

Sub. H. B. No. 96
As Passed by the Senate
JFSCD32; JFSCD31; PUCCD7

_____ moved to amend as follows:

In line 106551, strike through "universal service" and insert "percentage of income payment plan" 1
2
In line 106552, strike through "4928.51" and insert "4928.52" 3
In line 106664, strike through "development" and insert "job and family services" 4
5
Reinsert line 106668 6
In line 106669, reinsert "assistance programs" 7
In line 106685, after "to" insert "division (C) of" 8
After line 106718, insert: 9

"Sec. 4928.52. (A) Beginning ~~July-January 1, 2000, the~~ 10
2026, the percentage of income payment plan rider shall replace, 11
for each electric distribution utility, the universal service 12
rider shall replace the percentage of income payment plan rider 13
in existence on the effective date of the amendment of this 14
section and any amount in the rates of an electric utility for 15
the funding of low-income customer energy efficiency programs by 16
this act. The universal service percentage of income payment 17

plan rider shall be a rider on retail electric distribution 18
service rates as such rates are determined by the public 19
utilities commission pursuant to this chapter. The ~~universal-~~ 20
~~service percentage of income payment plan rider for the first-~~ 21
~~five years after the starting date of competitive retail-~~ 22
~~electric service shall be the sum of all of recover~~ the 23
following: 24

(1) ~~The level of prudently incurred costs of providing the~~ 25
~~percentage of income payment plan program rider in existence on-~~ 26
~~the effective date of this section~~for each electric distribution 27
utility; 28

(2) ~~An amount equal to the level of funding for low-income~~ 29
~~customer energy efficiency programs provided through electric-~~ 30
~~utility rates in effect on the effective date of this section~~The 31
total of the electric distribution utilities' allocated shares, 32
as determined by the public utilities commission, under division 33
(B) (1) of this section; 34

(3) Any additional amount necessary and sufficient to fund 35
through the ~~universal service percentage of income payment plan~~ 36
rider the administrative costs of the low-income customer 37
assistance programs ~~and the consumer education program created-~~ 38
~~in section 4928.56 of the Revised Code.~~ 39

~~(B) (1) If, during or after the five-year period-~~ 40
~~specified in division (A) of this section, the director of-~~ 41
~~development, after consultation with the public benefits-~~ 42
~~advisory board created under section 4928.58 of the Revised-~~ 43
~~Code, determines that revenues in the universal service fund and~~ 44
~~revenues from federal or other sources of funding for those-~~ 45
~~programs, including general revenue fund appropriations for the-~~ 46
~~Ohio energy credit program, will be insufficient to cover the-~~ 47

~~administrative costs of the low-income customer assistance~~ 48
~~programs and the consumer education program and provide adequate~~ 49
~~funding for those programs, the director shall file a petition~~ 50
~~with the commission for an increase in the universal service~~ 51
~~rider. The commission, after reasonable notice and opportunity~~ 52
~~for hearing, may adjust the universal service rider by the~~ 53
~~minimum amount necessary to provide the additional revenues. The~~ 54
~~commission shall not decrease the universal service rider~~ 55
~~without the approval of the director, after consultation by the~~ 56
~~director with the advisory board~~allocate to each electric 57
distribution utility a share of the funding for low-income 58
customer assistance programs administered by the director of job 59
and family services according to each electric distribution 60
utility's annual distribution service revenues. 61

(2) Each electric distribution utility's allocation 62
determined under division (B) (1) of this section shall include a 63
separately designated allocation equal to the electric 64
distribution utility's share of an amount not to exceed fifteen 65
million dollars annually for funding the consumer education 66
program administered by the department of job and family 67
services under section 4928.56 of the Revised Code. 68

(C) On the thirtieth day of June of each year, each 69
electric distribution utility shall remit to the department for 70
deposit in the electric partnership plan fund the utility's 71
share of the following: 72

(1) The utility's allocation determined under division (B) 73
(2) of this section for funding the consumer education program 74
administered by the department of job and family services under 75
section 4928.56 of the Revised Code; 76

(2) The costs under division (A) (3) of this section for 77

the administration of the low-income customer assistance 78
programs administered by the director. 79

~~(C)~~ (D) The universal service percentage of income payment 80
plan rider established under division (A) or (B) of this section 81
shall be set in such a manner so as not to shift among the 82
customer classes of electric distribution utilities the costs of 83
funding low-income customer assistance programs. 84

Sec. 4928.53. (A) Beginning July 1, ~~2000~~2026, the director 85
of ~~development is hereby authorized to~~ job and family services 86
shall administer the low-income customer assistance programs, 87
except for the percentage of income payment plan rider 88
established under section 4928.52 of the Revised Code. For that 89
~~purpose, the public utilities commission shall cooperate with~~ 90
~~and provide such assistance as the director requires for~~ 91
~~administration of the low-income customer assistance programs.~~ 92
The director shall consolidate the administration of and 93
redesign and coordinate the operations of ~~these~~ the low-income 94
customer assistance programs within the department to provide, 95
to the maximum extent possible, for efficient program 96
administration and a one-stop application and eligibility 97
determination process at the local level for consumers. 98

(B) (1) ~~Not later than March 1, 2000, the~~ The director, in 99
accordance with Chapter 119. of the Revised Code, shall adopt 100
rules to carry out sections 4928.51 to 4928.58 of the Revised 101
Code and ensure the effective and efficient administration and 102
operation of the low-income customer assistance programs. ~~The~~ 103
~~rules shall take effect on July 1, 2000.~~ 104

(2) The director's authority to adopt rules under this 105
division for the Ohio energy credit program shall be subject to 106
such rule-making authority as is conferred on the director of 107

development by sections 5117.01 to 5117.12 of the Revised Code, 108
as amended by Sub. S.B. No. 3 of the 123rd general assembly, 109
except that rules initially adopted by the director of 110
development for the Ohio energy credit program shall incorporate 111
the substance of those sections as they exist on the effective 112
date of this section. 113

(3) ~~The director's~~ Under the director of job and family 114
service's authority to adopt rules under this ~~division~~ section, 115
the director may adopt rules for the percentage of income 116
payment plan program ~~shall include authority to adopt, including~~ 117
rules prescribing criteria for customer eligibility and policies 118
regarding payment and crediting arrangements and 119
responsibilities, and procedures for verifying customer 120
eligibility, ~~procedures for disbursing public funds to suppliers~~ 121
~~and otherwise administering funds under the director's~~ 122
~~jurisdiction, and requirements as to timely remittances of~~ 123
~~revenues described in division (B) of section 4928.51 of the~~ 124
Revised Code. The rules shall prohibit the imposition of a 125
waiting period before enrolling an eligible customer in the 126
percentage of income payment plan. ~~The director's authority in~~ 127
~~division (B) (3) of this section excludes authority to prescribe~~ 128
~~service disconnection and customer billing policies and~~ 129
~~procedures and to address complaints against suppliers under the~~ 130
~~percentage of payment plan program, which excluded authority~~ 131
~~shall be exercised by the public utilities commission, in~~ 132
~~coordination with the director.~~ Rules adopted by the director 133
under this division for the percentage of income payment plan 134
program shall specify a level of payment responsibility to be 135
borne by an eligible customer based on a percentage of the 136
customer's income. ~~Rules initially adopted by the director for~~ 137
~~the percentage of income payment plan program shall incorporate~~ 138

~~the eligibility criteria and payment arrangement and~~ 139
~~responsibility policies set forth in rule 4901:1-18-04(B) of the~~ 140
~~Ohio Administrative Code in effect on the effective date of this~~ 141
~~section.~~ 142

Sec. 4928.54. ~~The director of development services public~~ 143
~~utilities commission~~ shall aggregate percentage of income 144
payment plan program customers for the purpose of establishing a 145
competitive procurement process for the supply of competitive 146
retail electric service for those customers. The process shall 147
be an auction. Only bidders certified under section 4928.08 of 148
the Revised Code may participate in the auction. 149

Sec. 4928.542. The winning bid or bids selected through 150
the competitive procurement process established under section 151
4928.54 of the Revised Code shall meet all of the following 152
requirements: 153

(A) Be designed to provide reliable competitive retail 154
electric service to percentage of income payment plan program 155
customers; 156

(B) Reduce the cost of the percentage of income payment 157
plan program relative to the otherwise applicable standard 158
service offer established under sections 4928.141 and 4928.142 159
of the Revised Code; 160

(C) Result in the best value for persons paying the 161
~~universal service percentage of income payment plan~~ rider under 162
section 4928.52 of the Revised Code. 163

Sec. 4928.543. ~~The director of development services public~~ 164
~~utilities commission~~ shall adopt rules ~~in accordance with~~ 165
~~Chapter 119. of the Revised Code~~ to implement sections 4928.54, 166
4928.541, and 4928.542 of the Revised Code. The rules shall 167

ensure a fair and unbiased auction process and the performance 168
of the winning bidder or bidders. 169

Sec. 4928.544. ~~(A) For the purpose of facilitating~~ 170
compliance with sections 4928.54, 4928.541, and 4928.542 of the 171
Revised Code, ~~and upon written request by the director of~~ 172
~~development services,~~ the public utilities commission shall 173
design, manage, and supervise the competitive procurement 174
process required by section 4928.54 of the Revised Code. To the 175
extent reasonably possible, and to minimize costs, the process 176
may be designed based on any existing competitive procurement 177
process for the establishment of the default generation supply 178
price for electric distribution utilities. 179

This ~~division~~ section does not preclude a process design 180
that is based on a competitive procurement process that applies 181
to the combined certified territories of electric distribution 182
utilities subject to common ownership. 183

~~(B) The director of development services shall reimburse~~ 184
~~the commission for its costs incurred under division (A) of this~~ 185
~~section. The reimbursements constitute administrative costs of~~ 186
~~the low-income customer assistance programs for the purpose of~~ 187
~~division (A) of section 4928.51 of the Revised Code.~~ 188

Sec. 4928.545. The public utilities commission shall 189
administer the percentage of income payment plan rider 190
established under section 4928.52 of the Revised Code, including 191
by performing periodic audits of each electric distribution 192
utility's percentage of income payment plan rider. 193

The commission shall adopt rules for the administration of 194
the percentage of income payment plan rider and shall cooperate 195
with, and provide such assistance to, the director of job and 196

		<u>family services as the director requires for administration of</u>			197
		<u>the low-income customer assistance programs."</u>			198
		In the table on line 146543, in row AJ, delete "\$176,222,102" and			199
		insert "\$0"			200
		In the table on line 146543, in rows AX and CR, subtract			201
		\$176,222,102 from fiscal year 2027			202
		In the table on line 149293, after row Q insert:			203
		"			204
					205
	1	2	3	4	5
A	5M40	6006B2	Low Income Energy	\$0	\$176,222,102
			Assistance		
			"		206
		In the table on line 149293, in rows S and BA, add \$176,222,102 to			207
		fiscal year 2027			208
		In line 155500, delete "Energy Efficiency and Weatherization			209
		Program" and insert "Low-income customer assistance programs"			210
		In line 155502, delete the period and insert a semicolon			211
		After line 155502, insert:			212
		"(4) Electric Partnership Plan Fund."			213
		Update title, amend, enact, and repeal clauses accordingly			214

The motion was _____ agreed to.

SYNOPSIS

	215
Electric Partnership Plan Fund	216
R.C. 4928.51	217
Restores provisions from the As Passed by the House	218
version that require all revenues be remitted to the ODJFS	219
Director for placement in the Electric Partnership Plan (EPP)	220
Fund, and requires the EPP Fund to consist of any amount	221
necessary to fund the low-income customer assistance program	222
administrative costs.	223
Low-income customer assistance program administration	224
R.C. 4928.53; Section 525.20	225
Restores the transfer of the administration of low-income	226
customer assistance programs and the EPP Fund to ODJFS from the	227
As Passed by the House version.	228
PIPP Rider creation and Universal Service Rider repeal	229
R.C. 4928.52, 4928.53, 4928.54, 4928.542, 4928.543,	230
4928.544, and 4928.545; R.C. 4928.34 (technical change)	231
Restores provisions from the As Passed by the House	232
version that:	233
- Replace the Universal Service rider with the Percentage	234
of Income Payment Plan (PIPP) rider;	235
- Require the PIPP rider to recover certain costs;	236
- Establish certain requirements regarding each EDU's	237
allocated shares for funding the low-income customer assistance	238
programs;	239
- Require PUCO to administer the PIPP rider and establish	240

a competitive procurement process for the supply of competitive 241
retail electric service for PIPP customers. 242

Department of Job and Family Services and Department of 243
Development 244

Sections 259.10 and 307.10 245

Restores funding to the Executive and As Passed by the 246
House versions of the bill by moving an appropriation of 247
\$176,222,102 in FY 2027 from Fund 5M40 ALI 195659, Low Income 248
Energy Assistance (USF), under DEV, to Fund 5M40 ALI 6006B2, Low 249
Income Energy Assistance, under ODJFS. 250