AMERICAN NATIONAL STANDARDS INSTITUTE (ANSI) STANDARDS. METER ACCURACY SHALL COMPLY WITH THE ANSI C12.1 STANDARDS. NO METERING DEVICE SHALL BE PLACED IN SERVICE OR KNOWINGLY ALLOWED TO REMAIN IN SERVICE IF IT VIOLATES THESE STANDARDS.
  
- (B) ELECTRIC SERVICE PROVIDED BY AN ELECTRIC DISTRIBUTION COMPANY SHALL BE METERED. WHERE IT IS IMPRACTICAL TO METER THE ELECTRIC ENERGY DELIVERED, SUCH AS STREET LIGHTING, TEMPORARY OR SPECIAL INSTALLATIONS, THE ENERGY DELIVERED MAY BE CALCULATED OR BILLED ON DEMAND OR CONNECTED LOAD RATE AS PROVIDED IN A TARIFF ON FILE WITH THE COMMISSION.
  
- (C) AUTHORIZED AGENTS OF THE METER OWNER SHALL HAVE THE RIGHT OF ACCESS TO THE METER FOR THE PURPOSE OF READING OR TESTING THE METER, OR DETERMINING THAT THE INSTALLATION OF THE METER IS IN COMPLIANCE WITH THE ELECTRIC DISTRIBUTION COMPANY'S REQUIREMENTS.
  
- (D) METERS WHICH ARE NOT DIRECT READING SHALL HAVE THE MULTIPLIER PLAINLY MARKED ON THE METER. ALL CHARTS TAKEN FROM RECORDING METERS SHALL BE MARKED WITH THE DATE OF THE RECORD, THE METER NUMBER, CUSTOMER, AND CHART MULTIPLIER. THE REGISTER RATIO SHALL BE MARKED ON ALL METER REGISTERS. THE WATT-HOUR CONSTANT FOR THE METER SHALL BE PLACED ON ALL WATT-HOUR METERS.
  
- ~~(A)~~(E) ~~Metering installation~~ METERS SHALL BE INSTALLED AND REMOVED BY THE METER OWNER'S AUTHORIZED PERSONNEL. Before initial service to a ~~customer~~ CUSTOMER'S service location is energized, each ~~electric distribution company~~ METER OWNER shall verify that the installation of the customer's meter base and associated equipment:

- (1) Has been inspected and approved by the local inspection authority; or
- (2) In any area where there is no local inspection authority, has been inspected by an electrician.

~~(B)~~(F) Meter test at customer's request. METERING ACCURACY SHALL BE THE RESPONSIBILITY OF THE METER OWNER.

- (1) Upon request by a customer, each ~~electric distribution company~~ METER OWNER shall test its meter within thirty business days after the date of the request.
- (2) The customer or the customer's representative may be present when the ~~electric distribution company tests its meter~~ METER TEST IS PERFORMED at the customer's request.
- (3) A written explanation of the test results shall be ~~mailed or~~ otherwise provided to the customer within ten business days of the completed test.
- (4) If the accuracy of the meter is found to be within the tolerances specified in ~~its tariff~~ THIS RULE, the ~~electric distribution company~~ METER OWNER may charge its customer a tariffed fee provided:
  - (a) The first test at the customer's request shall be free of charge;
  - (b) Each succeeding test at the customer's request was conducted less than thirty-six months after the last previous test of the customer's meter upon the customer's request.

Each ~~electric distribution company~~ METER OWNER shall notify the customer of such charge prior to the test.

- (5) If the accuracy of the meter is found to be outside the tolerances specified in ~~its tariff~~ THIS RULE, the ~~electric distribution company~~ METER OWNER:
  - (a) Shall not charge a fee or recover any testing expenses from the customer;

- (b) Shall recalibrate the meter or provide a properly functioning meter without charge to the customer; and
- (c) Shall, within thirty days ~~or a time period specified by tariff~~, pay or credit any overpayment to the customer, in accordance with one of the following billing adjustments:
  - (i) When the ~~company~~ METER OWNER or customer has established the period of meter inaccuracy, the overcharge shall be computed on the basis of a customer's metered usage prior and/or subsequent to such period consistent with the rates in effect during that period;
  - (ii) When the ~~company~~ METER OWNER and customer cannot establish the period of meter inaccuracy, the overcharge period shall be determined to be: the customer's "on" date or the period since the date of most recent meter test performed, whichever is less. The rates applicable shall be those in effect during the period of inaccuracy in order to determine the appropriate credit or refund.

Paragraph ~~(B)(5)~~ (F)(5) of this rule shall not apply to tampering with or unauthorized reconnection of the meter or metering equipment, which causes meter or metering inaccuracies.

~~(C)(G)~~ Identification of meters. Each ~~electric distribution company and electric service company~~ METER OWNER shall identify each customer meter, which it owns, operates, or maintains, by

COMPANY NAME AND serial or assigned meter numbers and/or letters, placed in a conspicuous position on the meter.

~~(D)~~(H) Meter test and history records. Each ~~electric distribution company~~ METER OWNER shall:

- (1) Maintain the following meter test records:
  - (a) Date of customer's request for each test;
  - (b) Date and reason for each test;
  - (c) Test results;
  - (d) Meter reading(s) before and after each test; and
  - (e) Accuracy "as found" and "as left".
- (2) Keep the following records while the meter is in service:
  - (a) Identification and location of the meter;
  - (b) Date of installation; and
  - (c) Serial or assigned meter number.

~~(E)~~(I) ~~Annual meter~~ METER reading. Each ~~electric distribution company~~ METER OWNER shall obtain actual readings of its in-service customer meters at least once each calendar year. EVERY MONTH, THE METER OWNER SHALL MAKE REASONABLE ATTEMPTS TO OBTAIN ACTUAL READINGS OF ITS IN-SERVICE CUSTOMER METERS, EXCEPT WHERE THE CUSTOMER AND THE METER OWNER HAVE AGREED TO OTHER ARRANGEMENTS. METER READINGS TAKEN BY ELECTRONIC MEANS SHALL BE CONSIDERED ACTUAL READINGS. ACTUAL METER READINGS SHALL BE TAKEN AT THE BEGINNING OF SERVICE AND AT THE END OF SERVICE IF REQUESTED BY THE CUSTOMER.

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4901:1-10-06 National Electrical Safety Code.

Each electric ~~distribution company~~ UTILITY shall comply with the then currently applicable edition of the American National Standard Institute, "National Electrical Safety Code". The provisions in "Session Order no. 285," December 1, 1949, referring to the designation of the medium loading district for a part of Ohio remain in effect. Reference for this exception is to rule 250 "General Loading Requirements and Maps" of the "American National Standard, National Electrical Safety Code."

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4901:1-10-07 Outage reports.

- (A) As used in this rule, "outage" means an interruption of service to:
- (1) Two thousand five hundred or more customers in an area for a projected period of four hours or more;
  - (2) One hundred or more customers in an area for a projected period of twenty-four hours or more;
  - (3) A facility of any telephone company, electric light company, natural gas company, water-works company, or a sewage disposal system company, as defined in section 4905.03 of the Revised Code and including such company operated not-for-profit, or owned or operated by a municipal corporation, when an interruption to that facility for a projected period of four hours or more, affects or will affect public safety; or
  - (4) Any police department, fire department, hospital or countywide 9-1-1 system, for a projected period of four hours or more.

As used in this paragraph, "area" means: the electric distribution company's certified territory within a county; or all adjoining municipalities and townships in an electric distribution company's certified territory.

- (B) Each electric distribution company shall immediately report each outage to the PUCO OUTAGE coordinator. ~~During normal business hours or when severe circumstances do not exist, each~~ EACH company shall report to the PUCO OUTAGE coordinator by:
- ~~(1) Voice mail message;~~
  - ~~(2) Faxing the outage report on a model form approved by the coordinator; or~~
  - ~~(3) Personal contact with the coordinator.~~

~~After normal business hours and when severe circumstances exist, each company shall make personal contact with the coordinator~~ VOICE MAIL MESSAGE, E-MAIL, OR DURING NORMAL

BUSINESS HOURS, BY FAXING THE OUTAGE REPORT ON A  
MODEL FORM APPROVED BY THE PUCO OUTAGE  
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4901:1-10-08 Emergency plan(s); annual emergency contact report and annual review of emergency plan; critical customers; emergency exercise; and coordination.

- (A) Each electric distribution company shall maintain an emergency plan(s) in accordance with this rule.
- (B) Each electric distribution company shall submit its emergency plan and amendments in hard copy or on electronic media (e.g., diskettes) prescribed by the commission to the PUCO OUTAGE coordinator, except the electric distribution company may delete the following confidential information:
  - (1) Electric distribution ~~company~~ COMPANY'S internal phone numbers;
  - (2) Names, home addresses, and home phone numbers of electric distribution company employees, other than employee information required for the annual emergency contact report pursuant to paragraph-(D)(H)(1)(a) of this rule.
  - (3) Security and personal information and numbers (e.g., lock combination, computer access codes, cipher locks, security codes);
  - (4) Identification of the electric distribution company's radio and dispatch channels;
  - (5) Identification of the radio and dispatch channels and telephone numbers of the:
    - (a) Fire department;
    - (b) Police department;
    - (c) Other emergency/safety organizations; and
    - (d) Government and public officials; and
  - (6) Similar information approved by the PUCO OUTAGE coordinator.
- (C) Each emergency plan shall include at least the following elements, or if these elements are contained in another document, each electric distribution company shall reference such document in the plan:

- (1) A table of contents, mission statement, and major objectives for the plan;
- (2) A description of procedures the electric distribution company uses to move from its normal operations to each stage or level of outage response and restoration of service;
- (3) A description of the requirements for restoring service;
- (4) Contingency identification, i.e., a plan for training alternative or backup staff, identifying backup power supplies, and identifying alternative means of communicating with the office and field staff;
- (5) ~~Twenty four hour phone numbers and assistance to the electric distribution company:~~
  - ~~(a)~~—A list of twenty-four hour phone numbers of fire and police departments and county/regional emergency management directors in its service area;
  - ~~(b)~~(6) Procedures for requesting aid, utilizing crews from other electric TRANSMISSION OWNERS AND/OR distribution companies, and other restoration assistance;
  - ~~(6)~~(7) Procedures for prompt identification of outage areas, how to timely assess damage, and, as accurately as conditions allow, provide an informed estimate of materials, equipment, personnel, and hours required to restore service;
  - ~~(7)~~(8) Performance objectives and procedures for telephone response time to customer outage calls;
  - ~~(8)~~(9) The policy and procedures for outage response and restoration of service by priority and a list of such priorities, including the following:
    - (a) "Live wire down" situations;
    - (b) Restoring service to the facilities designated in paragraph (A)(3) and the entities specified in paragraph (A)(4) of rule 4901:1-10-07 of the Administrative Code; and

- (c) Providing information to critical customers who are without service;
- ~~(9)~~(10) The policy and procedures for providing outage response and restoration of service updates to the county/regional emergency management directors, mayors and other elected officials, the PUCO OUTAGE coordinator, commission media office, the media, and the electric distribution company's customers;
- ~~(10)~~(11) The policy and procedures to verify service has been restored in each outage area; and
- ~~(11)~~(12) Policy and procedures for providing maximum outage response, seeking outside assistance, and restoring service in a worst case weather scenario, i.e., "major storm". Each electric distribution company shall define "major storm" or comparable term in its emergency plan.
- (13) POLICY AND PROCEDURES TO PROVIDE SUPERVISORS WHO ARE RESPONSIBLE FOR EMERGENCY RESPONSE A COPY OF THE LATEST EDITION OF THE EMERGENCY PLAN; AND,
- (14) POLICY AND PROCEDURES TO:
  - (A) ESTABLISH AND MAINTAIN A LIAISON WITH APPROPRIATE FIRE AND POLICE WITHIN THEIR SERVICE TERRITORY; AND,
  - (B) IDENTIFY MAJOR INTERRUPTIONS OF SERVICE IN WHICH THE ELECTRIC DISTRIBUTION COMPANY NOTIFIES APPROPRIATE FIRE, POLICE AND PUBLIC OFFICIALS AND HOW TO ENGAGE IN MUTUAL ASSISTANCE AND COMMUNICATION DURING MAJOR RESTORATION EFFORTS.
- (D) EACH ELECTRIC DISTRIBUTION COMPANY SHALL FOLLOW AND IMPLEMENT THE PROCEDURES IN ITS EMERGENCY PLAN.

- (E) EACH ELECTRIC DISTRIBUTION COMPANY SHALL REVIEW EMPLOYEE ACTIVITIES TO DETERMINE WHETHER ITS PROCEDURES IN THE EMERGENCY PLAN, AS SET FORTH IN PARAGRAPH (C) OF THIS RULE, WERE EFFECTIVELY FOLLOWED.
- (F) EACH ELECTRIC DISTRIBUTION COMPANY SHALL ESTABLISH AND MAINTAIN POLICY AND PROCEDURES TO TRAIN ITS OPERATING AND EMERGENCY RESPONSE PERSONNEL TO ASSURE THEY KNOW AND CAN IMPLEMENT EMERGENCY PROCEDURES, AS SET FORTH IN PARAGRAPH (C) OF THIS RULE.
- (G) EACH ELECTRIC DISTRIBUTION COMPANY SHALL ESTABLISH PROCEDURES FOR ANALYZING FAILURES OF EQUIPMENT AND FACILITIES WHICH RESULT IN A MAJOR INTERRUPTION OF SERVICE, FOR THE PURPOSE OF DETERMINING THE CAUSES OF THE FAILURE AND MINIMIZING THE POSSIBILITY OF A RECURRENCE.
- ~~(D)~~ ~~Annual emergency contact report; annual review of emergency plan.~~
- ~~(H)~~(H) Each electric distribution company shall submit to the coordinator, not later than December first of each year:
- ~~(a)~~(1) An emergency contact report which shall contain:
- ~~(i)~~(A) The names, business addresses, and business and home telephone numbers of three emergency contact personnel;
- ~~(ii)~~(B) Any available emergency hotline number; and
- ~~(iii)~~(C) The fax number(s) of its emergency contact personnel;
- ~~(b)~~(2) A report that the electric distribution company has reviewed its emergency plan and, if applicable, revised and/or updated the plan, or established a new plan. Each electric distribution company shall also submit all revisions and updates to its plan or the new plan; AND

~~(2)~~ Each electric distribution company shall promptly notify the coordinator in writing of any change in its emergency contact personnel.

(3) A SUMMARY OF:

(A) FAILURES OF EQUIPMENT AND FACILITIES WHICH RESULT IN A MAJOR INTERRUPTION OF SERVICE AND THE COMPANY IMPLEMENTING ITS EMERGENCY PLAN; AND

(B) THE COMPANY'S EFFORTS TO MINIMIZE THE POSSIBILITY OF A RECURRENCE OF SUCH FAILURES.

(I) EACH ELECTRIC DISTRIBUTION COMPANY SHALL PROMPTLY NOTIFY THE PUCO OUTAGE COORDINATOR OF ANY CHANGE IN ITS EMERGENCY CONTACT PERSONNEL.

~~(E)~~(J) Critical customers. Each electric distribution company shall:

- (1) Maintain and annually verify and update its list of critical customers;
- (2) Provide critical customers, within ten business days after acceptance of their application, with a written statement of their options and responsibilities during outages, i.e., the need for backup generators, an alternative power source, or evacuation to another location; and
- (3) Annually notify customers of its critical customer program by bill insert or other notice.

~~(F)~~(K) Emergency exercise. Every three years, each electric distribution company shall conduct a comprehensive emergency exercise to test and evaluate major components of its emergency plan and shall invite a cross-section of the following, or their representatives, to the exercise:

- (1) Mayors and other elected officials;
- (2) County/regional emergency management directors;

- (3) Fire and police departments;
- (4) Community organizations like the Red Cross; and
- (5) ~~Coordinator~~ PUCO OUTAGE COORDINATOR.

When an electric distribution company implements any element of its emergency plan set forth in paragraph (C) of this rule in response to a major storm (or comparable term), natural disaster, or outage, such company may request the commission to waive such requirement of testing and evaluating that element of the emergency plan during the three-year period in which the major storm, etc., occurred.

- (L) Coordination. Each electric distribution company shall coordinate the implementation of its emergency plan, to the extent that such electric distribution company would rely on or require information/assistance during an emergency, with the following:
  - (1) Any regional/state entities with authority, OWNERSHIP, or control over ~~that electric distribution company's~~ transmission lines;
  - (2) Any ~~electric service company with generating facilities~~ GENERATION PROVIDER connected to the electric distribution company's ~~transmission lines~~. SYSTEM; AND
  - (3) ANY OTHER ELECTRIC DISTRIBUTION COMPANY OR TRANSMISSION OWNER WITH FACILITIES CONNECTED TO THE ELECTRIC DISTRIBUTION COMPANY.

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Certification \_\_\_\_\_  
Gary Vigorito, Secretary

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Date

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4901:1-10-09 Minimum customer service levels.

(A) Service turn on and upgrades. On a calendar monthly basis, each electric distribution company shall complete the installation of new service or upgrade of service as follows:

(1) Ninety-nine per cent of new service installations requiring no construction of electric facilities shall:

(a) Be completed within three business days after THE ELECTRIC DISTRIBUTION COMPANY HAS BEEN NOTIFIED the customer's service location is ready for service and all necessary tariff requirements have been met;

(b) Be completed by the requested installation date, when an applicant requests an installation date more than three business days after the customer's service location is ready for service and all necessary tariff requirements have been met.

(2) Ninety per cent of new service installations requiring construction of electric facilities, including the setting of the meter, and ninety per cent of service upgrades, shall:

(a) Be completed within ten business days after THE ELECTRIC DISTRIBUTION COMPANY HAS BEEN NOTIFIED the customer's service location is ready for service and all necessary tariff AND REGULATORY requirements have been met;

(b) Be completed by the requested installation date, when an applicant or customer requests an installation date more than ten business days after the customer's service location is ready for service and all necessary tariff requirements have been met.

Paragraph (A)(2) of this rule shall not apply to primary line extensions and to line extensions in rural territory under rule 4901:1-9-07 of the Administrative Code.

(3) If an applicant/customer complies with all pertinent tariff requirements and the electric distribution company cannot

complete the requested service installation or service upgrade as set forth in paragraph (A)(1)(a) or (A)(1)(b) or paragraph (A)(2)(a) or (A)(2)(b) of this rule, each electric distribution company shall promptly notify the applicant/customer of the delay, the reasons for the delay, the steps being taken to complete the work, and the probable completion date. If such probable completion date cannot be met, repeat notification shall be made.

(B) Telephone response. On a calendar monthly basis, each electric distribution company's average answer time for customer service calls shall not exceed sixty seconds.

(1) As used in this paragraph, "answer" means the operator, service representative, or automated system is ready to render assistance and/or accept the information necessary to process the call.

(2) Answer time shall be measured from the first ring at the electric distribution company or at the point the customer begins to wait in queue, whichever comes first.

(3) When an electric distribution company utilizes a menu driven, automated, interactive answering system (referred to as the system), the initial recorded message presented by the system to the customer shall only identify the company and the general options available to the customer, including the option of being transferred to a live attendant. At any time during the call, the customer shall be transferred to a live attendant if the customer fails to interact with the system for a period of ten seconds following any prompt.

(4) Customers shall not be delayed from reaching the queue by any promotional or merchandising material not selected by the customer.

(C) Reporting requirements.

(1) When an electric distribution company does not meet any minimum service level set forth in paragraph (A) or (B) of this rule for any two months within any twelve-month period, the company shall notify the ~~chief of the public interest center~~ DIRECTOR OF THE CONSUMER SERVICES DEPARTMENT

OR THE DIRECTOR'S DESIGNEE in writing within fifteen days after internal measurements have disclosed such failure. Each company shall submit a report of any remedial action taken to the ~~chief of the public interest center~~ DIRECTOR OF THE CONSUMER SERVICES DEPARTMENT OR THE DIRECTOR'S DESIGNEE within an additional thirty days.

- (2) Performance data during a "major storm" or comparable term as such term is used by the electric distribution company in its emergency plan, and subject to review and acceptance by the ~~chief of compliance~~ DIRECTOR OF THE CONSUMER SERVICES DEPARTMENT OR THE DIRECTOR'S DESIGNEE, shall be excluded from the calculation of monthly minimum service values pursuant to paragraphs (A) and (B) of this rule and submitted to the ~~chief of compliance~~ DIRECTOR OF THE CONSUMER SERVICES DEPARTMENT OR THE DIRECTOR'S DESIGNEE. If the company and ~~chief of compliance~~ DIRECTOR OF THE CONSUMER SERVICES DEPARTMENT OR THE DIRECTOR'S DESIGNEE cannot agree on the definition of a "major storm" or comparable term, staff and/or the company may apply, within forty-five days after submission of the company's proposal, to the commission for a hearing, file a written report and/or recommendations, and submit evidence on such performance data at the hearing.
- (3) Each electric distribution company shall maintain records sufficient to demonstrate compliance with this rule, for a period of not less than one year and shall provide such records to the commission staff upon request.

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4901:1-10-10 Distribution system reliability.

- (A) General. This rule sets forth a basis for measuring reliability of each electric distribution company's distribution system.
- (B) Service reliability indices and performance targets.

- (1) The service reliability indices are as follows:

"CAIDI" or the customer average interruption duration index, represents the average interruption duration or average time to restore service per interrupted customer. CAIDI is expressed by the following formula:

$$\text{CAIDI} = \frac{\text{Sum of customer interruption durations}}{\text{Total number of customer interruptions}}$$

"SAIDI" or the system average interruption duration index, represents the average time each customer is interrupted. SAIDI is expressed by the following formula:

$$\text{SAIDI} = \frac{\text{Sum of customer interruption durations}}{\text{Total number of customers served}}$$

"SAIFI" or the system average interruption frequency index, represents the average number of interruptions per customer. SAIFI is expressed by the following formula:

$$\text{SAIFI} = \frac{\text{Total number of customer interruptions}}{\text{Total number of customers served}}$$

"ASAI", or the average system availability index, is the ratio of time the system provided service to each customer. ASAI is expressed by the following formula:

$$\text{ASAI} = \frac{\text{Total customer hours service was available}}{\text{Total customer hours service was demanded.}}$$

- (2) Each electric distribution company shall submit performance targets and supporting justification for each service reliability index to the ~~chief of compliance~~ DIRECTOR OF THE CONSUMER SERVICES DEPARTMENT OR THE DIRECTOR'S DESIGNEE. An electric distribution company

may revise performance targets (starting with the next succeeding calendar year) by submitting such revisions and supporting justification for such revisions to the ~~chief of compliance~~ DIRECTOR OF THE CONSUMER SERVICES DEPARTMENT OR THE DIRECTOR'S DESIGNEE for review and acceptance. Performance targets should reflect historical system performance, system design, service area geography, and other relevant factors. If the company and ~~chief of compliance~~ DIRECTOR OF THE CONSUMER SERVICES DEPARTMENT OR THE DIRECTOR'S DESIGNEE cannot agree on any target, staff and/or the company may apply, within forty-five days after submission of the performance target, to the commission for a hearing, file a written report and/or recommendations, and submit evidence on such targets at the hearing.

- (3) Performance data during a "major storm", or comparable term as that term is used by the electric distribution company in its emergency plan and subject to review and acceptance by the ~~chief of compliance~~ DIRECTOR OF THE CONSUMER SERVICES DEPARTMENT OR THE DIRECTOR'S DESIGNEE, shall be excluded from the calculation of the indices, proposed targets, and any revised performance targets, as set forth in paragraph (B) of this rule.
- (C) Annual report. Each electric distribution company shall submit an annual report to the ~~chief of compliance~~ DIRECTOR OF THE CONSUMER SERVICES DEPARTMENT OR THE DIRECTOR'S DESIGNEE by May first of each year that includes the following information from the previous calendar year:
- (1) Annual performance levels for each service reliability index set forth in paragraph (B) of this rule and performance data during a major storm or comparable term as used by the electric distribution company shall be reported in a separate category using the same indices;
  - (2) If the annual performance level is worse than the target for any index, each electric distribution company shall include in its report factors which contributed to such performance level for that index.

Each electric distribution company shall submit the annual reports required by this paragraph on electronic media (e.g., diskettes) prescribed by the commission.

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4901:1-10-11 Distribution circuit performance.

- (A) General. This rule sets forth a method for determining the performance of each electric distribution company's distribution circuits.
- (B) Circuit performance methodology.
  - (1) Each electric distribution company shall submit for review and acceptance by the ~~chief of compliance~~ DIRECTOR OF THE CONSUMER SERVICES DEPARTMENT OR THE DIRECTOR'S DESIGNEE, a method to calculate circuit performance, based on CAIDI, SAIFI, and other factors proposed by the company, and supporting justification for that method. Circuit performance data during a "major storm" or comparable term as that term is used by the electric distribution company in its emergency plan and subject to review and acceptance by the ~~chief of compliance~~ DIRECTOR OF THE CONSUMER SERVICES DEPARTMENT OR THE DIRECTOR'S DESIGNEE, shall be excluded from the calculation of circuit performance and from any revised method of calculating circuit performance. If the company and the ~~chief of compliance~~ DIRECTOR OF THE CONSUMER SERVICES DEPARTMENT OR THE DIRECTOR'S DESIGNEE agree on a method to calculate circuit performance, staff and/or the company may apply, within forty-five days after submission of the company's proposal, to the commission for a hearing, file a written report and/or recommendations, and submit evidence on the circuit performance calculation at the hearing.
  - (2) An electric distribution company may revise its method for calculating circuit performance, starting with the next succeeding six-month period, by submitting such revisions and supporting justification for such revisions to the ~~chief of compliance~~ DIRECTOR OF THE CONSUMER SERVICES DEPARTMENT OR THE DIRECTOR'S DESIGNEE for review and acceptance.
- (C) Each electric distribution company shall submit, no later than sixty days after each reporting period ends on June thirtieth and December thirty-first, a report to the ~~chief of compliance~~ DIRECTOR OF THE CONSUMER SERVICES DEPARTMENT OR

THE DIRECTOR'S DESIGNEE that identifies the lowest performing four per cent of the company's distribution circuits for the previous twelve-month period. Each semiannual report shall provide the following information for each reported distribution circuit:

- (1) Circuit identification number;
  - (2) The location of the circuit and primary service area;
  - (3) Approximate number of customers on the circuit;
  - (4) The number of outages and their causes;
  - (5) A description of and the rationale for any remedial action taken or planned to improve circuit performance or for taking no remedial action; and
  - (6) Start and completion dates of any remedial action taken or planned.
- (D) Each electric distribution company shall submit the semiannual reports, as required by this rule, on electronic media (e.g., diskettes) prescribed by the commission.

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4901:1-10-12 Notification of customer rights and obligations.

Each electric distribution company ~~and electric service company~~ shall provide new customers, when service is initiated, and existing customers upon request, a summary of their rights and obligations under this chapter. The written notice shall be in plain language, and delivered to customers. Each electric distribution company ~~and electric service company~~ shall submit the notice or amendments thereto to the chief of the public interest center for review at least sixty days prior to mailing the notice to its customers. For new customers, each electric distribution company ~~and electric service company~~ shall deliver the approved written notice prior to or along with the first bill after such customer's service is initiated. For purposes of this rule "new customer" means a customer who opens a new account and has not received such a customer rights notice within the preceding year. The notice shall include, but not be limited to, the following:

- (A) Complaint procedures available at the electric distribution company ~~or electric service company~~ and the commission which shall include:
  - (1) How complaints are made to the electric distribution company ~~or electric service company~~, including a local or toll-free phone number;
  - (2) If the complaint remains unresolved after the customer has contacted the electric distribution company ~~or electric service company~~, the customer may contact the commission's public interest center which has staff available to provide assistance with complaints;
  - (3) The current address, local/toll-free numbers, and the TDD/TTY number of the public interest center; and
  - (4) For residential customers only, The current address, local/toll-free numbers, and the TDD/TTY number of the Ohio consumers' counsel.
- (B) Customer rights and responsibilities, which shall include:
  - (1) A list of customer rights and obligations to the electric distribution company ~~or electric service company~~ relating to

installation of service, payment of bills, disconnection and reconnection of service, and meter testing, where applicable;

- (2) The customer's responsibility to notify the electric distribution company of material changes in their customer equipment or usage within a reasonable time to permit the electric distribution company to provide necessary facilities and acquire additional power supply, if needed. The notice shall provide examples of such changes in customer equipment and usage;
  - (3) A description of customer rights:
    - (a) When the electric distribution company demands and/or holds security deposits; and
    - (b) For deferred payment plans and low-income assistance plans;
  - (4) For electric distribution companies, the toll-free number(s) for the "one-call" or "call-before-you-dig" protection service(s) to locate underground utility facilities;
  - (5) What each applicant must do to receive service from that company; and
  - (6) When a customer shall be charged pursuant to the electric distribution company's tariff for the costs of modifying service or meter installations or the cost of facilities necessary to serve that customer.
- (C) For electric distribution company ~~and electric service company~~ employee(s) or agent(s) who seek access to the customer's/landlord's premises, the customer or landlord may require photo identification and that the employee/agent state the reason for the visit.
- (D) Rate information:
- (1) The electric distribution company's rates and tariffs are available for review at the company's office upon request; and

- (2) Upon inquiry by a customer regarding rates, the electric distribution company shall inform and disclose to the customer the existence and availability of the company's alternative rates.
- (E) Customers may obtain a copy of the electric service and safety standards from the commission upon request.
- (F) PRIVACY INFORMATION.
- (1) THE ELECTRIC DISTRIBUTION COMPANY IS PROHIBITED FROM DISCLOSING A CUSTOMER'S ACCOUNT NUMBER, AND/OR SOCIAL SECURITY NUMBER WITHOUT THE CUSTOMER'S CONSENT. FOR PURPOSES OF COMMERCIAL COLLECTION AND CREDIT REPORTING, PERCENTAGE OF INCOME PAYMENT PLAN AGGREGATION, PURSUANT TO SECTION 4928.54 OF THE REVISED CODE, AND GOVERNMENTAL AGGREGATION, PURSUANT TO SECTION 4928.20 OF THE REVISED CODE, THE ELECTRIC DISTRIBUTION COMPANY MAY RELEASE THE CUSTOMER'S ACCOUNT NUMBER TO THE APPROPRIATE COMMERCIAL COLLECTION AND CREDIT REPORTING COMPANY OR AGGREGATOR.
- (2) CUSTOMERS HAVE THE RIGHT TO REQUEST UP TO TWELVE MONTHS OF USAGE INFORMATION AND TWENTY-FOUR MONTHS OF PAYMENT HISTORY FROM THE ELECTRIC DISTRIBUTION COMPANY WITHOUT CHARGE.
- (3) CUSTOMERS HAVE THE RIGHT TO PROHIBIT THE ELECTRIC DISTRIBUTION COMPANY FROM INCLUDING THEIR NAMES ON MASS CUSTOMER LISTS MADE AVAILABLE TO COMPETITIVE RETAIL ELECTRIC SERVICE PROVIDERS, AS REQUIRED IN PARAGRAPH (D)(5) OF RULE 4901:1-10-22 OF THE ADMINISTRATIVE CODE.
- (G) CRES PROVIDER LISTS. CUSTOMERS HAVE THE RIGHT TO OBTAIN FROM THEIR ELECTRIC DISTRIBUTION COMPANY A LISTING OF AVAILABLE COMPETITIVE RETAIL ELECTRIC

SERVICE PROVIDERS THEIR PHONE NUMBERS, AND WHICH CUSTOMER CLASS THEY SERVE.

- (H) RETURN TO STANDARD OFFER. CUSTOMERS RETURNING TO THE ELECTRIC DISTRIBUTION COMPANY'S STANDARD OFFER SERVICE DUE TO DEFAULT, ABANDONMENT, SLAMMING, OR CERTIFICATION RESCISSION OF A CRES PROVIDER, WILL NOT BE LIABLE FOR ANY COSTS ASSOCIATED WITH THE SWITCH.
- (I) SLAMMING. IN THE EVENT A CUSTOMER'S COMPETITIVE RETAIL ELECTRIC SERVICE IS SWITCHED WITHOUT THE CUSTOMER'S CONSENT, THE ELECTRIC DISTRIBUTION COMPANY SHALL:
- (1) SWITCH THE CUSTOMER BACK TO THE CUSTOMER'S PREVIOUS SUPPLIER WITHOUT CHARGE TO THE CUSTOMER;
  - (2) CREDIT THE CUSTOMER'S ACCOUNT FOR ANY SWITCHING FEES RESULTING FROM THE CUSTOMER BEING SLAMMED; AND,
  - (3) TRANSFER ANY POST-SLAMMING ELECTRICAL USAGE TO THE CUSTOMER'S ACCOUNT WITH THE PREVIOUS SUPPLIER.
- (J) ACTUAL METER READINGS. CUSTOMERS HAVE THE RIGHT TO REQUEST AN ACTUAL METER READING WHEN THEY MOVE OR CHANGE ELECTRIC SERVICE PROVIDERS.

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4901:1-10-13 Employee identification.

Any electric distribution company ~~or electric service company~~ employee or agent seeking access to the customer's or landlord's premises shall, upon request, identify himself/herself, provide company photo identification, and state the reason for the visit.

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4901:1-10-14 Deposits.

- (A) Each electric distribution company shall establish written procedures to determine creditworthiness of applicants and customers for service based solely on the customer's or applicant's creditworthiness. These procedures shall be submitted in current form to the commission staff upon request.
- (B) Upon request, each electric distribution company shall provide applicants/customers with:
  - (1) Their credit history with that company; and
  - (2) A copy of this rule, the local/toll-free number, and the TDD/TTY number of the commission's public interest center.
- (C) An applicant shall be deemed creditworthy if one of the following criteria is satisfied:
  - (1) The electric distribution company verifies the applicant is a creditworthy property owner or verifies the applicant's creditworthiness in accordance with legally accepted practices to verify credit. Verification for residential applicants shall include, but not be limited to, consideration of the applicant's employer and length of service, reference letters, and substantive credit cards;
  - (2) The applicant had a prior account with the electric distribution company for the same class of service within two years before the date of application, unless during the final year of prior service:
    - (a) The company disconnected applicant for nonpayment;
    - (b) Applicant failed to pay his/her bill by the due date at least two times; or
    - (c) The company disconnected the applicant for a fraudulent practice, tampering, or unauthorized reconnection.
  - (3) The applicant furnishes a reasonably safe guarantor, who is a customer of that electric distribution company, to secure

payment of bills in an amount sufficient for a sixty day supply for the service requested; or

- (4) The applicant makes a cash deposit as set forth in this rule.
- (D) Unless otherwise provided in paragraph (G) of this rule, when an electric distribution company fails to demand security within thirty days after initiation of service, it may not require security for that service.
- (E) Deposit to establish tariffed service; review of deposit upon customer request.
- (1) An electric distribution company may require an applicant who fails to establish creditworthiness to make a deposit. The amount of the deposit shall not exceed one hundred thirty per cent of the estimated average monthly bill for the customer's tariffed service for the ensuing twelve months.
  - (2) Upon the customer's request, the amount of the deposit paid is subject to adjustment, when the deposit paid differs by twenty per cent or more from the deposit which would have been required, based upon actual usage for three consecutive billing periods while taking into account seasonal variations in usage.
- (F) Each electric distribution company which requires a cash deposit shall communicate to the applicant/customer:
- (1) The reason(s) for its decision;
  - (2) Options available to establish credit (including a guarantor to secure payment);
  - (3) The applicant/customer may contest the company's decision and show creditworthiness;
  - (4) The applicant/customer may contact the commission's public interest center;
  - (5) The local/toll-free number and the TDD/TTY number of the commission's public interest center.

Upon request of the applicant/customer the information in paragraph (F) of this rule shall be provided in writing.

- (G) Deposit to reestablish creditworthiness for tariffed service.
- (1) An electric distribution company may require a customer to make an initial or additional deposit on an account, as set forth in this rule, to reestablish creditworthiness for tariffed service based on the customer's credit history on that account with that company.
  - (2) A deposit may be required if the customer has:
    - (a) Not made full payment or payment arrangements by the date on which the bill becomes past due for two consecutive bills;
    - (b) Received a disconnection notice for nonpayment on two or more occasions during the preceding twelve months; or
    - (c) Had service disconnected for nonpayment, a fraudulent practice, tampering, or unauthorized reconnection during the preceding twelve months.
- (H) Upon acceptance of a deposit, each electric distribution company shall furnish a receipt to the applicant or customer which shows:
- (1) The name of the applicant;
  - (2) The address of the premises currently served or to be served;
  - (3) The billing address for service;
  - (4) The amount of the deposit;
  - (5) A statement as to the interest rate to be paid and the length of time the deposit must be held to qualify for interest; and
  - (6) The conditions for refunding the deposit.
- (I) Each electric distribution company shall:

- (1) Review each nonresidential account after the first two years of service for which a deposit is being held, and shall promptly refund the deposit or credit the nonresidential customer's account, plus interest accrued, if during the preceding twenty-four months:
    - (a) The customer's service was not disconnected for nonpayment, a fraudulent practice, tampering, or unauthorized reconnection; and
    - (b) The customer had not more than three past due bills.
  - (2) Upon customer request, but not more than annually, review each nonresidential account after the first two years of service for which a deposit is being held, and shall promptly refund the deposit or credit the customer's account, plus interest accrued, if during the preceding twelve months:
    - (a) The customer's service was not disconnected for nonpayment, a fraudulent practice, tampering, or unauthorized reconnection; and
    - (b) The customer had not more than two past due bills.
  - (3) Annually review each residential account, for which a deposit is being held, and shall promptly refund the deposit or credit the customer's account, plus interest accrued, if during the preceding twelve months:
    - (a) The customer's service was not disconnected for nonpayment, a fraudulent practice, tampering, or unauthorized reconnection; and
    - (b) The customer had not more than two past due bills.
- (J) Each electric distribution company shall pay interest on a deposit of not less than three per cent per annum, provided the company has held the deposit for at least six consecutive months.
- (K) When service is terminated or disconnected, each electric distribution company shall promptly:

- (1) Apply the deposit and interest accrued to the final bill for service; and
- (2) Refund any amount in excess of the final bill to the customer, unless the amount of the refund is less than one dollar.

A transfer of service from one premise to another premise within the electric distribution company's certified territory or service area shall not be deemed a disconnection under this paragraph.

(L) Residential service guarantors.

- (1) Each electric distribution company shall annually review an account where the residential customer provided a guarantor. When a residential customer satisfies the requirements for a deposit refund under paragraph (I) of this rule, each company shall notify the guarantor in writing within thirty days that he/she is no longer obligated for that account.
- (2) Each electric distribution company shall provide to the guarantor of a residential account all notices of disconnection of service which are provided to the customer.
- (3) Upon the residential customer's default, an electric distribution company may:
  - (a) Transfer the balance owed by the customer, not to exceed the amount for sixty days service, to his/her guarantor's account; and
  - (b) Disconnect service under the guaranty, if the guarantor fails to pay the customer's balance within thirty days after notice of the customer's default or fails to make other payment arrangements acceptable to the electric distribution company.

(M) Each electric distribution company shall retain records of customer deposits for at least one year after the deposit is returned and/or applied to the customer's bill.

**4901:1-10-15 Reasons for denial or disconnection of nonresidential service.**

Each electric distribution company may refuse or disconnect service to nonresidential customers for only the following reasons:

- (A) When the customer violates or fails to comply with the contract or electric distribution company tariff(s);
- (B) When electric distribution company service to a customer or consumer violates any law of this state or any political subdivision thereof, or any federal law or regulation;
- (C) When a customer or consumer tampers with electric distribution company property or engages in a fraudulent practice to obtain service, as set forth in rule 4901:1-10-20 of the Administrative Code;
- (D) For using electricity or equipment which adversely affects electric distribution company service to other customers or consumers, e.g., voltage fluctuations, power surges, and interruptions of service;
- (E) When a safety hazard to consumers or their premises, the public, or to the electric distribution company's personnel or facilities exists;
- (F) When the customer, landlord of the tenant/customer, or tenant leasing the landlord/customer's premises refuses access to electric distribution company facilities or equipment on the customer's property or property leased by the customer;
- (G) For nonpayment of electric distribution company bills and any tariffed charges, including security deposits;
- (H) When the customer vacates the premises;
- (I) For repairs, provided that the electric distribution company has notified consumers prior to scheduled maintenance interruptions in excess of six hours;
- (J) Upon the customer's request;
- (K) A former customer, whose account with that electric distribution company is in arrears for service furnished at the premises, resides at, or has requested service for, such premises;

- (L) When an emergency may threaten the health or safety of a person, a surrounding area, or the operation of the company's electrical system; and
- (M) For other good cause shown.

**4901:1-10-16 Notice of denial or disconnection of nonresidential service.**

- (A) Except as otherwise provided by contract approved by the commission pursuant to section 4905.31 of the Revised Code, each electric distribution company shall give the nonresidential customer written notice, not less than five days after the postmark date, before service is disconnected, when any of the following conditions exist:
- (1) Violation of or noncompliance with the contract or electric distribution company's tariff(s) which applies to customer service, other than nonpayment of company bills;
  - (2) The customer refuses access to electric distribution company facilities or equipment on the customer's property or property leased by the customer.
- (B) Prior notice from the electric distribution company is not required when any of the following conditions exist:
- (1) When an emergency may threaten the health or safety of a person, a surrounding area, or the operation of the company's electrical system;
  - (2) When a safety hazard to consumers or their premises, the public, or the company's personnel or facilities exists.
  - (3) When a customer or consumer tampers with electric distribution company property.

4901:1-10-17 Payment schedule and disconnection procedures for nonpayment by nonresidential customers.

- (A) A nonresidential customer's bill for tariffed services shall not be due earlier than twenty-one days from the date of the postmark on the bill. If the bill is not paid by the due date, it then becomes past due.
- (B) Except as otherwise provided by contract approved by the commission pursuant to section 4905.31 of the Revised Code, each electric distribution company shall provide the nonresidential customer with a written notice, which shall be postmarked not less than five days before service is disconnected for nonpayment of tariffed service.
- (C) The disconnection notice shall clearly state the following:
  - (1) The delinquent billing account, total amount past due, reconnection charge, and any security deposit owed;
  - (2) The earliest date when disconnection may occur;
  - (3) The address and phone number of the electric distribution company office for customers to contact about their account;
  - (4) Commission staff is available to render assistance with unresolved complaints, and the current address, local/toll-free number, and the TDD/TTY number of the commission's public interest center;
  - (5) The customer's failure to pay the amount required at the electric distribution company's office or to one of its authorized agents by the date specified in the notice may result in a security deposit, and in a charge for reconnection and the amount of the reconnection charge; and if applicable,
  - (6) Nonpayment of nontariffed charge(s) shall not result in the disconnection of distribution service; and
  - (7) FAILURE TO PAY CHARGES FOR CRES SERVICES MAY RESULT IN LOSS OF THOSE PRODUCTS AND SERVICES; AND

**(8) FAILURE TO PAY CHARGES FOR CRES SERVICE MAY RESULT IN CANCELLATION OF THE CUSTOMER'S CONTRACT WITH THE CRES PROVIDER, AND RETURN THE CUSTOMER TO THE EDC'S STANDARD OFFER GENERATION.**

The information required by this paragraph may be included in documents accompanying the disconnection notice.

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Effective:

Certification \_\_\_\_\_  
Gary Vigorito, Secretary

\_\_\_\_\_  
Date

Promulgated under R. C. Sec. 111.15  
Authorized by R.C. Sec. 4905.04, 4905.22, 4905.28,  
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4901:1-10-18 Reconnection of nonresidential service.

- (A) Unless a nonresidential customer requests otherwise, an electric distribution company shall reconnect service by the close of the following regular working day after:
  - (1) (a) The company receives the full amount in arrears, for which service was disconnected, or agrees with the customer on a deferred payment plan and a payment, if required, under the plan; and
  - (b) The company receives any security deposit authorized under these rules and any tariffed reconnection charge; or
  - (2) The customer establishes that the conditions which warranted disconnection of service have been eliminated.
- (B) Before service is reconnected under this rule, no electric distribution company may request or require a nonresidential customer to pay any of the following to have service reconnected:
  - (1) Any amount owed but not yet past due; and
  - (2) When the customer has multiple accounts, any amount owed on other billing accounts. Paragraph (B)(2) of this rule shall not apply to any amount past due on another electric billing account in the same customer class.

4901:1-10-19 Delinquent residential bills.

No electric distribution company may disconnect service to a residential customer when:

- (A) That customer fails to pay any charge for a nontariffed service, INCLUDING COMPETITIVE RETAIL ELECTRIC SERVICE; or
- (B) Any authorized agent ~~or electric service company~~ providing billing and collection services for the electric distribution company fails to submit payment for the customer's tariffed distribution and/or transmission service(s) rendered by that electric distribution company;
- (C) THE ELECTRIC DISTRIBUTION COMPANY ISSUES A DISCONNECTION NOTICE WHICH FAILS TO SEPARATE REGULATED FROM NONTARIFFED CHARGES, INCLUDING COMPETITIVE RETAIL ELECTRIC SERVICE CHARGES; OR,
- (D) THE ELECTRIC DISTRIBUTION COMPANY FAILS TO INCLUDE ON THE DISCONNECTION NOTICE A STATEMENT THAT:
  - (1) FAILURE TO PAY CHARGES FOR NONTARIFFED PRODUCTS OR SERVICES MAY RESULT IN LOSS OF THOSE PRODUCTS OR SERVICES; AND,
  - (2) FAILURE TO PAY CHARGES FOR COMPETITIVE RETAIL ELECTRIC SERVICE MAY RESULT IN CANCELLATION OF THE CUSTOMER'S CONTRACT WITH THE COMPETITIVE RETAIL ELECTRIC SERVICE PROVIDER, AND RETURN TO THE ELECTRIC DISTRIBUTION UTILITY'S STANDARD-OFFER GENERATION SERVICE.

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Effective:

Certification \_\_\_\_\_  
Gary Vigorito, Secretary

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Date

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4928.11  
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4901:1-10-20 Fraudulent practice, tampering, and theft of service.

- (A) Each electric distribution company shall establish and maintain an antitheft and antitampering plan and shall submit its plan and subsequent amendments to the ~~chief of compliance~~ DIRECTOR OF THE CONSUMER SERVICES DEPARTMENT OR THE DIRECTOR'S DESIGNEE.
- (B) Disconnection of service for tampering or unauthorized reconnection.
- (1) An electric distribution company may disconnect service for safety reasons without prior notice to a customer when:
- (a) The electric service meter, metering equipment, or associated property was damaged, interfered with, displaced, bypassed, or otherwise tampered with by a customer, consumer, or other person;
- (b) A person not authorized by the electric distribution company has reconnected service.
- (2) Each electric distribution company which has disconnected service under this paragraph shall tag or seal the customer's meter and hand deliver written notice to the customer or consumer at the service location. If no adult consumer is present, each electric distribution company shall attach written notice to a conspicuous place on the premises. When an electric distribution company reasonably believes that tagging or sealing the meter, hand delivering notice, or posting notice may jeopardize employee safety, it shall promptly mail the notice, return receipt requested, to the customer or occupant. The notice shall state:
- (a) Service was disconnected because:
- (i) The meter, metering equipment and/or electric distribution company property was tampered with; or
- (ii) A person not authorized by the electric distribution company reconnected the customer's service;

- (b) The electric distribution company's phone number and that the customer may contest the disconnection by requesting a meeting with a company representative;
    - (c) If the customer does not contest the disconnection, no electric distribution company is required to restore service until the customer has provided satisfactory assurances that such tampering or unauthorized reconnection has ceased and has paid or made satisfactory arrangements to pay the company an amount which the company calculates for unmetered service, any defaulted amount, any damage to company equipment or meter, any security deposit (consistent with rule 4901:1-10-14 of the Administrative Code), and any tariffed reconnection and investigation charges;
    - (d) The address, local/toll-free number, and the TDD/TTY number of the commission's public interest center.
  - (3) If the customer meets with the electric distribution company to contest the disconnection, each company shall timely mail or deliver its decision to the customer.
- (C) Disconnection of service for fraudulent practice.
- (1) An electric distribution company may disconnect service, after providing notice to the customer pursuant to this paragraph, when a customer uses any fraudulent practice, as defined by paragraph ~~(J)~~(L) of rule 4901:1-10-02 of the Administrative Code, to obtain or maintain service.
  - (2) Before it may disconnect service for a fraudulent practice, each electric distribution company shall hand deliver written notice to the customer or consumer at the service location. If no adult consumer is present, the company shall attach written notice to a conspicuous place on the premises. When a company reasonably believes that hand delivering or posting notice may jeopardize employee safety, it shall promptly mail the notice, return receipt requested, to the customer.
  - (3) The notice shall state:

- (a) The alleged fraudulent practice;
  - (b) The electric distribution company's phone number and that the customer may contest the company's findings by requesting a meeting with a company representative;
  - (c) The electric distribution company may disconnect service if:
    - (i) The customer does not contact the electric distribution company representative to schedule a meeting and contest the findings of fraudulent practice within three business days after receiving this notice; or
    - (ii) The customer does not provide a satisfactory explanation at that meeting;
  - (d) If service is disconnected, the electric distribution company is not required to reconnect service until the customer pays or makes satisfactory arrangements to pay the company the bill for service which was fraudulently obtained or maintained, any security deposit (consistent with rule 4901:1-10-14 of the Administrative Code), and any tariffed reconnection and investigation charges;
  - (e) The address, local/toll-free number, and TDD/TTY number of the commission's public interest center.
- (4) An electric distribution company may terminate service for a fraudulent practice:
- (a) When the customer fails to request a meeting with the company within three business days after delivery of the written notice required by this paragraph;
  - (b) No sooner than two business days after the customer received the electric distribution company's written adverse decision regarding the meeting between the customer and company.
- (D) Each electric distribution company shall maintain records which shall include the basis for its decision.

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Effective:

Certification \_\_\_\_\_

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Date

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4901:1-10-21 Customer complaints and complaint-handling procedures.

- (A) As used in this rule, customer/consumer complaint means a customer/consumer contact (either in person, by mail, by telephone, or any other reasonable means designated by the company) when such contact necessitates follow-up by the electric distribution company ~~or electric service company~~ other than routine service orders.
- (B) Except as ordered by the commission or directed by the commission staff in disconnection or emergency cases, each electric distribution company ~~and electric service company~~ shall investigate customer/consumer complaints and provide a status report within three business days of the date of receipt of the complaint to:
- (1) The customer/consumer, when investigating a complaint made directly to the electric distribution company ~~or electric service company~~; or
  - (2) The customer/consumer and commission staff, when investigating a complaint referred to the electric distribution company ~~or electric service company~~ by the commission or commission staff.
- (C) If an investigation is not completed within ten business days, each electric distribution company ~~and electric service company~~ shall provide status reports to update the customer/consumer, or update the customer/consumer and commission staff where appropriate, either orally or in writing, at five business day intervals until the investigation is complete, unless the action that must be taken will take longer than five days (e.g., volt meter will be placed on the premises for twenty days). In such cases the electric distribution company ~~or electric service company~~ may omit the status report for a maximum of thirty days if a response date is given to the customer/consumer or the customer/consumer and commission staff, where appropriate, when the investigation is initiated.
- (D) Each electric distribution company ~~and electric service company~~ shall inform the customer/consumer, or the customer/ consumer and commission staff, of the results of the investigation, orally or in writing, no later than five business days after completion of the

investigation. The customer/consumer or commission staff may request the final report to be in writing.

- (E) If the customer/consumer disputes the electric distribution company's ~~or electric service company's~~ report(s), each electric distribution company ~~and electric service company~~ shall inform the customer/consumer that the commission staff is available to mediate complaints. The company shall provide the customer/consumer with the current address, local/toll-free numbers, and TDD/TTY number of the commission's public interest center.
- (F) Each electric distribution company ~~and electric service company~~ shall make good faith efforts to settle unresolved disputes, including meeting with customer/consumer at a reasonable time and place.
- (G) IF CUSTOMERS CONTACT THE ELECTRIC DISTRIBUTION COMPANY CONCERNING COMPETITIVE RETAIL ELECTRIC SERVICE ISSUES, THE ELECTRIC DISTRIBUTION COMPANY SHALL:
- (1) REVIEW THE ISSUE WITH THE CUSTOMER TO DETERMINE WHETHER IT ALSO INVOLVES THE ELECTRIC DISTRIBUTION COMPANY;
  - (2) COORDINATE THE RESOLUTION OF ANY JOINT ISSUES WITH THE COMPETITIVE RETAIL ELECTRIC SERVICE PROVIDER; AND
  - (3) REFER THE CUSTOMER TO THE APPROPRIATE COMPETITIVE RETAIL ELECTRIC SERVICE PROVIDER ONLY IN THOSE INSTANCES WHERE THE ISSUE LACKS ANY ELECTRIC DISTRIBUTION COMPANY INVOLVEMENT.
- (H) SLAMMING COMPLAINTS

UPON RECEIPT OF A SLAMMING COMPLAINT, THE ELECTRIC DISTRIBUTION COMPANY SHALL:

- (1) RECORD THE COMPLAINT AND SEND IT TO THE COMMISSION'S CONSUMER SERVICES DEPARTMENT BY E-MAIL OR FAX;
- (2) IF AN UNAUTHORIZED SWITCH IS CONFIRMED BY THE COMMISSION STAFF, THE ELECTRIC DISTRIBUTION COMPANY SHALL:

  - (A) SWITCH THE CUSTOMER BACK TO THE PREVIOUS SUPPLIER WITHOUT CHARGING THE CUSTOMER FOR SUCH CORRECTIVE ACTION;
  - (B) CREDIT THE CUSTOMER'S ACCOUNT FOR ANY SWITCHING FEES ASSOCIATED WITH THE UNAUTHORIZED SWITCH;
  - (C) CREDIT THE CUSTOMER FOR ANY USAGE CHARGES MADE BY THE SLAMMING PARTY (IF SUCH CHARGES ARE BILLED BY THE ELECTRIC DISTRIBUTION COMPANY OR ITS AGENT);
  - (D) REPORT TO THE PREVIOUS PROVIDER THE CUSTOMER'S METERED USAGE FOR THE PERIOD SLAMMED, OR CHARGE SUCH USAGE TO THE CUSTOMER'S PREVIOUS ACCOUNT; AND
  - (E) MAINTAIN RECORDS OF SUCH ACTIONS, INCLUDING THE NUMBER OF MONTHLY SLAMMING EVENTS CORRECTED BY THE ELECTRIC DISTRIBUTION COMPANY.

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Effective:

Certification \_\_\_\_\_  
Gary Vigorito, Secretary

\_\_\_\_\_  
Date

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4928.16  
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4901:1-10-22 Customer billing and payments; customer usage records; customer notices.

- (A) Customer bills issued by or for the electric distribution company shall be accurate and rendered at regular intervals, and contain clear and understandable form and language. Each bill shall state:
- (1) The customer's name, billing address, service address, and account number;
  - (2) The biller's name and its payment address;
  - (3) The electric distribution company's twenty-four hour local/toll-free number for reporting service emergencies;
  - (4) Customers with billing questions or complaints should call or write the biller first. the bill shall list the biller's or electric distribution company's local/toll-free number(s) and the address of where a question or complaint shall be sent;
  - (5) Customers may contact the commission, the local/toll-free number, and the TDD/TTY number of the commission's public interest center;
  - (6) Rate schedule, if applicable;
  - (7) Dates of the service period covered by the bill;
  - (8) The billing determinants applicable:
    - (a) Beginning meter reading(s);
    - (b) Ending meter reading(s);
    - (c) Demand meter reading(s);
    - (d) Multiplier(s);
    - (e) Consumption(s); and
    - (f) Demand(s);

- (9) Identification of estimated bills or bills not based upon actual end-of-period meter readings for the period;
- (10) Due date for payment to keep the account current;
- (11) Current billing WHICH REFLECTS THE NET-METERED USAGE FOR CUSTOMER GENERATORS, IF APPLICABLE;
- (12) Any late payment charge or gross and net charges, if applicable;
- (13) Any unpaid amounts due from previous bills, customer credits, and total amount due and payable;
- (14) Current balance of the account, if the residential customer is billed according to a budget plan;
- (15) Current gas and electric charges separately, if the customer is billed for gas and electric service on the same bill;
- (16) ~~Each~~ IF APPLICABLE, EACH charge for nontariffed, ~~or~~ nonregulated service, ~~and~~ OR COMPETITIVE RETAIL ELECTRIC SERVICE; each provider of that service; AND THE TOLL-FREE OR LOCAL TELEPHONE NUMBER OF EACH PROVIDER OF THAT SERVICE;
- (17) ~~Nonpayment of nontariffed or nonregulated service(s) shall not result in the disconnection of distribution service(s);~~
- ~~(18)~~ Any nonrecurring charge;
- ~~(19)~~(18) Any payment(s) or credit(s) applied to the account during the current billing period;
- ~~(20)~~(19) Percentage of income payment program (PIPP) billing information applicable:
  - (a) Current PIPP payment;
  - (b) PIPP payments defaulted (i.e., past due);
  - (c) Total; and
  - (d) Total arrearage.
- ~~(21)~~(20) An explanation of codes and abbreviations used; ~~and~~

- ~~(22) Other information required by Ohio law or commission rule or order.~~
- (21) THE NAME OF THE APPLICABLE COMPETITIVE RETAIL ELECTRIC SERVICE PROVIDER AND A STATEMENT THAT SUCH PROVIDER IS RESPONSIBLE FOR BILLING THE SUPPLIER CHARGES (IF THE CUSTOMER RECEIVES TWO SEPARATE BILLS);
- (22) THE NAME OF THE APPLICABLE COMPETITIVE RETAIL ELECTRIC SERVICE PROVIDER APPEARING IN CLOSE PROXIMITY TO THE SUPPLIER CHARGES (IF THE CUSTOMER RECEIVES A CONSOLIDATED BILL FROM THE ELECTRIC DISTRIBUTION COMPANY);
- (23) THE CUSTOMER'S HISTORICAL CONSUMPTION DURING EACH OF THE PRECEDING TWELVE MONTHS; WITH A TOTAL AND AVERAGE CONSUMPTION FOR SUCH TWELVE-MONTH PERIOD; AND
- (24) OTHER INFORMATION REQUIRED BY OHIO LAW OR COMMISSION RULE OR ORDER.
- (B) Any new bill format proposed by an electric distribution company shall be filed with the commission for approval. If an application for sample bill approval is not acted upon within forty-five days, said sample shall be deemed approved.
- (C) Each electric distribution company shall maintain a listing of its customer service number in each local phone directory in its certified territory.
- (D) ~~Customer usage records of the electric distribution company or electric service company shall be available upon the customer's request~~ AND LOAD PATTERN INFORMATION. AN ELECTRIC DISTRIBUTION COMPANY SHALL:
- (1) NOT DISCLOSE A CUSTOMER'S ACCOUNT NUMBER AND/OR SOCIAL SECURITY NUMBER, WITHOUT THE CUSTOMER'S WRITTEN CONSENT. FOR PURPOSES OF COMMERCIAL COLLECTION AND CREDIT REPORTING, PERCENTAGE OF INCOME PAYMENT PLAN

AGGREGATION, PURSUANT TO SECTION 4928.54 OF THE REVISED CODE, AND GOVERNMENTAL AGGREGATION, PURSUANT TO SECTION 4928.20 OF THE REVISED CODE, THE ELECTRIC DISTRIBUTION COMPANY MAY RELEASE THE CUSTOMER'S ACCOUNT NUMBER TO THE APPROPRIATE COMMERCIAL COLLECTION AND CREDIT REPORTING COMPANY OR AGGREGATOR.

- (2) UPON REQUEST, TIMELY PROVIDE A CUSTOMER'S USAGE HISTORY (TWELVE MONTHS) AND PAYMENT HISTORY (TWENTY-FOUR MONTHS) TO THE CUSTOMER;
- (3) PROVIDE GENERIC CUSTOMER LOAD PATTERN INFORMATION, IN A UNIVERSAL FILE FORMAT, TO OTHER ELECTRIC SERVICE PROVIDERS ON A COMPARABLE AND NONDISCRIMINATORY BASIS;
- (4) PROVIDE CUSTOMER-SPECIFIC INFORMATION TO COMPETITIVE RETAIL ELECTRIC SERVICE PROVIDERS ON A COMPARABLE AND NONDISCRIMINATORY BASIS AS PRESCRIBED IN PARAGRAPH (E) OF RULE 4901:1-10-29 OF THE ADMINISTRATIVE CODE UNLESS THE CUSTOMER OBJECTS TO THE DISCLOSURE OF SUCH INFORMATION;
- (5) PRIOR TO ISSUING ANY ELIGIBLE-CUSTOMER LISTS AND AT LEAST FOUR TIMES PER CALENDAR YEAR, PROVIDE ALL CUSTOMERS CLEAR WRITTEN NOTICE, IN BILLING STATEMENTS OR OTHER COMMUNICATIONS, OF THEIR RIGHT TO OBJECT TO BEING INCLUDED ON SUCH LISTS. SUCH NOTICE SHALL INCLUDE INSTRUCTIONS FOR REPORTING SUCH OBJECTION. THIS NOTICE SHALL READ AS FOLLOWS:

"WE ARE REQUIRED TO INCLUDE YOUR NAME, ADDRESS, AND USAGE INFORMATION ON A LIST OF ELIGIBLE CUSTOMERS THAT IS MADE AVAILABLE TO OTHER ELECTRIC SERVICE PROVIDERS. IF YOU DO NOT WISH TO BE INCLUDED ON THIS LIST, PLEASE CALL \_\_\_\_\_ OR WRITE \_\_\_\_\_."

- (6) IF A CUSTOMER REPORTS SUCH OBJECTION AS PROVIDED IN PARAGRAPHS (D)(4) AND (D)(5) OF RULE

4901:1-10-22 OF THE ADMINISTRATIVE CODE, THE ELECTRIC DISTRIBUTION COMPANY SHALL NOT RELEASE SUCH INFORMATION UNLESS AND UNTIL THE CUSTOMER AFFIRMATIVELY INDICATES THAT THE INFORMATION MAY BE RELEASED.

- (E) Each electric distribution company shall, upon request, provide customers with an updated list of the name and street address/location of the nearest payment center and/or local authorized agent, and alternative methods available for payment of customer bills. Customers shall not be charged more than two-times the cost of a first-class postage stamp for processing their payments at such locations.
- (F) When a customer pays the bill at the electric distribution company's business office or to an authorized agent of the company, that payment, including any partial payment, shall be immediately credited to the customer's account where feasible, and in any event be credited to the customer's account as of the date received at the business office or by the agent. No electric distribution company shall disconnect service to a customer who pays, to the company or an authorized agent of the company, the total amount due (or an amount agreed upon between the electric distribution company and the customer to prevent disconnection) on his/her account by the close of business on the disconnection date listed on the disconnection notice. Payment received by an authorized agent of the electric distribution company shall constitute receipt of payment by the company.
- (G) Each electric distribution company shall establish a policy for its personnel at its business offices and for its authorized agents to handle billing disputes, requests for payment arrangements, and reporting payments to prevent disconnection of service. If such matters cannot be handled by an agent authorized to accept payments, each electric distribution company shall provide customers with its local/toll-free number to use at a nearby phone.
- (H) Each electric distribution company shall annually notify customers, by bill insert or other notice, about its notification of customer rights and responsibilities, as prescribed by rule 4901:1-10-12 of the Administrative Code, and how to request a copy from the company.

(I) EACH ELECTRIC DISTRIBUTION COMPANY SHALL CREDIT ANY CUSTOMER'S PARTIAL PAYMENTS IN THE FOLLOWING ORDER:

- (1) PRIOR DISTRIBUTION, STANDARD OFFER GENERATION, AND TRANSMISSION CHARGES;
- (2) CURRENT DISTRIBUTION, STANDARD OFFER GENERATION, AND TRANSMISSION CHARGES;
- (3) PRIOR CRES PROVIDER CHARGES;
- (4) CURRENT CRES PROVIDER CHARGES; AND
- (5) OTHER PRIOR AND CURRENT NONREGULATED CHARGES.

(J) EACH ELECTRIC DISTRIBUTION COMPANY SHALL DEVELOP, UPDATE, AND MAINTAIN A LIST OF CERTIFIED COMPETITIVE RETAIL ELECTRIC SERVICE PROVIDERS THAT OFFER ELECTRIC SERVICE WITHIN THE ELECTRIC DISTRIBUTION COMPANY'S SERVICE TERRITORY. THE ELECTRIC DISTRIBUTION COMPANY SHALL PROVIDE SUCH LISTS TO:

- (1) ALL OF ITS CUSTOMERS PRIOR TO INITIATION OF COMPETITIVE RETAIL ELECTRIC SERVICE AND QUARTERLY FOR THE REMAINDER OF THE MARKET DEVELOPMENT PERIOD;
- (2) ALL APPLICANTS FOR NEW SERVICE AND CUSTOMERS RETURNING TO STANDARD OFFER SERVICE; AND,
- (3) ANY CUSTOMER UPON REQUEST.

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Effective:

Certification \_\_\_\_\_  
Gary Vigorito, Secretary

\_\_\_\_\_  
Date

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4901:1-10-23 Billing adjustments for nonresidential customers.

- (A) When an electric distribution company has undercharged any nonresidential customer as the result of a meter or metering inaccuracy, billing, or other continuing problem under the electric distribution company's control, unless the customer and the company agree otherwise, the maximum portion of the undercharge that may be billed to the customer in any billing month, based upon the appropriate rates, shall be determined by dividing the amount of the undercharge by the number of months of undercharged service. Each electric distribution company shall state the total amount to be collected in the first bill under this rule. This rule shall not affect the electric distribution company's recovery of regular monthly charges.
- (B) This rule shall not apply to tampering with or unauthorized reconnection of the meter, metering equipment, or electric distribution company property which causes meter or metering inaccuracies or no measurement of service.

4901:1-10-24 Consumer safeguards and information.

(A) Customer education and marketing practices.

Each electric distribution company ~~and electric service company~~ shall provide informational, promotional, and educational materials which are noncustomer specific and explain services, rates, and options to customers. Such materials shall be submitted to the commission's consumer services department upon request. Such materials, shall include the following information:

- (1) An explanation of the service, its application, and any material exclusions, reservations, restrictions, limitations, modifications, or conditions;
- (2) If services are bundled, an identification and explanation of service components and associated prices;
- (3) An identification and explanation of:
  - (a) Any one-time or nonrecurring charge(s), e.g., penalties and open-ended clauses;
  - (b) Recurring charge(s) (e.g., usage).

The commission staff may review or request modification of informational, promotional, and educational materials.

(B) Unfair and deceptive acts or practices. No electric distribution company ~~or electric service company~~ shall commit an unfair or deceptive act or practice in connection with the promotion or provision of service, including an omission of material information. An unfair or deceptive act/practice includes, but is not limited to, the following:

- (1) An electric distribution company ~~or electric service company~~ states to a customer that distribution service will or may be disconnected unless the customer pays any amount due for a nontariffed or nonregulated service; or

- (2) An electric distribution company ~~or electric service company~~ charges a customer for a service in which the customer did not make an initial affirmative order. Failure to refuse an offered or proposed service is not an affirmative order for the service.

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Certification \_\_\_\_\_  
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 Prior effective dates: 7/1/99

**4901:1-10-25 Notice of disconnection to tenants and landlords.**

- (A) (1) If a customer who is a property owner, or the agent thereof, requests disconnection of service when residential tenants reside at the premises, each electric distribution company shall provide ~~a ten-day~~ AT LEAST TEN-DAYS ADVANCE notice of the intended disconnection of service by mail to residential tenants or by posting such notice in conspicuous places on the premises.
- (2) Each electric distribution company shall inform such customer of the customer's liability for all electricity consumed during the ten-day notice period.
- (B) Upon the request of a property owner or agent thereof, each electric distribution company shall provide the property owner or agent thereof with ~~a three-day~~ AT LEAST THREE-DAYS ADVANCE notice when service is to be disconnected to a RESIDENTIAL customer who is a tenant either at the customer's request or for nonpayment.
- (C) Notwithstanding any notice requirement of an electric distribution company under this rule, an electric distribution company will not be found to have violated this rule if:
  - (1) The electric distribution company uses reasonable efforts to determine the status of the customer/consumer as either a property owner or agent thereof or a tenant; or
  - (2) The customer/consumer misrepresents the status of the customer/consumer as either a property owner or agent thereof or tenant.

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Effective:

Certification \_\_\_\_\_  
Gary Vigorito, Secretary

\_\_\_\_\_  
Date

Promulgated under R. C. Sec. 111.15  
Authorized by R.C. Sec. 4905.04, 4905.22, 4905.28,  
4928.06  
Rule amplifies R.C. Sec. 4933.121, 4933.122, 4928.11  
119.032 Review date: 9/30/02  
Prior effective dates: 7/1/99

**4901:1-10-26 REPORTING REQUIREMENTS.**

- (A) EACH ELECTRIC UTILITY SHALL REPORT ANNUALLY REGARDING ITS COMPLIANCE WITH THE MINIMUM SERVICE QUALITY, SAFETY, AND RELIABILITY REQUIREMENTS FOR NONCOMPETITIVE RETAIL ELECTRIC SERVICES.
  
- (B) ANNUAL REPORT. ON OR BEFORE MARCH THIRTY-FIRST OF EACH YEAR, EACH ELECTRIC UTILITY SHALL FILE WITH THE COMMISSION AN ANNUAL REPORT FOR THE PREVIOUS CALENDAR YEAR BY THE UTILITY'S CHIEF EXECUTIVE OFFICER OR OTHER SENIOR OFFICER RESPONSIBLE FOR THE SERVICE QUALITY, SAFETY, AND RELIABILITY OF THE ELECTRIC UTILITY'S TRANSMISSION AND/OR DISTRIBUTION SERVICE. THE ANNUAL REPORT SHALL INCLUDE:
  - (1) A PLAN FOR FUTURE INVESTMENT AND SAFETY, RELIABILITY, AND SERVICE QUALITY IMPROVEMENTS FOR THE ELECTRIC UTILITY'S TRANSMISSION AND DISTRIBUTION FACILITIES/EQUIPMENT THAT WILL ENSURE CONTINUED QUALITY, SAFE AND RELIABLE DELIVERY OF ENERGY TO CUSTOMERS, AND WILL PROVIDE THE DELIVERY RELIABILITY NEEDED FOR FAIR AND OPEN COMPETITION. EACH PLAN SHALL ALSO CONTAIN: THE ESTIMATED COST OF IMPLEMENTATION AND ANY CHANGES TO THE PLAN FROM THE PREVIOUS ANNUAL REPORT. EACH PLAN SHALL:
    - (a) COVER ALL OF THE ELECTRIC UTILITY'S SERVICE TERRITORY, INCLUDING A DESCRIPTION OF THE RELEVANT CHARACTERISTICS OF THE SERVICE TERRITORY;
    - (b) COVER A PERIOD OF NO LESS THAN THREE YEARS FOLLOWING THE YEAR IN WHICH THE REPORT WAS FILED;
    - (c) PROVIDE A TIMETABLE FOR ACHIEVEMENT OF THE PLAN'S GOALS;

- (d) LIST ANY QUALITY, SAFETY, AND RELIABILITY COMPLAINTS THE UTILITY'S SYSTEM RECEIVED DURING THE REPORTING PERIOD FROM OTHER ELECTRIC UTILITY COMPANIES, REGIONAL TRANSMISSION ENTITY, AND COMPETITIVE RETAIL ELECTRIC SUPPLIERS AND REPORT THE SPECIFIC ACTIONS THE ELECTRIC UTILITY TOOK TO ADDRESS THESE COMPLAINTS; AND,
  - (e) REPORT ALL UNRESOLVED QUALITY, SAFETY, AND RELIABILITY COMPLAINTS ABOUT THE ELECTRIC UTILITY'S SYSTEM RECEIVED FROM OTHER ELECTRIC UTILITY COMPANIES, REGIONAL TRANSMISSION ENTITY, AND COMPETITIVE RETAIL ELECTRIC SUPPLIERS AND EXPLAIN WHY THESE COMPLAINTS ARE STILL UNRESOLVED.
- (2) A REPORT OF THE ELECTRIC UTILITY'S IMPLEMENTATION OF ITS PLAN FILED PURSUANT TO PARAGRAPH (B)(1) OF THIS RULE FOR THE PREVIOUS ANNUAL REPORTING PERIOD, INCLUDING AN IDENTIFICATION OF SIGNIFICANT DEVIATIONS FROM THE GOALS OF THE PREVIOUS PLAN AND THE REASONS FOR THE DEVIATIONS;
- (3) A REPORT BY SERVICE TERRITORY OF THE AGE, CURRENT CONDITION, RELIABILITY AND PERFORMANCE OF THE ELECTRIC UTILITY'S TRANSMISSION AND DISTRIBUTION FACILITIES. (IN ANALYZING AND REPORTING THE AGE OF THE ELECTRIC UTILITY'S FACILITIES AND EQUIPMENT, THE ELECTRIC UTILITY MAY UTILIZE BOOK DEPRECIATION. STATISTICAL ESTIMATION AND ANALYSIS MAY BE USED WHEN ACTUAL AGES AND CONDITIONS OF FACILITIES ARE NOT READILY AVAILABLE. THE USE OF SUCH TECHNIQUES SHALL BE DISCLOSED IN THE REPORT.) THE REPORT SHALL INCLUDE:
- (a) A QUALITATIVE CHARACTERIZATION OF THE CONDITION OF THE ELECTRIC UTILITY'S SYSTEM AND AN EXPLANATION OF THE CRITERIA USED IN MAKING THE QUALITATIVE ASSESSMENT;

- (b) AN OVERVIEW PERTAINING TO THE NUMBER AND SUBSTANCE OF CUSTOMERS' SAFETY AND RELIABILITY COMPLAINTS FOR THE ANNUAL REPORTING PERIOD IN EACH SERVICE TERRITORY;
- (c) EACH ELECTRIC UTILITY'S EXPENDITURES REPORTED SEPARATELY FOR TRANSMISSION CONSTRUCTION AND MAINTENANCE, IF APPLICABLE, EXPRESSED IN CONSTANT DOLLARS, AND THE RATIO OF THOSE EXPENDITURES TO THE ELECTRIC UTILITY'S TOTAL TRANSMISSION INVESTMENT;
- (d) EACH ELECTRIC UTILITY'S EXPENDITURES REPORTED SEPARATELY FOR DISTRIBUTION CONSTRUCTION AND MAINTENANCE, IF APPLICABLE, EXPRESSED IN CONSTANT DOLLARS, AND THE RATIO OF THOSE EXPENDITURES TO THE ELECTRIC UTILITY'S DISTRIBUTION INVESTMENT;
- (e) THE AVERAGE REMAINING DEPRECIATION LIVES OF THE ELECTRIC UTILITY'S TRANSMISSION AND DISTRIBUTION FACILITIES, EXPRESSED SEPARATELY BY FACILITY TYPE AS A PERCENTAGE OF TOTAL DEPRECIATION LIVES;
- (f) FOR THE REPORTING PERIOD ENDING DECEMBER 31, 2000, A LIST AND PURPOSE OF CURRENT INSPECTION, MAINTENANCE, REPAIR, AND REPLACEMENT PROGRAMS THE ELECTRIC UTILITY UTILIZES FOR QUALITY, SAFE, AND RELIABLE SERVICE FROM ITS TRANSMISSION, SUBSTATION, AND DISTRIBUTION FACILITIES AND/OR EQUIPMENT. THIS REPORT SHALL INCLUDE THE FOLLOWING:
  - (i) THE GOALS OF EACH PROGRAM AND WHETHER THE COMPANY'S ANNUAL GOALS FOR EACH PROGRAM WERE ACHIEVED. IF THE GOALS WERE ACHIEVED, DESCRIBE HOW THEY WERE ACHIEVED AND TO WHAT EXTENT, INCLUDING NUMERICAL VALUES AND PERCENTAGES IN THE DESCRIPTION. IF

THE GOALS WERE NOT ACHIEVED, DESCRIBE THE CAUSES WHICH PREVENTED THE ACHIEVEMENT AND THE LEVEL OF COMPLETION OF EACH PROGRAM, INCLUDING NUMERICAL VALUES AND PERCENTAGES;

- (ii) A SUMMARY OF THE ELECTRIC UTILITY'S ANNUAL FINDINGS AS A RESULT OF PERFORMING EACH PROGRAM; AND,
  - (iii) A SUMMARY OF THE REMEDIAL ACTIVITY THAT HAS BEEN OR WILL BE PERFORMED AS A RESULT OF THE PROGRAM FINDINGS AND THE ACTUAL AND ESTIMATED COMPLETION DATES FOR SUCH REMEDIAL ACTIVITY.
- (g) FOR EACH REPORTING PERIOD THEREAFTER, AN IDENTIFICATION OF THE PROGRAMS THAT HAVE BEEN ADDED, DELETED, AND/OR MODIFIED FROM THE PREVIOUS REPORTING PERIOD. EACH ELECTRIC UTILITY SHALL:
- (i) EXPLAIN WHY ANY PROGRAM IS BEING ELIMINATED;
  - (ii) IDENTIFY WHAT ASPECTS OF A PROGRAM ARE BEING MODIFIED AND EXPLAIN WHAT THE MODIFICATIONS ARE AND WHAT AFFECTS THESE MODIFICATIONS WOULD HAVE ON THE CURRENT PROGRAM AND/OR RELATED PROGRAMS; AND,
  - (iii) IDENTIFY ALL INSPECTION, MAINTENANCE, REPAIR, AND REPLACEMENT PROGRAMS THAT HAVE BEEN ADDED DURING THE REPORTING PERIOD. FOR EACH ADDED PROGRAM PROVIDE THE EXPLANATION OF THE PROGRAM'S PURPOSE AND THE GOALS EXPECTED TO BE ACHIEVED.
- (4) THE NUMBER AND DURATION OF PLANNED AND UNPLANNED INTERRUPTIONS OF SERVICE AND

SUPPLY A PERIODIC SAMPLING OF VOLTAGE MEASUREMENTS FOR THE ANNUAL REPORTING PERIOD; AND,

- (5) AN IDENTIFICATION OF CUSTOMER SERVICE INTERRUPTIONS THAT WERE DUE SOLELY TO THE ACTIONS OR IN-ACTIONS OF ANOTHER ELECTRIC UTILITY, REGIONAL TRANSMISSION ENTITY, AND/OR A COMPETITIVE RETAIL ELECTRIC SUPPLIER FOR THE ANNUAL REPORTING PERIOD AND THE CAUSES OF THESE INTERRUPTIONS.

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 Effective:

Certification \_\_\_\_\_  
 Gary Vigorito, Secretary

\_\_\_\_\_  
 Date

Promulgated under R. C. Sec. 111.15  
 Authorized by R.C. Sec. 4928.06  
 Rule amplifies R.C. Sec. 4928.11  
 119.032 Review date: 9/30/02  
 Prior effective dates:

4901:1-10-27 INSPECTION, MAINTENANCE, REPAIR, AND REPLACEMENT OF TRANSMISSION AND DISTRIBUTION FACILITIES (CIRCUITS AND EQUIPMENT).

- (A) THIS RULE APPLIES TO THE INSPECTION, MAINTENANCE, REPAIR, AND REPLACEMENT OF UTILITY TRANSMISSION AND DISTRIBUTION SYSTEM FACILITIES (CIRCUITS AND EQUIPMENT). THE REBUTTABLE PRESUMPTION THAT AN ELECTRIC UTILITY IS PROVIDING ADEQUATE SERVICE PURSUANT TO PARAGRAPH (F) OF RULE 4901:1-10-1 OF THE ADMINISTRATIVE CODE, DOES NOT APPLY TO THIS RULE.
- (B) DISTRIBUTION SYSTEM PERFORMANCE ASSESSMENT. FOR ELECTRIC DISTRIBUTION CIRCUITS, THE ELECTRIC UTILITY SHALL COMPLY WITH RULE 4901:1-10-11 OF THE ADMINISTRATIVE CODE.
- (C) TRANSMISSION SYSTEM PERFORMANCE ASSESSMENT. EACH ELECTRIC UTILITY SHALL FILE A REPORT NO LATER THAN JANUARY 1, 2001, ON ITS METHODOLOGY USED TO ASSESS THE RELIABILITY OF ITS TRANSMISSION CIRCUITS FOR REVIEW AND ACCEPTANCE BY THE COMMISSION:
- (1) EACH ELECTRIC UTILITY SHALL SUBMIT, FOR REVIEW AND ACCEPTANCE BY THE DIRECTOR OF THE CONSUMER SERVICES DEPARTMENT OR THE DIRECTOR'S DESIGNEE, A METHOD TO ASSESS CIRCUIT RELIABILITY BASED ON THE TOTAL NUMBER OF SUSTAINED OUTAGES PER CIRCUIT PER CALENDAR YEAR AND OTHER FACTORS PROPOSED BY THE ELECTRIC UTILITY COMPANY, AND SUPPORTING JUSTIFICATION FOR THAT METHOD.
- (A) IF THE ELECTRIC UTILITY AND THE DIRECTOR OF THE CONSUMER SERVICES DEPARTMENT OR THE DIRECTOR'S DESIGNEE CANNOT AGREE ON A METHOD TO ASSESS TRANSMISSION CIRCUIT RELIABILITY, THE ELECTRIC UTILITY SHALL APPLY, WITHIN NINETY DAYS AFTER THE SUBMISSION OF ITS PROPOSAL, TO THE COMMISSION FOR A HEARING AND FILE A WRITTEN REPORT ALONG WITH

DOCUMENTATION SUPPORTING ITS  
METHODOLOGY.

- (B) REVISIONS TO A PREVIOUSLY ACCEPTED METHODOLOGY FOR ASSESSING THE RELIABILITY OF ITS TRANSMISSION CIRCUITS, SHALL BE SUBMITTED FOR REVIEW AND ACCEPTANCE ALONG WITH SUPPORTING JUSTIFICATION TO THE DIRECTOR OF THE CONSUMER SERVICES DEPARTMENT OR THE DIRECTOR'S DESIGNEE, NO LATER THAN NINETY DAYS PRIOR TO THE BEGINNING OF THE NEXT SUCCEEDING CALENDAR YEAR.
- (2) EACH ELECTRIC UTILITY PROVIDING TRANSMISSION SERVICE SHALL SUBMIT A REPORT, NO LATER THAN SIXTY DAYS AFTER THE END OF EACH CALENDAR YEAR ENDING DECEMBER THIRTY-FIRST, TO THE DIRECTOR OF THE CONSUMER SERVICES DEPARTMENT OR THE DIRECTOR'S DESIGNEE, THAT IDENTIFIES THE PERFORMANCE OF EACH TRANSMISSION CIRCUIT FOR THE PREVIOUS CALENDAR YEAR. EACH ANNUAL REPORT SHALL, AT A MINIMUM, PROVIDE THE FOLLOWING INFORMATION FOR EACH TRANSMISSION CIRCUIT:
- (A) CIRCUIT IDENTIFICATION NUMBER;
- (B) THE LOCATION OF EACH CIRCUIT;
- (C) THE NUMBER OF OUTAGES AND THEIR CAUSES BY CIRCUIT;
- (D) THE SUBSTATION(S) AND/OR DISTRIBUTION CIRCUIT(S) AFFECTED BY EACH OF THE OUTAGES REPORTED FOR PARAGRAPH (C)(2)(C) OF RULE 4901:1-10-27 OF THE ADMINISTRATIVE CODE, BY CIRCUIT;
- (E) A DESCRIPTION OF AND THE RATIONALE FOR ANY REMEDIAL ACTION TAKEN OR PLANNED TO IMPROVE CIRCUIT PERFORMANCE OR FOR TAKING NO REMEDIAL ACTION; AND

- (F) START AND COMPLETION DATES OF ANY REMEDIAL ACTION TAKEN OR PLANNED.
- (3) THE ANNUAL REPORT SHALL BE SUBMITTED IN A FORM PRESCRIBED BY THE COMMISSION.
- (D) TRANSMISSION AND DISTRIBUTION FACILITIES INSPECTIONS.

UNLESS OTHERWISE DETERMINED BY THE COMMISSION, EACH ELECTRIC UTILITY SHALL, AT A MINIMUM, INSPECT ITS ELECTRIC TRANSMISSION AND DISTRIBUTION FACILITIES (CIRCUITS AND EQUIPMENT) TO MAINTAIN SAFE AND RELIABLE SERVICE ON THE FOLLOWING SCHEDULED BASIS:

- (1) DISTRIBUTION - AT LEAST ONE-FIFTH OF ALL DISTRIBUTION CIRCUITS AND EQUIPMENT SHALL BE INSPECTED ANNUALLY. ALL DISTRIBUTION CIRCUITS AND EQUIPMENT SHALL BE INSPECTED AT LEAST ONCE EVERY FIVE YEARS.
- (2) TRANSMISSION - ALL TRANSMISSION CIRCUITS AND EQUIPMENT SHALL BE INSPECTED AT LEAST ONCE EVERY YEAR.
- (3) SUBSTATIONS - ALL TRANSMISSION AND DISTRIBUTION SUBSTATIONS AND EQUIPMENT SHALL BE INSPECTED AT LEAST ONCE EACH MONTH.
- (4) EACH ELECTRIC UTILITY SHALL FILE A REPORT ON ITS COMPLIANCE WITH THE INSPECTION SCHEDULE IN PARAGRAPHS (D)(1) TO (D)(3) OF THIS RULE NO LATER THAN SIXTY DAYS AFTER THE END OF EACH CALENDAR YEAR ENDING DECEMBER THIRTY-FIRST.
- (E) TRANSMISSION AND DISTRIBUTION INSPECTION, MAINTENANCE, REPAIR, AND REPLACEMENT PROGRAMS.
  - (1) EACH ELECTRIC UTILITY SHALL ESTABLISH AND MAINTAIN WRITTEN PROGRAMS, PROCEDURES AND SCHEDULES FOR THE INSPECTION, MAINTENANCE,

REPAIR, AND REPLACEMENT OF ITS TRANSMISSION AND DISTRIBUTION CIRCUITS AND EQUIPMENT. THESE PROGRAMS SHALL ESTABLISH PREVENTATIVE REQUIREMENTS FOR THE ELECTRIC UTILITY TO MAINTAIN SAFE AND RELIABLE SERVICE. PROGRAMS SHALL INCLUDE, BUT ARE NOT LIMITED TO, THE FOLLOWING FACILITIES:

- (A) POLES AND TOWERS;
  - (B) CONDUCTORS;
  - (C) PAD-MOUNTED TRANSFORMERS;
  - (D) LINE RECLOSERS;
  - (E) LINE CAPACITORS;
  - (F) RIGHT-OF-WAY VEGETATION CONTROL; AND
  - (G) SUBSTATIONS.
- (2) INSPECTION, MAINTENANCE, REPAIR, AND REPLACEMENT PROGRAM REVIEW.
- (A) EACH ELECTRIC UTILITY SHALL SUBMIT A PLAN FOR THE INSPECTION, MAINTENANCE, REPAIR, AND REPLACEMENT OF CIRCUITS AND EQUIPMENT AS STATED IN PARAGRAPH (E)(1) OF THIS RULE FOR REVIEW AND ACCEPTANCE BY THE DIRECTOR OF THE CONSUMER SERVICES DEPARTMENT OR THE DIRECTOR'S DESIGNEE NO LATER THAN JANUARY 1, 2001. THE ELECTRIC UTILITY'S SUBMITTAL SHALL INCLUDE SUPPORTING JUSTIFICATION AND RATIONALE BASED UPON HISTORICAL PRACTICES AND PROCEDURES USED BY THE ELECTRIC UTILITY OVER THE PAST FIVE YEARS.
  - (B) IF THE ELECTRIC UTILITY AND THE DIRECTOR OF THE CONSUMER SERVICES DEPARTMENT OR THE DIRECTOR'S DESIGNEE CANNOT AGREE ON THE DETAILS AND CONTENTS OF THE UTILITY'S

PLAN, THE ELECTRIC UTILITY SHALL FILE, WITHIN ONE HUNDRED TWENTY DAYS AFTER THE SUBMISSION OF ITS PLAN, WITH THE COMMISSION FOR A HEARING, FILE A WRITTEN REPORT AND DOCUMENTATION SUPPORTING ITS PLAN.

- (C) REVISIONS TO A PREVIOUSLY ACCEPTED PLAN SHALL BE SUBMITTED FOR REVIEW AND ACCEPTANCE AS OUTLINED IN PARAGRAPH (E)(2)(A) OF THIS RULE, NO LATER THAN NINETY DAYS PRIOR TO THE BEGINNING OF THE NEXT SUCCEEDING CALENDAR YEAR.
  
- (F) RECORDS. EACH ELECTRIC UTILITY SHALL MAINTAIN RECORDS SUFFICIENT TO DEMONSTRATE COMPLIANCE WITH ITS TRANSMISSION AND DISTRIBUTION FACILITIES INSPECTION, MAINTENANCE, REPAIR, AND REPLACEMENT PROGRAMS AS REQUIRED BY THIS RULE.

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Effective:

Certification \_\_\_\_\_  
Gary Vigorito, Secretary

\_\_\_\_\_  
Date

Promulgated under R. C. Sec. 111.15  
Authorized by R.C. Sec. 4928.06  
Rule amplifies R.C. Sec. 4928.11  
119.032 Review date: 9/30/02  
Prior effective dates:

4901:1-10-28 NET METERING.

- (A) EACH ELECTRIC DISTRIBUTION COMPANY SHALL DEVELOP A TARIFF FOR NET METERING. SUCH TARIFF SHALL BE MADE AVAILABLE TO QUALIFYING CUSTOMER GENERATORS, UPON REQUEST, AND ON A FIRST-COME, FIRST-SERVED BASIS, WHENEVER THE TOTAL RATED GENERATING CAPACITY USED BY CUSTOMER GENERATORS IS LESS THAN ONE PER CENT OF THE ELECTRIC DISTRIBUTION COMPANY'S AGGREGATE CUSTOMER PEAK DEMAND IN THE STATE.
- (1) A QUALIFYING CUSTOMER GENERATOR IS ONE WHOSE GENERATING FACILITIES ARE:
- (a) FUELED BY SOLAR, WIND, BIOMASS, LANDFILL GAS, OR HYDROPOWER, OR USE A MICROTURBINE OR A FUEL CELL;
  - (b) LOCATED ON A CUSTOMER GENERATOR'S PREMISES;
  - (c) OPERATED IN PARALLEL WITH THE ELECTRIC UTILITY'S TRANSMISSION AND DISTRIBUTION FACILITIES; AND
  - (d) INTENDED PRIMARILY TO OFFSET PART OR ALL OF THE CUSTOMER GENERATOR'S ELECTRICITY REQUIREMENTS.
- (2) NET-METERING ARRANGEMENTS SHALL BE MADE AVAILABLE REGARDLESS OF THE DATE THE CUSTOMER'S GENERATING FACILITY WAS INSTALLED.
- (3) THE GENERATING FACILITY'S RATED CAPACITY SHALL BE COUNTED TOWARD THE ELECTRIC DISTRIBUTION COMPANY'S ONE PER CENT AGGREGATE CUSTOMER PEAK DEMAND LIMIT AS OF THE DATE THE ELECTRIC DISTRIBUTION COMPANY RECEIVES THE CUSTOMER GENERATOR'S NET-METERING APPLICATION. SUCH DATE SHALL NOT BE MODIFIED DUE TO AN INCOMPLETE APPLICATION

UNLESS SUCH APPLICATION OMITTS THE GENERATING FACILITY'S RATED CAPACITY. HOWEVER, IF THE GENERATING FACILITY DOES NOT BEGIN OPERATION WITHIN SIX MONTHS FROM THE DATE THE APPLICATION IS RECEIVED BY THE ELECTRIC DISTRIBUTION COMPANY, SUCH APPLICATION SHALL BE CONSIDERED VOID, AND SHALL NO LONGER COUNT TOWARD THE ONE PER CENT LIMIT.

- (B) THE ELECTRIC DISTRIBUTION COMPANY'S TARIFF FOR NET METERING SHALL BE IDENTICAL IN RATE STRUCTURE, ALL RETAIL RATE COMPONENTS, AND ANY MONTHLY CHARGES, TO THE TARIFF TO WHICH THE SAME CUSTOMER WOULD BE ASSIGNED IF THAT CUSTOMER WERE NOT A CUSTOMER GENERATOR. SUCH TERMS SHALL NOT CHANGE SIMPLY BECAUSE A CUSTOMER BECOMES A CUSTOMER GENERATOR. NET METERING APPLIES TO ALL CHARGES THAT ARE BASED ON A METER READING.

NO ELECTRIC DISTRIBUTION COMPANY'S TARIFF FOR NET METERING SHALL REQUIRE CUSTOMER GENERATORS TO:

- (1) COMPLY WITH ANY ADDITIONAL SAFETY OR PERFORMANCE STANDARDS BEYOND THOSE ESTABLISHED BY THE "NATIONAL ELECTRICAL CODE," THE "INSTITUTE OF ELECTRICAL AND ELECTRONICS ENGINEERS, UNDERWRITERS LABORATORIES," AND RULES 4901:1-22-03 AND 4901:1-22-04 OF THE ADMINISTRATIVE CODE.
  - (2) PERFORM OR PAY FOR ADDITIONAL TESTS BEYOND THOSE REQUIRED BY PARAGRAPH (C)(1) OF THIS RULE; OR
  - (3) PURCHASE ADDITIONAL LIABILITY INSURANCE BEYOND THAT REQUIRED BY PARAGRAPH (C)(1) OF THIS RULE.
- (C) NET METERING SHALL BE ACCOMPLISHED USING A SINGLE METER CAPABLE OF REGISTERING THE FLOW OF ELECTRICITY IN EACH DIRECTION. A CUSTOMER'S EXISTING SINGLE-REGISTER METER THAT IS CAPABLE OF

REGISTERING THE FLOW OF ENERGY IN BOTH DIRECTIONS SATISFIES THIS REQUIREMENT. IF ITS EXISTING ELECTRICAL METER IS NOT CAPABLE OF MEASURING THE FLOW OF ELECTRICITY IN TWO DIRECTIONS, THE CUSTOMER GENERATOR SHALL BE RESPONSIBLE FOR ALL EXPENSES INVOLVED IN PURCHASING AND INSTALLING A METER THAT IS CAPABLE OF MEASURING ELECTRICITY FLOW IN TWO DIRECTIONS.

- (D) THE ELECTRIC DISTRIBUTION COMPANY, AT ITS OWN EXPENSE AND WITH THE WRITTEN CONSENT OF THE CUSTOMER GENERATOR, MAY INSTALL ONE OR MORE ADDITIONAL METERS TO MONITOR THE FLOW OF ELECTRICITY IN EACH DIRECTION. NO ELECTRIC DISTRIBUTION COMPANY SHALL IMPOSE, WITHOUT COMMISSION APPROVAL, ANY ADDITIONAL INTERCONNECTION REQUIREMENT OR ADDITIONAL CHARGES ON CUSTOMER GENERATORS REFUSING TO GIVE SUCH CONSENT.
- (E) THE MEASUREMENT OF NET ELECTRICITY SUPPLIED OR GENERATED SHALL BE CALCULATED IN THE FOLLOWING MANNER:
  - (1) THE ELECTRIC DISTRIBUTION COMPANY SHALL MEASURE THE NET ELECTRICITY PRODUCED OR CONSUMED DURING THE BILLING PERIOD, IN ACCORDANCE WITH NORMAL METERING PRACTICES.
  - (2) IF THE ELECTRIC DISTRIBUTION COMPANY SUPPLIES MORE ELECTRICITY THAN THE CUSTOMER GENERATOR FEEDS BACK TO THE SYSTEM IN A GIVEN BILLING PERIOD, THE CUSTOMER GENERATOR SHALL BE BILLED FOR THE NET ELECTRICITY THAT THE ELECTRIC DISTRIBUTION COMPANY SUPPLIED, AS MEASURED IN ACCORDANCE WITH NORMAL METERING PRACTICES.
  - (3) IF THE CUSTOMER GENERATOR FEEDS MORE ELECTRICITY BACK TO THE SYSTEM THAN THE ELECTRIC DISTRIBUTION COMPANY SUPPLIES TO THE CUSTOMER GENERATOR, THE EXCESS SHALL BE ALLOWED TO ACCUMULATE AS A CREDIT UNTIL

NETTED AGAINST THE CUSTOMER GENERATOR'S BILL, OR UNTIL, AFTER THREE CONSECUTIVE MONTHS OF SUCH ACCUMULATION, THE CUSTOMER GENERATOR REQUESTS A REFUND.

- (4) IN NO EVENT SHALL THE ELECTRIC DISTRIBUTION COMPANY IMPOSE ON THE CUSTOMER GENERATOR ANY CHARGES THAT RELATE IN ANY WAY TO ELECTRICITY THE CUSTOMER GENERATOR FEEDS BACK TO THE SYSTEM.

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Effective:

Certification \_\_\_\_\_  
Gary Vigorito, Secretary

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Date

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4901:1-10-29 COORDINATION WITH COMPETITIVE RETAIL  
ELECTRIC SERVICE PROVIDERS.

- (A) EACH ELECTRIC DISTRIBUTION COMPANY SHALL COORDINATE WITH COMPETITIVE RETAIL ELECTRIC SERVICE PROVIDERS TO PROMOTE NONDISCRIMINATORY ACCESS TO ELECTRIC SERVICES, ENSURE TIMELY ENROLLMENT WITH COMPETITIVE RETAIL ELECTRIC SERVICE PROVIDERS, MAINTAIN ELECTRIC SERVICE, AND TIMELY AND CORRECTLY SWITCH COMPETITIVE RETAIL ELECTRIC SERVICE PROVIDERS.
  
- (B) EACH ELECTRIC DISTRIBUTION COMPANY SHALL ADOPT A SUPPLIER TARIFF CONTAINING STANDARDIZED REQUIREMENTS TO THE EXTENT SUCH STANDARDIZATION IS FEASIBLE. AT A MINIMUM, SUCH TARIFF SHALL INCLUDE REQUIREMENTS FOR IMBALANCES, LOAD PROFILES, SCHEDULING, BILLING (BETWEEN UTILITY AND COMPETITIVE RETAIL ELECTRIC SERVICE PROVIDER), CUSTOMER BILLING (OPTIONS, COLLECTION, APPLICATION OF CUSTOMER PAYMENTS), METERING, RETAIL SETTLEMENTS, SCHEDULING COORDINATORS, LOSSES, CUSTOMER INFORMATION (PROCEDURES FOR DISCLOSING LOAD PROFILE, ACCOUNT INFORMATION, AND PAYMENT HISTORY), DISPUTE RESOLUTION PROCESS (BETWEEN UTILITY AND COMPETITIVE RETAIL ELECTRIC SERVICE PROVIDER), STANDARD OPERATING RULES, PERFORMANCE INCENTIVES AND STANDARDS, CREDITWORTHINESS AND DEFAULT SECURITY, SUPPLIER AGREEMENT, ELECTRONIC DATA INTERCHANGE PROTOCOLS, PROVIDER ENROLLMENT WITH UTILITY, SERVICE TERMINATION AND DISCONNECTION (OF END-USER CUSTOMER), CERTIFIED PROVIDER LISTS, RETURN TO STANDARD OFFER, CUSTOMER ENROLLMENT AND SWITCHING, SUPPLIER TRAINING, AND SUPPLIER PROOF OF CERTIFICATION.
  
- (C) AN ELECTRIC DISTRIBUTION COMPANY SHALL EXECUTE WITH EACH COMPETITIVE RETAIL ELECTRIC SERVICE PROVIDER A SUPPLIER AGREEMENT TO OPERATE UNDER THE TERMS OF THE SUPPLIER TARIFF. AT MINIMUM, THE SUPPLIER AGREEMENT SHALL INCLUDE REPRESENTATIONS AND WARRANTIES, INDEMNIFICATION, LIMITATIONS ON LIABILITY, DEFAULT (BREACH), REMEDIES, FORCE MAJEURE,

FORM/FORMAT OF SCHEDULING COORDINATORS, COMMENCEMENT, AND TERM.

- (D) THE ELECTRIC DISTRIBUTION COMPANY AND COMPETITIVE RETAIL ELECTRIC SERVICE PROVIDER SHALL EXECUTE A STANDARDIZED TRADING PARTNER AGREEMENT, AS REQUIRED BY THE STANDARD ELECTRONIC TRANSMISSION PROTOCOLS.
- (E) PRE-ENROLLMENT. ELECTRIC DISTRIBUTION COMPANIES SHALL MAKE ELIGIBLE-CUSTOMER LISTS AVAILABLE TO CERTIFIED CRES PROVIDERS VIA ELECTRONIC MEDIA. SUCH LISTS SHALL BE UPDATED QUARTERLY DURING THE MARKET DEVELOPMENT PERIOD AND SHALL, AT A MINIMUM, CONTAIN CUSTOMER NAME, SERVICE AND MAILING ADDRESS, RATE SCHEDULE (CLASS AND SUB-CLASS), APPLICABLE RIDERS, LOAD PROFILE REFERENCE CATEGORY, METER TYPE, INTERVAL METER DATA INDICATOR, BUDGET BILL INDICATOR, METER READ DATE OR SCHEDULE, AND HISTORICAL CONSUMPTION DATA (ACTUAL ENERGY USAGE PLUS ANY APPLICABLE DEMAND) FOR EACH OF THE MOST RECENT TWELVE MONTHS.
- (F) CUSTOMER ENROLLMENT.
- (1) WITHIN TWO BUSINESS DAYS AFTER CONFIRMING THE VALIDATED ELECTRONIC DATA FILE FOR A CRES PROVIDER'S CUSTOMER ENROLLMENT REQUEST, THE ELECTRIC DISTRIBUTION COMPANY SHALL MAIL THE CUSTOMER A CONFIRMATION NOTICE STATING:
- (a) THAT THE ELECTRIC DISTRIBUTION COMPANY HAS RECEIVED A REQUEST TO ENROLL THE CUSTOMER FOR COMPETITIVE ELECTRIC SERVICE WITH THE NAMED CRES PROVIDER;
- (b) THE DATE SUCH SERVICE IS EXPECTED TO BEGIN;
- (c) THAT THE CUSTOMER HAS SEVEN DAYS FROM THE POSTMARK DATE ON THE NOTICE TO CONTACT THE ELECTRIC DISTRIBUTION COMPANY TO RESCIND THE ENROLLMENT

REQUEST OR NOTIFY THE ELECTRIC DISTRIBUTION COMPANY THAT THE CHANGE OF SERVICE PROVIDER WAS NOT REQUESTED BY THE CUSTOMER;

- (d) THAT THE CUSTOMER MAY REQUEST AN ACTUAL METER READING PRIOR TO THE TRANSFER OF THE SERVICE TO THE NEW PROVIDER; AND,
  - (e) THE ELECTRIC DISTRIBUTION COMPANY'S TOLL-FREE TELEPHONE NUMBER.
- (2) SUCH NOTICE SHALL NOT BE USED AS AN OPPORTUNITY FOR THE ELECTRIC DISTRIBUTION COMPANY TO CONVINCING CUSTOMERS TO REMAIN ON OR RETURN TO THE ELECTRIC DISTRIBUTION COMPANY'S STANDARD OFFER SERVICE.
  - (3) EACH ELECTRIC DISTRIBUTION COMPANY SHALL EMPLOY A TWENTY-FOUR HOUR CAPABILITY FOR ACCEPTING CRES CUSTOMER ENROLLMENT RESCISSION BY TELEPHONE.
  - (4) WHEN A CUSTOMER CALLS THE ELECTRIC DISTRIBUTION COMPANY TO RESCIND ENROLLMENT WITH A CRES PROVIDER, THE ELECTRIC DISTRIBUTION COMPANY SHALL PROVIDE THE CUSTOMER A CANCELLATION NUMBER.
  - (5) WITHIN TWO BUSINESS DAYS AFTER RECEIVING A CUSTOMER'S REQUEST TO RESCIND ENROLLMENT WITH A CRES PROVIDER, THE ELECTRIC DISTRIBUTION COMPANY SHALL INITIATE SUCH RESCISSION AND MAIL THE CUSTOMER CONFIRMATION THAT SUCH ACTION HAS BEEN TAKEN.
- (G) DEPOSITS FOR CUSTOMERS LEAVING BUNDLED OR STANDARD OFFER SERVICE.

WHEN A CUSTOMER WHO HAS PREVIOUSLY PAID A DEPOSIT TO THE ELECTRIC DISTRIBUTION COMPANY

SWITCHES TO A CRES PROVIDER AND IS NO LONGER SERVED UNDER AN ELECTRIC DISTRIBUTION COMPANY'S BUNDLED SERVICE OR STANDARD OFFER SERVICE, THE ELECTRIC DISTRIBUTION COMPANY SHALL REFUND THE EXCESS AMOUNT OF THE DEPOSIT.

(H) CUSTOMER BILLING.

- (1) ELECTRIC DISTRIBUTION COMPANIES SHALL MAKE DUAL BILLING AND CONSOLIDATED BILLING AVAILABLE TO CRES PROVIDERS.
- (2) CONSOLIDATED BILLING SHALL INCLUDE BUDGET BILLING AS A CUSTOMER-ELECTED OPTION.

(I) CUSTOMERS RETURNING TO STANDARD OFFER.

- (1) ANY CUSTOMER RETURNING TO THE STANDARD OFFER DUE TO DEFAULT, ABANDONMENT, SLAMMING, OR CERTIFICATION RESCISSION OF A CRES PROVIDER, WILL NOT BE LIABLE FOR ANY COSTS ASSOCIATED WITH THE SWITCH.
- (2) WITHIN TWO BUSINESS DAYS AFTER CONFIRMING THE VALIDATED ELECTRONIC DATA FILE FOR A CRES PROVIDER'S CUSTOMER-DROP REQUEST, THE ELECTRIC DISTRIBUTION COMPANY SHALL MAIL THE CUSTOMER A NOTICE STATING:
  - (a) THAT THE ELECTRIC DISTRIBUTION COMPANY HAS RECEIVED A REQUEST TO DROP THE CUSTOMER FROM COMPETITIVE ELECTRIC SERVICE WITH THE NAMED CRES PROVIDER;
  - (b) THE DEADLINE DATE FOR THE ELECTRIC DISTRIBUTION COMPANY TO RECEIVE A CRES PROVIDER'S REQUEST TO ENROLL THE CUSTOMER.
  - (c) THAT THE ELECTRIC DISTRIBUTION COMPANY IS AVAILABLE TO ADDRESS ANY QUESTIONS THE CUSTOMER MAY HAVE; AND

(d) THE ELECTRIC DISTRIBUTION COMPANY'S  
TOLL-FREE TELEPHONE NUMBER.

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Effective:

Certification

\_\_\_\_\_  
Gary Vigorito, Secretary

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Date

Promulgated under R. C. Sec. 111.15  
Authorized by R.C. Sec. 4928.06  
Rule amplifies R.C. Sec. 4928.10, 4928.11  
119.032 Review date: 9/30/02  
Prior effective dates:

**4901:1-10-30 FAILURES TO COMPLY WITH THE RULES OR COMMISSION ORDERS.**

- (A) ANY ELECTRIC UTILITY OR COMPETITIVE RETAIL ELECTRIC SERVICE PROVIDER THAT FAILS TO COMPLY WITH THE RULES AND STANDARDS IN THIS CHAPTER OR COMMISSION ORDER ADOPTED THEREUNDER MAY BE SUBJECT TO ANY AND ALL OF THE FOLLOWING AVAILABLE UNDER THE LAW, INCLUDING BUT NOT LIMITED TO:
- (1) FORFEITURE TO THE STATE OF NOT MORE THAN ONE THOUSAND DOLLARS FOR EACH SUCH FAILURE. EACH DAY'S CONTINUANCE OF THE VIOLATION IS A SEPARATE OFFENSE;
  - (2) CORRECTIVE ACTION TO EFFECTUATE COMPLIANCE;
  - (3) RESTITUTION OR DAMAGES TO THE CUSTOMER/CONSUMER.

ENFORCEMENT OF ANY RULE IN THIS CHAPTER OR COMMISSION ORDER ADOPTED THEREUNDER WILL BE CONDUCTED IN ACCORDANCE WITH CHAPTER 4901:1-23 OF THE ADMINISTRATIVE CODE.

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Effective:

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Gary Vigorito, Secretary

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4901:1-10-31 ENVIRONMENTAL DISCLOSURE.

- (A) THIS RULE ESTABLISHES A PROCESS BY WHICH CUSTOMERS ARE ASSURED OF RECEIVING INFORMATION, IN A TIMELY AND CONSISTENT MANNER, CONCERNING THE APPROXIMATE RETAIL GENERATION RESOURCE MIX AND ENVIRONMENTAL CHARACTERISTICS ASSOCIATED WITH ELECTRIC POWER OFFERED IN OHIO'S COMPETITIVE MARKETPLACE.
- (B) THIS RULE APPLIES TO ALL ELECTRIC DISTRIBUTION COMPANIES (EDCS) PROVIDING A STANDARD OFFER FOR RETAIL ELECTRIC GENERATION SERVICE.
- (C) DETERMINATION OF ENVIRONMENTAL DISCLOSURE DATA.
  - (1) CONTENTS OF ENVIRONMENTAL DISCLOSURE DATA.
    - (a) APPROXIMATE GENERATION RESOURCE MIX.

EACH EDC SHALL SPECIFICALLY IDENTIFY EACH OF THE FOLLOWING GENERATION SOURCES USED IN THE GENERATION OF THE POWER THAT IS MADE AVAILABLE UNDER ITS STANDARD OFFER: BIOMASS POWER, COAL-FIRED POWER, HYDRO POWER, NATURAL GAS-FIRED POWER, NUCLEAR POWER, OIL-FIRED POWER, OTHER SOURCES, SOLAR POWER, UNKNOWN PURCHASED RESOURCES, AND WIND POWER.

THE EDCS SHALL EXERCISE ALL REASONABLE EFFORTS TO IDENTIFY THE POWER SOURCE OR RESOURCE USED TO GENERATE THE POWER IN QUESTION. THE EDCS SHALL MAINTAIN DOCUMENTATION SUFFICIENT TO DEMONSTRATE THE STEPS TAKEN TO MAKE SUCH IDENTIFICATION.

- (b) ENVIRONMENTAL CHARACTERISTICS.

EDCS SHALL REPORT THE ENVIRONMENTAL CHARACTERISTICS TYPICALLY ASSOCIATED

WITH THE GENERATION RESOURCES USED TO GENERATE THE POWER THAT IS MADE AVAILABLE UNDER THEIR RESPECTIVE STANDARD OFFERS.

EDCS SHALL ALSO REPORT THE AIR EMISSIONS OF NITROGEN OXIDES, SULFUR DIOXIDE, AND CARBON DIOXIDE ASSOCIATED WITH THE GENERATION OF POWER BEING OFFERED UNDER THEIR RESPECTIVE STANDARD OFFERS.

IN ADDITION, EDCS SHALL REPORT THE GENERATION OF HIGH- AND LOW-LEVEL RADIOACTIVE WASTE ASSOCIATED WITH THE POWER BEING OFFERED UNDER THEIR STANDARD OFFERS.

- (2) METHODOLOGY FOR DETERMINING ENVIRONMENTAL DISCLOSURE DATA.
  - (a) BY DECEMBER 1, 2000, EACH EDC SHALL SUBMIT TO THE COMMISSION STAFF ITS PROPOSED METHODOLOGY FOR DETERMINING ITS ENVIRONMENTAL DISCLOSURE DATA. SUCH SUBMITTAL SHALL DETAIL THE PROPOSED METHODOLOGY FOR COMPLETING THE REQUIRED ANNUAL PROJECTION, AS WELL AS THE METHODOLOGY FOR DETERMINING AND COMPILING THE REQUIRED QUARTERLY ACTUAL DATA.
  - (b) THE ACTUAL ENVIRONMENTAL DISCLOSURE DATA, TO BE PROVIDED QUARTERLY, SHALL BE VERIFIABLE. EACH EDC SHALL MAINTAIN DOCUMENTATION SUFFICIENT TO DEMONSTRATE THE ACCURACY OF THE ACTUAL ENVIRONMENTAL DISCLOSURE DATA.
- (3) TIMING FOR DISCLOSING ENVIRONMENTAL DISCLOSURE DATA.

- (a) EDCS SHALL ANNUALLY PROJECT THEIR ENVIRONMENTAL DISCLOSURE DATA FOR AT LEAST THE SUBSEQUENT CALENDAR YEAR.
- (b) EDCS SHALL ALSO COMPLETE NO LESS THAN QUARTERLY COMPARISONS OF ACTUAL TO PROJECTED ENVIRONMENTAL DISCLOSURE DATA.
- (c) BELOW IS THE SCHEDULE APPLICABLE TO THE ENVIRONMENTAL DISCLOSURE PROCESS.

JANUARY - DISCLOSURE OF PROJECTED ENVIRONMENTAL DISCLOSURE DATA FOR CURRENT CALENDAR YEAR.

MARCH (NOT APPLICABLE DURING INITIAL YEAR OF DISCLOSURE REQUIREMENT) - DISCLOSURE OF ACTUAL ENVIRONMENTAL DISCLOSURE DATA FOR THE PRIOR CALENDAR YEAR, COMPARED TO THE PROJECTED ENVIRONMENTAL DISCLOSURE DATA FROM PRIOR CALENDAR YEAR.

JUNE - DISCLOSURE OF ACTUAL ENVIRONMENTAL DISCLOSURE DATA FOR JANUARY THROUGH MARCH OF CURRENT YEAR, COMPARED TO PROJECTED DATA FOR CURRENT CALENDAR YEAR.

SEPTEMBER - DISCLOSURE OF ACTUAL ENVIRONMENTAL DISCLOSURE DATA FOR JANUARY TO JUNE OF CURRENT YEAR, COMPARED TO PROJECTED DATA FOR CURRENT CALENDAR YEAR.

DECEMBER - DISCLOSURE OF ACTUAL ENVIRONMENTAL DISCLOSURE DATA FOR JANUARY THROUGH SEPTEMBER OF CURRENT YEAR, COMPARED TO PROJECTED DATA FOR CURRENT CALENDAR YEAR.

**(D) ENVIRONMENTAL DISCLOSURE TO CUSTOMERS.****(1) CONTENT.**

EACH CUSTOMER SHALL RECEIVE ENVIRONMENTAL DISCLOSURE DATA, AS DETAILED IN PARAGRAPH (C)(1) OF THIS RULE.

**(2) FORMAT.**

THE ENVIRONMENTAL DISCLOSURE DATA SHALL BE PROVIDED IN A STANDARDIZED FORMAT IN ORDER TO FACILITATE COMPARISONS BY CUSTOMERS. THIS DATA SHALL BE DISCLOSED IN NOT LESS THAN A TEN-POINT FONT. THE PRESENTATION OF THIS DATA SHALL COMPLY WITH EACH OF THE FOLLOWING REQUIREMENTS:

- (a) A PIE CHART SHALL BE PROVIDED WHICH ILLUSTRATES ON A PERCENTAGE BASIS THE VARIOUS GENERATION RESOURCES, AS DETAILED IN PARAGRAPH (C)(1)(A) OF THIS RULE, USED IN THE GENERATION OF POWER THAT IS MADE AVAILABLE UNDER THE STANDARD OFFER.

THE PERCENTAGES SHALL BE ROUNDED TO THE NEAREST WHOLE NUMBER. THE PIE CHART SHALL NOT INCLUDE COLORS, BUT SHALL INCLUDE THE USE OF SHADING AND LABELS TO MORE CLEARLY COMMUNICATE THE INFORMATION. THE FOLLOWING SHADES, WHEN APPLICABLE, SHALL BE UTILIZED TO DEVELOP THE PIE CHART:

BIOMASS POWER: WHITE 

COAL-FIRED POWER: FIVE PER CENT SHADING 

HYDRO POWER: TEN PER CENT SHADING 

NATURAL GAS-FIRED POWER: TWENTY PER CENT SHADING 

NUCLEAR POWER: TWENTY-FIVE PER CENT SHADING 

OIL-FIRED POWER: THIRTY PER CENT SHADING 

OTHER SOURCES: FORTY PER CENT SHADING 

SOLAR POWER: FIFTY PER CENT SHADING 

UNKNOWN PURCHASED RESOURCES: SIXTY PER CENT SHADING 

WIND POWER: SEVENTY PER CENT SHADING 

TO THE EXTENT THESE PATTERNS CANNOT BE DUPLICATED EXACTLY, EDCS SHALL EXERCISE REASONABLE EFFORTS TO SIMULATE THE REQUIRED SHADING TO THE EXTENT POSSIBLE.

- (b) A TABLE SHALL BE PROVIDED WHICH ILLUSTRATES THE TYPICAL ENVIRONMENTAL CHARACTERISTICS ASSOCIATED WITH THE GENERATION RESOURCE CATEGORIES DETAILED IN PARAGRAPH (C)(1)(A) OF THIS RULE.

THE GENERAL CATEGORIES AND ASSUMPTIONS TO BE DEPICTED IN THE TABLE ARE AS FOLLOWS:

BIOMASS POWER - RESULTS IN AIR EMISSIONS AND SOLID WASTE.

COAL-FIRED POWER - RESULTS IN AIR EMISSIONS AND SOLID WASTE.

HYDRO POWER - RESULTS IN WILDLIFE IMPACTS.

NATURAL GAS-FIRED POWER - RESULTS IN AIR EMISSIONS AND SOLID WASTE.

NUCLEAR POWER - RESULTS IN RADIOACTIVE WASTE.

OIL-FIRED POWER - RESULTS IN AIR EMISSIONS AND SOLID WASTE.

OTHER SOURCES - RESULTS IN UNKNOWN IMPACTS.

SOLAR POWER - RESULTS IN NO SIGNIFICANT IMPACTS.

UNKNOWN PURCHASED RESOURCES - RESULTS IN UNKNOWN IMPACTS.

WIND POWER - RESULTS IN WILDLIFE IMPACTS.

- (c) THE PRODUCT-SPECIFIC AIR EMISSIONS SHALL BE PRESENTED IN A BAR CHART, ALONG WITH A REGIONAL AVERAGE EMISSION REFERENCE. THE PRODUCT-SPECIFIC EMISSION RATES SHALL APPEAR AS A PERCENTAGE OF THE AVERAGE REGIONAL EMISSION RATE FOR EACH OF THE THREE TYPES OF AIR EMISSIONS. PERCENTAGES SHALL BE CALCULATED FROM COMPARISON OF PRODUCT-SPECIFIC AND AVERAGE REGIONAL EMISSION RATES ON A BASIS OF POUNDS EMITTED PER MEGAWATT HOUR (LB./MWH).
- (d) THE FIGURES REFLECTING THE GENERATION OF RADIOACTIVE WASTES SHALL BE PRESENTED IN A TABLE. HIGH-LEVEL RADIOACTIVE WASTE SHALL BE REPORTED IN POUNDS PER ONE THOUSAND KWH, WHILE LOW-LEVEL RADIOACTIVE WASTE IS TO BE REPORTED IN CUBIC FEET PER ONE THOUSAND KWH. ANY RADIOACTIVE WASTE GREATER THAN ZERO BUT LESS THAN ".0001" SHALL BE DEPICTED AS "<0.0001".

FOR USE IN THE IMPLEMENTATION OF THIS RULE, THE FOLLOWING DEFINITIONS SHALL APPLY:

HIGH-LEVEL RADIOACTIVE WASTE - MEANS NUCLEAR FUEL THAT HAS BEEN REMOVED FROM A NUCLEAR REACTOR. LOW-LEVEL RADIOACTIVE WASTE - MEANS RADIOACTIVE WASTE NOT CLASSIFIED AS HIGH-LEVEL RADIOACTIVE WASTE, TRANSURANIC WASTE, SPENT NUCLEAR FUEL, OR BY-PRODUCT

MATERIAL AS DEFINED IN SECTION 11(E)(2) OF THE "ATOMIC ENERGY ACT OF 1954."

- (e) THE ANNUAL PROJECTION OF APPROXIMATE GENERATION RESOURCE MIX AND ENVIRONMENTAL CHARACTERISTICS SHALL APPEAR AS DEPICTED IN APPENDIX A TO THIS RULE. THE REGIONAL AVERAGE DATA, IF AVAILABLE, WILL BE UPDATED BY THE COMMISSION BY DECEMBER FIRST OF EACH YEAR OR AS CONDITIONS WARRANT.

THE QUARTERLY COMPARISONS OF ACTUAL ENVIRONMENTAL DISCLOSURE DATA TO PROJECTED ENVIRONMENTAL DISCLOSURE DATA, COMPRISED OF DATA SPECIFIC TO THE EDC'S STANDARD OFFER, SHALL APPEAR AS DEPICTED IN APPENDIX TO THIS RULE.

- (f) EACH EDC SHALL MAINTAIN RECORDS DETAILING THE MAGNITUDE OF EACH ENVIRONMENTAL CHARACTERISTIC ASSOCIATED WITH THE GENERATION RESOURCES. SUCH DETAILS SHALL BE PROVIDED TO CUSTOMERS AND COMMISSION STAFF UPON REQUEST. SUCH DETAILS MAY BE INCLUDED ON AN EDC'S WEBSITE.
- (g) AN EDC MAY INCLUDE OTHER INFORMATION THAT IT FEELS IS RELEVANT TO THE REQUIRED ENVIRONMENTAL DISCLOSURE DATA, PROVIDED THIS ADDITIONAL INFORMATION IS DISTINCTLY SEPARATED FROM THE REQUIRED INFORMATION. EDCS SHALL MAINTAIN SUFFICIENT DOCUMENTATION TO PERMIT VERIFICATION OF THE ACCURACY OF ANY ADDITIONAL INFORMATION THAT IS DISCLOSED.

(3) TIMING.

- (a) ANNUAL PROJECTION.

CONSISTENT WITH THE SCHEDULE PRESENTED IN PARAGRAPH (C)(3) OF THIS RULE AND THE FORMAT DEPICTED BY APPENDIX A OF THIS RULE, THE MOST RECENT PROJECTION OF ENVIRONMENTAL DISCLOSURE DATA SHALL PROVIDED TO EACH CUSTOMER OF THE STANDARD OFFER FOR GENERATION SERVICE EITHER VIA BILL INSERT OR SEPARATE MAILING.

- (b) QUARTERLY COMPARISONS OF ACTUAL TO PROJECTED ENVIRONMENTAL DISCLOSURE DATA.

THE COMPARISON OF ACTUAL TO PROJECTED ENVIRONMENTAL DISCLOSURE DATA SHALL BE PROVIDED TO CUSTOMERS ON A QUARTERLY BASIS CONSISTENT WITH BOTH THE SCHEDULE PRESENTED IN PARAGRAPH (C)(3) OF THIS RULE AND THE FORMAT AS DEPICTED BY APPENDIX B TO THIS RULE.

THESE ITEMS WILL BE DISCLOSED TO CUSTOMERS VIA BILL INSERTS OR BY SEPARATE MAILING. THE QUARTERLY ENVIRONMENTAL DISCLOSURE CAN BE ACCOMPLISHED ELECTRONICALLY IF A CUSTOMER AGREES TO SUCH AN APPROACH.

- (E) ENVIRONMENTAL DISCLOSURE TO THE COMMISSION.

EACH EDC SHALL SUBMIT ITS ANNUAL PROJECTION AND QUARTERLY COMPARISONS OF ENVIRONMENTAL DISCLOSURE DATA TO THE DEPUTY DIRECTOR OF THE UTILITIES DEPARTMENT OR THEIR DESIGNEE CONSISTENT WITH THE SCHEDULE PRESENTED IN DIVISION (C)(3)(C) OF THIS RULE, ON ELECTRONIC MEDIA (E.G. DISKETTES) AS PRESCRIBED BY THE COMMISSION. THE INFORMATION PROVIDED TO THE COMMISSION STAFF SHALL BE IDENTICAL IN CONTENT AND FORMAT TO THAT PROVIDED TO CUSTOMERS.

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