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OHIO LEGISLATIVE SERVICE COMMISSION

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H.B. 260
134th General Assembly

Fiscal Note & Local Impact Statement

[Click here for H.B. 260's Bill Analysis](#)

Version: As Introduced

Primary Sponsors: Reps. Lanese and Troy

Local Impact Statement Procedure Required: No

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Highlights

- Potential reduction in prospective electricity expenditures incurred by state agencies and political subdivisions, under specified circumstances.

Detailed Analysis

The bill requires all charges paid by customers to a public utility that are later found to be unreasonable, unlawful, imprudent, or otherwise improper, by the Supreme Court or other authority, to be “fully refunded to the customers who paid such charges, not later than one year following the issuance of the Supreme Court or other authority’s decision.” The bill also requires affected utilities to include interest in such repayments, calculated using an interest rate corresponding to the utility’s long-term cost of debt.¹

The Ohio Supreme Court has previously issued a decision² that regarded a PUCO-approved charge to be “both unlawful and unreasonable.” If such an occurrence were to happen after the bill’s effective date, affected customers, inclusive of state agencies and political subdivisions, would receive refunds.

HB0260IN/zg

¹ The Public Utilities Commission of Ohio (PUCO) would likely have ascertained that rate in an earlier adjudication.

² For example, the Distribution Modernization Rider by the FirstEnergy companies (Slip Opinion No. 2019-Ohio-2401).