



www.lsc.ohio.gov

OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research
and Drafting

Legislative Budget
Office

H.B. 173
136th General Assembly

Fiscal Note & Local Impact Statement

[Click here for H.B. 173's Bill Analysis](#)

Version: As Passed by the House

Primary Sponsor: Rep. D. Thomas

Local Impact Statement Procedure Required: No

Kyuhan Choi, Economist

Highlights

- The bill requires the Public Utilities Commission of Ohio (PUCO) to register certain submetered utility service providers, with potential administrative costs offset by registration fees, while having minimal fiscal impact on local governments.

Detailed Analysis

The bill exempts providers of submetered utility services from being classified as public utilities, allowing them to operate without full regulatory oversight by the Public Utilities Commission of Ohio (PUCO). However, the bill requires submetered utility service providers that resell electricity to a tenant based on metered consumption at the tenant's dwelling unit to register with PUCO. All other submetered utility service providers (e.g., private owner of a charging station that sells electricity for electric vehicle charging) may be compelled to register at PUCO's discretion. The initial registration fee is \$1,000, and the same registration fee is charged for each subsequent biennial registration. PUCO must use all registration fees collected to pay costs related to submetered utility service provider regulation.

The bill limits providers reselling electricity to tenants or condominium unit owners to charge no more than the applicable residential customer standard service offer and all tariffed charges. Moreover, for those submetered utility service providers that resell electricity to a tenant based on metered consumption at the tenant's dwelling unit at a property or community with more than 50 dwelling units, the bill requires both a compliance plan and an interim compliance plan be filed with PUCO. The interim plan must be filed within the first year of the bill's effective date, and the permanent compliance plan must be filed after that annual period once PUCO adopts rules to implement the bill.

Both varieties of compliance plans require specific disclosure about how the submetered utility service provider will comply with enumerated requirements. PUCO must investigate

written complaints against submetered utility service providers or landlords for their failure to comply with the submitted plans. Additionally, the bill also establishes penalties up to \$100 per day per uncured violation, and a \$10,000 forfeiture for operating without an approved compliance plan, or revocation of a provider's registration with a bar on providing service for up to two years. Penalties are collected by the Attorney General at PUCO's direction and deposited into the GRF.

Under the bill, PUCO will implement a registration system, which could lead to administrative costs for creating and managing the process, depending on whether it chooses to require registration for an optional subset of submetered utility service providers. It may charge up to \$1,000 per provider as a registration fee, which could help offset those costs. The Attorney General will have authority to enforce civil forfeitures for noncompliance. There is no direct fiscal impact on local governments.