

Before
The Ohio House of Representatives
Select Committee on Energy Policy and Oversight

Testimony on House Bill 798

By
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December 16, 2020

Hello Chair Hoops, Vice-Chair Abrams, Ranking Member Leland and members of the House Select Committee on Energy Policy and Oversight. I hope you and your colleagues are well. Thank you for this opportunity to testify on House Bill 798, which revisits House Bill 6. We appreciate Speaker Cupp's appointment of this Select Committee to take a fresh look at the issues involved in House Bill 6.

Last year the Office of the Ohio Consumers' Counsel (OCC) testified seven times against the now tainted House Bill 6. And now we've testified five times this year to repeal it. Under the circumstances, we support House Bill 772, with its broader repeal and consumer protection.

The taint on House Bill 6 is terrible and the response should include a repeal and a legislative investigation. I've also asked for an investigation by the PUCO, and that has been slow to materialize. The credit ratings agency, Standard & Poor's, recently has this to say about the key proponent of House Bill 6, FirstEnergy:

We believe these violations at the highest level of the company are
demonstrative of insufficient internal controls and a cultural

weakness. We view the severity of these violations as significantly outside of industry norms and, in our view, they represent a material deficiency in the company's governance. (Khalid, U., "S&P downgrades FirstEnergy following \$1.95B draw on revolving credit facility," S&P Global Market Intelligence (Nov. 25, 2020).)

At the outset and before discussing how House Bill 798 and Amendment 3757 are lacking for consumer protection, we thank you for proposing to repeal the so-called "decoupling" charge for FirstEnergy in House Bill 6. FirstEnergy's recently fired CEO had described the charge as partly recession-proofing FirstEnergy. What an outrageous imposition that is on the two million FirstEnergy consumers who are paying to recession-proof FirstEnergy – and all the worse given the many Ohioans who are struggling in the current health and financial crisis.

But please take more steps for consumer protection on this decoupling issue. The bill should prohibit the PUCO from authorizing any decoupling charges, now that the green-energy mandates are repealed. Similar to House Bill 772, please require FirstEnergy to refund consumers for all the House Bill 6 decoupling charges that consumers will have paid up until the date of repeal. FirstEnergy should not be allowed to walk away from this issue with even a penny of Ohioans' money. There should not be a repeat of the consumer rip-off that occurred when the PUCO enabled FirstEnergy to keep, without refunds, its charges for the so-called distribution modernization rider when the Ohio Supreme Court invalidated the charge on June 19, 2019.

Attached is an amendment (AM 3810) for refunds. Also, Amendment 3810 would prohibit the PUCO from allowing electric utilities to charge consumers for decoupling.

Additionally attached is a pie chart showing how electric consumers have been denied \$1.5 billion in refunds since 2009, after utilities collected charges that were invalidated by rulings of the Ohio Supreme Court.

And thank you also for proposing to repeal the provision that was slipped into House Bill 166 (the state budget bill) for FirstEnergy. That new provision (in O.R.C.4928.143(F)) could enhance FirstEnergy's profits at consumer expense. That profits statute is a cousin of House Bill 6, as it was enacted for FirstEnergy during the time period of House Bill 6. This repeal provision should be added to House Bill 772, which is our preferred legislation for repeal of House Bill 6.

As mentioned, House Bill 798 has shortcomings that should be corrected for consumer protection. (Note that references in this testimony to "House Bill 798" should be understood to include Amendment 3757.) Principally, the problems are that House Bill 798 perpetuates the House Bill 6 subsidies for making millions of Ohio electric consumers pay corporate welfare. The charges to consumers are for the two former nuclear plants of FirstEnergy (now Energy Harbor). And the charges are for two uneconomic, polluting coal plants of AEP, Duke, Dayton Power & Light, and others.

The attached Amendment 3819 provides for a three-year phase-out of the coal plant bailout. OCC developed this approach per some interest expressed by a Select Committee member during OCC's December 3rd testimony. Also, the attached Amendment 3808 would end the nuclear bailout.

Regarding the negative impact of House Bill 6 on the market (and related economic benefits), its passage already drove out investors from two Ohio natural gas plants. One was

the Lordstown Energy Center's 940 MW natural gas-fired plant (in Lordstown, Ohio). And the other was the Troy Generation Facility's 700 MW dual fuel plant (in Luckey, Ohio).

Further, if there is to be a nuclear bailout at Ohioans' expense, then Energy Harbor's CEO should be made to appear before this Select Committee. Energy Harbor's CEO should testify, answer members' questions and sign a form attesting to the need (if true) for a billion-dollar subsidy from Ohioans. And the CEO should state (if true) that it will close Davis-Besse or Perry or both nuclear plants in the absence of a specified bailout. The testimony of Energy Harbor's CEO should be made under penalty of perjury. That's what the state expects of Ohioans when they are in desperate need of financial assistance to pay utilities like FirstEnergy. Ohioans are required to sign their assistance application form (which is attached) under this declaration: "I declare under penalty of perjury that the information submitted in this application is true and correct." Energy Harbor should be treated no differently right now, before further bailout-related legislation is passed.

House Bill 798 and Amendment 3757 create an audit as a consumer protection solution to the problem of allowing the nuclear bailout. We do appreciate that there at least would be an audit. But the audit falls short. The audit standard is not effective for consumer protection, giving too much of consumers' money to Energy Harbor and too little protection to consumers. *The attached Amendment 3806 would make important improvements for the audit to provide it a chance of protecting consumers.*

The audit should be improved in at least three ways. First, the bill language for the audit should be changed to expressly disallow Energy Harbor from collecting a subsidy from Ohioans for non-cash expenses like depreciation. Depreciation is not an expense that Energy

Harbor pays to anyone. No vendor is trying to collect a bill for depreciation from Energy Harbor. The most assistance Energy Harbor should receive from a bailout is help paying operating expenses, that in theory need to be paid to keep the plants running. Depreciation and other non-cash expenses do not need to be paid to keep the plants running and should be expressly disallowed in the bill from the subsidy charged to consumers.

Second, the bill should be changed to involve the PJM Independent Market Monitor in the audit. The Market Monitor is an expert in the costs of competitive power plants. That expertise should be brought to bear as a participant and watchdog in the PUCO's audit process. That participation would be important for consumers because, as can be seen on the Subsidy Scorecard and elsewhere, the PUCO has had a subsidy culture that benefits utilities at consumer expense.

Third, House Bill 798 and Amendment 3757 lack a public process that would allow stakeholders such as the consumers' representative (OCC) to participate in the process. We appreciate that OCC's suitability for the audit process was noted by the Ohio Energy Group's witness, during the Q and A segment of his December 8, 2020 testimony before this Committee.

Finally, there is a shameful provision in House Bill 6, Section 5 (O.R.C. 4928.75), that diverts some federal financial assistance away from consumers who desperately need it. It involves the federal Home Energy Assistance Program (HEAP) funds. House Bill 6 requires the Ohio Development Services Agency to annually seek a waiver from the federal government to allow diverting some HEAP funds away from consumers for bill-payment assistance and toward subsidizing low-income weatherization. This part of House Bill 6

should be repealed. House Bill 798 fails to repeal it.

In this regard, House Bill 772 would have Ohio *lead with its heart* to repeal this provision and protect important financial assistance for Ohioans who are in desperate need of money during the current health and financial crisis. *Attached is Amendment 3771 to repeal this section of House Bill 6, for the protection of so many who are in need.*

Too many of our fellow Ohioans lack adequate funds for basics like food, rent, healthcare, and utilities. Weatherizing a home (that likely would be done for a landlord, not for the consumer) is a far greater expenditure of the limited HEAP funds per consumer than bill payment assistance. That means using HEAP funds for weatherization helps just a fraction of the Ohioans who can be helped using HEAP for bill payment assistance. Especially during these desperate times for many, funds for assistance should be focused on helping Ohioans pay their energy utility bills.

To conclude, FirstEnergy (and its former generation subsidiary, now Energy Harbor) like to make money the old-fashioned way – by convincing government to give them other people’s money. Business has been good, with FirstEnergy collecting \$10 billion dollars in subsidies from Ohioans since Ohio’s landmark electric deregulation law in 1999. OCC’s Subsidy Scorecard shows that, since 1999, consumers have paid Ohio electric utilities nearly \$15 billion in subsidies. The Subsidy Scorecard is attached. At this point, enough is more than enough.

The “business” of public bailouts for energy companies should be shut down, and House Bill 772 (not House Bill 798) does that. Market competition, not government, should decide where to allocate capital. Increasingly, a competitive market will send capital to

renewable companies. See “The New Energy Giants are Renewable Companies,” Bloomberg Green, by Eckhouse, et al. (Nov. 30, 2020).

House Bill 772 strikes the right tone for this moment in time, in repealing billion-dollar subsidies to coal and nuclear power plants. House Bill 798 falls short. Ohio should stick to its pro-market deregulation law. Ohio should send a clear message of disapproval about the scandal. And Ohio should address in this legislation the current social context of an ongoing health and financial crisis where many Ohioans lack adequate money for food, rent, healthcare, and utilities. Please enact House Bill 772.

Thank you for your consideration.

_____ moved to amend as follows:

In line 2 of the title, delete the first "and"; after "4928.471"	1
insert ", 4928.66, and 4928.6610"	2
In line 4 of the title, after "4928.473" insert ", 4928.474"	3
In line 10 of the title, after "law" insert ", to repeal the	4
decoupling law in,"; after "and" insert "amend"; after "other" insert	5
"provisions of,"	6
In line 15, delete the first "and"; after "4928.471" insert ",	7
4928.66, and 4928.6610"	8
In line 16, after "4928.473" insert ", 4928.474"	9
In line 87, after " <u>3706.491.</u> " insert " <u>(A)</u> "	10
In line 387, strike through ", a revenue"	11
In line 388, strike through "decoupling mechanism or any other	12
incentive ratemaking,"	13
In line 612, delete the first "._" and insert " <u>H</u> "; delete "... " and	14
insert " <u>798</u> "	15
In line 614, delete the first "._" and insert " <u>H</u> "; delete "... " and	16



insert "798"

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After line 624, insert:

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"Sec. 4928.474. Upon the effective date of this section,
and notwithstanding section 4905.32 of the Revised Code and any
other provision in Title XLIX of the Revised Code to the
contrary, the full amount of revenues collected from customers
through an amount, charge, mechanism, or rider established under
section 4928.471 of the Revised Code, as that section existed
prior to the effective date of the amendments to that section by
H.B. 798 of the 133rd general assembly, shall be promptly
refunded to customers from whom the revenues were collected.
Refunds paid to customers shall be allocated to customer classes
in the same proportion as originally collected.

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Sec. 4928.66. (A) (1) (a) Beginning in 2009, an electric
distribution utility shall implement energy efficiency programs
that achieve energy savings equivalent to at least three-tenths
of one per cent of the total, annual average, and normalized
kilowatt-hour sales of the electric distribution utility during
the preceding three calendar years to customers in this state.
An energy efficiency program may include a combined heat and
power system placed into service or retrofitted on or after the
effective date of the amendment of this section by S.B. 315 of
the 129th general assembly, September 10, 2012, or a waste
energy recovery system placed into service or retrofitted on or
after September 10, 2012, except that a waste energy recovery
system described in division (A) (38) (b) of section 4928.01 of
the Revised Code may be included only if it was placed into
service between January 1, 2002, and December 31, 2004. For a
waste energy recovery or combined heat and power system, the
savings shall be as estimated by the public utilities

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commission. The savings requirement, using such a three-year
average, shall increase to an additional five-tenths of one per
cent in 2010, seven-tenths of one per cent in 2011, eight-tenths
of one per cent in 2012, nine-tenths of one per cent in 2013,
and one per cent in 2014. In 2015 and 2016, an electric
distribution utility shall achieve energy savings equal to the
result of subtracting the cumulative energy savings achieved
since 2009 from the product of multiplying the baseline for
energy savings, described in division (A) (2) (a) of this section,
by four and two-tenths of one per cent. If the result is zero or
less for the year for which the calculation is being made, the
utility shall not be required to achieve additional energy
savings for that year, but may achieve additional energy savings
for that year. The annual savings requirements shall be, for
years 2017, 2018, 2019, and 2020, an additional one per cent of
the baseline. For purposes of a waste energy recovery or
combined heat and power system, an electric distribution utility
shall not apply more than the total annual percentage of the
electric distribution utility's industrial-customer load,
relative to the electric distribution utility's total load, to
the annual energy savings requirement.

(b) Beginning in 2009, an electric distribution utility
shall implement peak demand reduction programs designed to
achieve a one per cent reduction in peak demand in 2009 and an
additional seventy-five hundredths of one per cent reduction
each year through 2014. In 2015 and 2016, an electric
distribution utility shall achieve a reduction in peak demand
equal to the result of subtracting the cumulative peak demand
reductions achieved since 2009 from the product of multiplying
the baseline for peak demand reduction, described in division
(A) (2) (a) of this section, by four and seventy-five hundredths

of one per cent. If the result is zero or less for the year for 78
which the calculation is being made, the utility shall not be 79
required to achieve an additional reduction in peak demand for 80
that year, but may achieve an additional reduction in peak 81
demand for that year. In 2017 and each year thereafter through 82
2020, the utility shall achieve an additional seventy-five 83
hundredths of one per cent reduction in peak demand. 84

(2) For the purposes of divisions (A)(1)(a) and (b) of 85
this section: 86

(a) The baseline for energy savings under division (A)(1) 87
(a) of this section shall be the average of the total kilowatt 88
hours the electric distribution utility sold in the preceding 89
three calendar years. The baseline for a peak demand reduction 90
under division (A)(1)(b) of this section shall be the average 91
peak demand on the utility in the preceding three calendar 92
years, except that the commission may reduce either baseline to 93
adjust for new economic growth in the utility's certified 94
territory. Neither baseline shall include the load and usage of 95
any of the following customers: 96

(i) Beginning January 1, 2017, a customer for which a 97
reasonable arrangement has been approved under section 4905.31 98
of the Revised Code; 99

(ii) A customer that has opted out of the utility's 100
portfolio plan under section 4928.6611 of the Revised Code; 101

(iii) A customer that has opted out of the utility's 102
portfolio plan under Section 8 of S.B. 310 of the 130th general 103
assembly. 104

(b) The commission may amend the benchmarks set forth in 105
division (A)(1)(a) or (b) of this section if, after application 106

by the electric distribution utility, the commission determines 107
that the amendment is necessary because the utility cannot 108
reasonably achieve the benchmarks due to regulatory, economic, 109
or technological reasons beyond its reasonable control. 110

(c) Compliance with divisions (A) (1) (a) and (b) of this 111
section shall be measured by including the effects of all 112
demand-response programs for mercantile customers of the subject 113
electric distribution utility, all waste energy recovery systems 114
and all combined heat and power systems, and all such mercantile 115
customer-sited energy efficiency, including waste energy 116
recovery and combined heat and power, and peak demand reduction 117
programs, adjusted upward by the appropriate loss factors. Any 118
mechanism designed to recover the cost of energy efficiency, 119
including waste energy recovery and combined heat and power, and 120
peak demand reduction programs under divisions (A) (1) (a) and (b) 121
of this section may exempt mercantile customers that commit 122
their demand-response or other customer-sited capabilities, 123
whether existing or new, for integration into the electric 124
distribution utility's demand-response, energy efficiency, 125
including waste energy recovery and combined heat and power, or 126
peak demand reduction programs, if the commission determines 127
that that exemption reasonably encourages such customers to 128
commit those capabilities to those programs. If a mercantile 129
customer makes such existing or new demand-response, energy 130
efficiency, including waste energy recovery and combined heat 131
and power, or peak demand reduction capability available to an 132
electric distribution utility pursuant to division (A) (2) (c) of 133
this section, the electric utility's baseline under division (A) 134
(2) (a) of this section shall be adjusted to exclude the effects 135
of all such demand-response, energy efficiency, including waste 136
energy recovery and combined heat and power, or peak demand 137

reduction programs that may have existed during the period used 138
to establish the baseline. The baseline also shall be normalized 139
for changes in numbers of customers, sales, weather, peak 140
demand, and other appropriate factors so that the compliance 141
measurement is not unduly influenced by factors outside the 142
control of the electric distribution utility. 143

(d) (i) Programs implemented by a utility may include the 144
following: 145

(I) Demand-response programs; 146

(II) Smart grid investment programs, provided that such 147
programs are demonstrated to be cost-beneficial; 148

(III) Customer-sited programs, including waste energy 149
recovery and combined heat and power systems; 150

(IV) Transmission and distribution infrastructure 151
improvements that reduce line losses; 152

(V) Energy efficiency savings and peak demand reduction 153
that are achieved, in whole or in part, as a result of funding 154
provided from the universal service fund established by section 155
4928.51 of the Revised Code to benefit low-income customers 156
through programs that include, but are not limited to, energy 157
audits, the installation of energy efficiency insulation, 158
appliances, and windows, and other weatherization measures. 159

(ii) No energy efficiency or peak demand reduction 160
achieved under divisions (A) (2) (d) (i) (IV) and (V) of this 161
section shall qualify for shared savings. 162

(iii) Division (A) (2) (c) of this section shall be applied 163
to include facilitating efforts by a mercantile customer or 164
group of those customers to offer customer-sited demand- 165

response, energy efficiency, including waste energy recovery and 166
combined heat and power, or peak demand reduction capabilities 167
to the electric distribution utility as part of a reasonable 168
arrangement submitted to the commission pursuant to section 169
4905.31 of the Revised Code. 170

(e) No programs or improvements described in division (A) 171
(2) (d) of this section shall conflict with any statewide 172
building code adopted by the board of building standards. 173

(B) In accordance with rules it shall adopt, the public 174
utilities commission shall produce and docket at the commission 175
an annual report containing the results of its verification of 176
the annual levels of energy efficiency and of peak demand 177
reductions achieved by each electric distribution utility 178
pursuant to division (A) of this section. A copy of the report 179
shall be provided to the consumers' counsel. 180

(C) If the commission determines, after notice and 181
opportunity for hearing and based upon its report under division 182
(B) of this section, that an electric distribution utility has 183
failed to comply with an energy efficiency or peak demand 184
reduction requirement of division (A) of this section, the 185
commission shall assess a forfeiture on the utility as provided 186
under sections 4905.55 to 4905.60 and 4905.64 of the Revised 187
Code, either in the amount, per day per undercompliance or 188
noncompliance, relative to the period of the report, equal to 189
that prescribed for noncompliances under section 4905.54 of the 190
Revised Code, or in an amount equal to the then existing market 191
value of one renewable energy credit per megawatt hour of 192
undercompliance or noncompliance. Revenue from any forfeiture 193
assessed under this division shall be deposited to the credit of 194
the advanced energy fund created under section 4928.61 of the 195

Revised Code.

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~~(D) The commission may establish rules regarding the content of an application by an electric distribution utility for commission approval of a revenue decoupling mechanism under this division. Such an application shall not be considered an application to increase rates and may be included as part of a proposal to establish, continue, or expand energy efficiency or conservation programs. The commission by order may approve an application under this division if it determines both that the revenue decoupling mechanism provides for the recovery of revenue that otherwise may be forgone by the utility as a result of or in connection with the implementation by the electric distribution utility of any energy efficiency or energy conservation programs and reasonably aligns the interests of the utility and of its customers in favor of those programs.~~

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~~(E)~~ The commission additionally shall adopt rules that require an electric distribution utility to provide a customer upon request with two years' consumption data in an accessible form.

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~~(F)(1)~~ (E)(1) As used in divisions ~~(F)(2)~~ (E)(2), (3), and (4) of this section, "portfolio plan" has the same meaning as in division (C)(1) of section 4928.6610 of the Revised Code.

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(2) If an electric distribution utility has a portfolio plan in effect as of October 22, 2019, the effective date of the amendments to this section by H.B. 6 of the 133rd general assembly and that plan expires before December 31, 2020, the commission shall extend the plan through that date. All portfolio plans shall terminate on that date.

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(3) If a portfolio plan is extended beyond its commission

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approved term by division ~~(F) (2)~~ (E) (2) of this section, the 225
existing plan's budget shall be increased for the extended term 226
to include an amount equal to the annual average of the approved 227
budget for all years of the portfolio plan in effect as of 228
October 22, 2019, the effective date of the amendments to this 229
section by H.B. 6 of the 133rd general assembly. 230

(4) All other terms and conditions of a portfolio plan 231
extended beyond its commission-approved term by division ~~(F) (2)~~ 232
(E) (2) of this section shall remain the same unless changes are 233
authorized by the commission. 234

~~(G) (1)~~ (F) (1) Not later than February 1, 2021, the 235
commission shall determine the cumulative energy savings 236
collectively achieved, since 2009, by all electric distribution 237
utilities in this state as of December 31, 2020. In determining 238
that cumulative total, the commission shall do both of the 239
following: 240

(a) Include energy savings that were estimated by the 241
commission to be achieved as of December 31, 2020, and banked 242
under division (G) of section 4928.662 of the Revised Code; 243

(b) Use an energy savings baseline that is the average of 244
the total kilowatt hours sold by all electric distribution 245
utilities in this state in the calendar years 2018, 2019, and 246
2020. The baseline shall exclude the load and usage described in 247
division (A) (2) (a) (i), (ii), and (iii) of this section. That 248
baseline may also be reduced for new economic growth in the 249
utility's certified territory as provided in division (A) (2) (a) 250
of this section and adjusted and normalized as provided in 251
division (A) (2) (c) of this section. 252

(2) (a) If the cumulative energy savings collectively 253

achieved as determined by the commission under division ~~(G) (1)~~ 254
(F) (1) of this section is at least seventeen and one-half per 255
cent of the baseline described in division ~~(G) (1) (b)~~ (F) (1) (b) 256
of this section, then full compliance with division (A) (1) (a) of 257
this section shall be deemed to have been achieved 258
notwithstanding any provision of this section to the contrary. 259

(b) If the cumulative energy savings collectively achieved 260
as determined by the commission under division ~~(G) (1)~~ (F) (1) of 261
this section is less than seventeen and one-half per cent of the 262
baseline described in division ~~(G) (1) (b)~~ (F) (1) (b) of this 263
section, then both of the following shall apply: 264

(i) The commission shall determine the manner in which 265
further implementation of energy efficiency programs shall occur 266
as may be reasonably necessary for collective achievement of 267
cumulative energy savings equal to seventeen and one-half 268
~~percent~~ per cent, and not more, of the baseline described in 269
division ~~(G) (1) (b)~~ (F) (1) (b) of this section. 270

(ii) Full compliance with division (A) (1) (a) of this 271
section shall be deemed to be achieved as of a date certain 272
established by the commission notwithstanding any provision of 273
this section to the contrary. 274

(3) Upon the date that full compliance with division (A) 275
(1) (a) of this section is deemed achieved under division ~~(G) (2)~~ 276
~~(a)~~ (F) (2) (a) or (b) of this section, any electric distribution 277
utility cost recovery mechanisms authorized by the commission 278
for compliance with this section shall terminate except as may 279
be necessary to reconcile the difference between revenue 280
collected and the allowable cost of compliance associated with 281
compliance efforts occurring prior to the date upon which full 282
compliance with division (A) (1) (a) of this section is deemed 283

achieved. No such cost recovery mechanism shall be authorized by 284
the commission beyond the period of time required to complete 285
this final reconciliation. 286

Sec. 4928.6610. As used in sections 4928.6611 to 4928.6615 287
of the Revised Code: 288

(A) "Customer" means either of the following: 289

(1) Effective January 1, 2020, a mercantile customer as 290
defined in section 4928.01 of the Revised Code; 291

(2) Any customer of an electric distribution utility to 292
which either of the following applies: 293

(a) The customer receives service above the primary 294
voltage level as determined by the utility's tariff 295
classification. 296

(b) The customer is a commercial or industrial customer to 297
which both of the following apply: 298

(i) The customer receives electricity through a meter of 299
an end user or through more than one meter at a single location 300
in a quantity that exceeds forty-five million kilowatt hours of 301
electricity for the preceding calendar year. 302

(ii) The customer has made a written request for 303
registration as a self-assessing purchaser pursuant to section 304
5727.81 of the Revised Code. 305

(B) "Energy intensity" means the amount of energy, from 306
electricity, used or consumed per unit of production. 307

(C) "Portfolio plan" means either of the following: 308

(1) The comprehensive energy efficiency and peak-demand 309
reduction program portfolio plan required under rules adopted by 310

the public utilities commission and codified in Chapter 4901:1- 311
39 of the Administrative Code or hereafter recodified or 312
amended; 313

(2) Any plan implemented pursuant to division ~~(G)~~ (F) of 314
section 4928.66 of the Revised Code." 315

In line 668, delete "and"; after "4928.471" insert ", 4928.66, and 316
4928.6610" 317

The motion was _____ agreed to.

SYNOPSIS 318

Decoupling repeal and refund 319

R.C. 4928.143, 4928.474, and 4928.66; R.C. 4928.6610 320
(conforming change) 321

Repeals decoupling provisions (ongoing law enacted prior 322
to H.B. 6) that permit electric distribution utilities, as part 323
of their electric security plans, to include a (1) revenue 324
decoupling mechanism or any other incentive ratemaking regarding 325
distribution service or (2) decoupling mechanism for energy 326
efficiency or conservation programs. 327

Requires customer refunds of the full amount of the 328
revenues collected through an amount, charge, mechanism, or 329
rider established under the decoupling provision of H.B. 6 as 330
that section existed prior to the effective date of the 331
amendments to that section by H.B. 798. 332

Requires refunds to be made promptly to customers from 333

whom the revenues were collected and to be allocated to customer	334
classes in the same proportion as originally collected.	335
Specifies that refunds under the bill must be made	336
notwithstanding any other provision in Ohio utility law,	337
including the current law that prohibits refunds.	338
Technical change	339
R.C. 3706.491 and 4928.471	340
Corrects the tabulation in R.C. 3706.491 and inserts the	341
H.B. 798 bill number in R.C. 4928.471.	342

OHIOANS DENIED \$1.5 BILLION IN ELECTRIC REFUNDS SINCE 2009

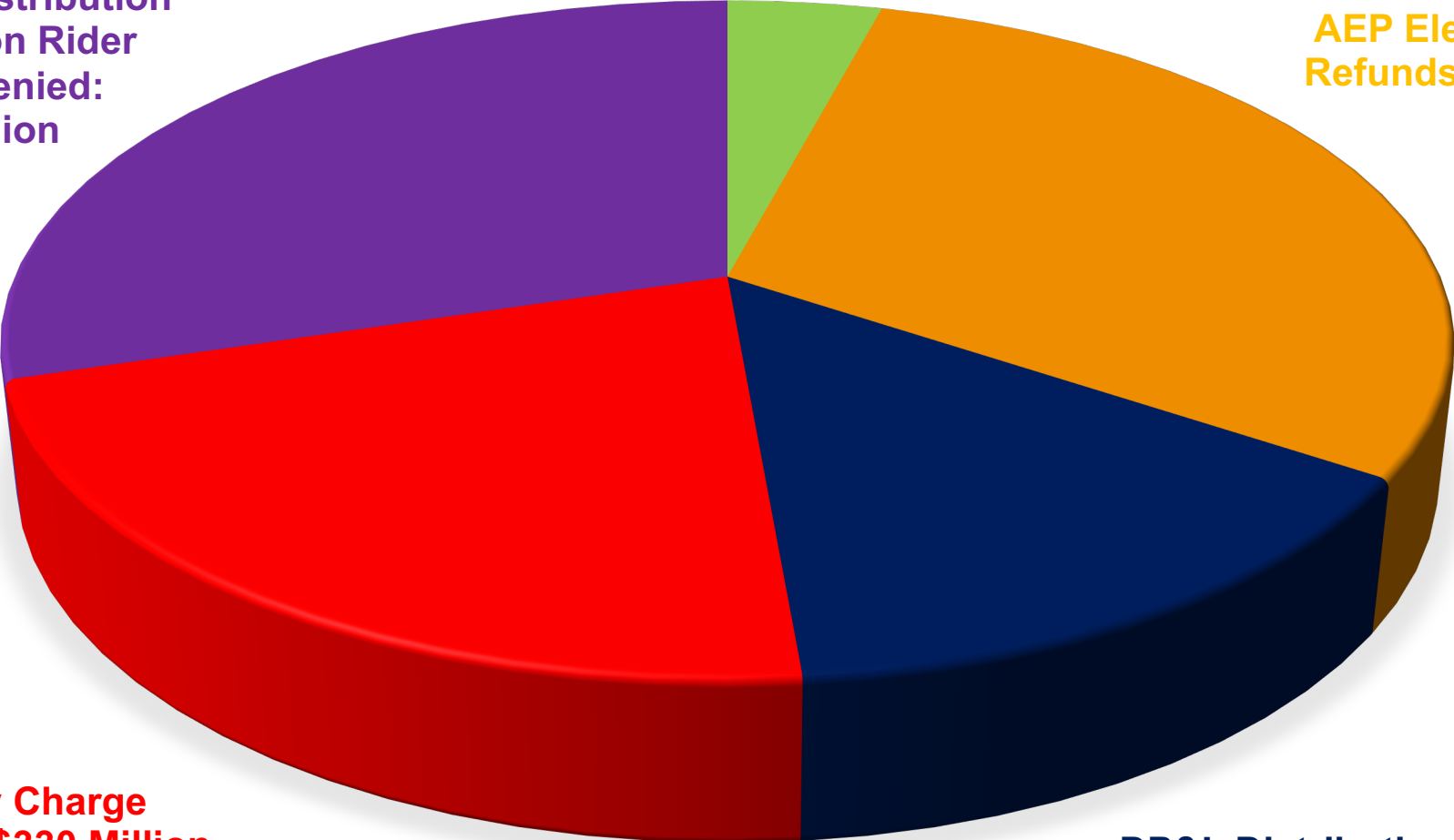
AEP Electric Security Plan I
Refunds Denied: \$63 Million

AEP Electric Security Plan II
Refunds Denied: \$463 Million

FirstEnergy Distribution
Modernization Rider
Refunds Denied:
\$456 Million

DP&L Stability Charge
Refunds Denied: \$330 Million

DP&L Distribution Modernization Rider
Refunds Denied: \$218 Million



H. B. No. 798

As Introduced

_____ moved to amend as follows:

In line 2 of the title, after "4928.143" insert ", 4928.148" 1

In line 15, after "4928.143" insert ", 4928.148" 2

In line 87, after "3706.491." insert "(A)" 3

After line 548, insert: 4

"Sec. 4928.148. (A) On January 1, 2020, any mechanism 5
authorized by the public utilities commission prior to ~~the~~ 6
~~effective date of this section October 22, 2019,~~ for retail 7
recovery of prudently incurred costs related to a legacy 8
generation resource shall be replaced by a nonbypassable rate 9
mechanism established by the commission for recovery of those 10
costs through ~~December 31, 2030~~ January 1, 2030, from customers of 11
all electric distribution utilities in this state. The 12
nonbypassable rate mechanism shall be established through a 13
process that the commission shall determine is not for an 14
increase in any rate, joint rate, toll, classification, charge, 15
or rental, notwithstanding anything to the contrary in Title 16
XLIX of the Revised Code. All of the following shall apply to 17
the nonbypassable rate mechanism established under this section: 18

(1) The commission shall determine, in the years specified 19
in this division, the prudence and reasonableness of the actions 20
of electric distribution utilities with ownership interests in 21
the legacy generation resource, including their decisions 22
related to offering the contractual commitment into the 23
wholesale markets, and exclude from recovery those costs that 24
the commission determines imprudent and unreasonable. The 25
initial determination shall be made during 2021 regarding the 26
prudence and reasonableness of such actions during calendar year 27
2020. ~~The commission shall again make the determination in 2024,~~ 28
~~2027, and 2030 regarding the prudence and reasonableness of such~~ 29
~~actions during the three calendar years that preceded the year~~ 30
~~in which the determination is made.~~ 31

(2) The commission shall determine the proper rate design 32
for recovering or remitting the prudently incurred costs related 33
to a legacy generation resource, provided, however, that the 34
monthly charge or credit for those costs, including any 35
deferrals or credits, shall not exceed one dollar and fifty 36
cents per customer per month for residential customers. For all 37
other customer classes, the commission shall establish 38
comparable monthly caps for each class at or below one thousand 39
five hundred dollars per customer. Insofar as the prudently 40
incurred costs related to a legacy generation resource exceed 41
these monthly limits, the electric distribution utility shall 42
defer the remaining prudently incurred costs as a regulatory 43
asset or liability that shall be recovered as determined by the 44
commission subject to the monthly caps set forth in this 45
division. 46

(3) The commission shall provide for discontinuation, 47
subject to final reconciliation, of the nonbypassable rate 48
mechanism on ~~December 31~~ January 1, 2030 2024, including recovery 49

of any deferrals that exist at that time. 50

(4) The commission shall determine the manner in which 51
charges collected under this section by a utility with no 52
ownership interest in a legacy generation resource shall be 53
remitted to the utilities with such ownership interests, in 54
direct proportion to each utility's sponsorship interest. 55

(B) An electric distribution utility, including all 56
electric distribution utilities in the same holding company, 57
shall bid all output from a legacy generation resource into the 58
wholesale market and shall not use the output in supplying its 59
standard service offer provided under section 4928.142 or 60
4928.143 of the Revised Code. 61

(C) The owners or operators of a utility with a 62
nonbypassable mechanism established pursuant to division (A) of 63
this section shall recover costs described in that division at 64
the following rates: 65

(1) During the calendar year 2021, the owners shall 66
receive one hundred per cent of their costs. 67

(2) During the calendar year 2022, the owners shall 68
receive sixty-seven per cent of their costs. 69

(3) During the calendar year 2023, the owners shall 70
receive thirty-three per cent of their costs. 71

(D) A nonbypassable rate mechanism described in division 72
(A) of this section shall not be revived, reimposed, 73
reestablished, or in any way reinstituted as a result of this 74
act, or commission order, decision, or rule, and no amount, 75
charge, mechanism, or rider related to such mechanism may be 76
assessed or collected from customers." 77

In line 612, delete the first "." and insert "H"; delete "... " and
insert "798" 78 79

In line 614, delete the first "." and insert "H"; delete "... " and
insert "798" 80 81

In line 668, after "4928.143" insert ", 4928.148" 82

The motion was _____ agreed to.

SYNOPSIS 83

Legacy generation resource; technical change 84

R.C. 3706.491, 4928.148 and 4928.471 85

Terminates on January 1, 2024, any nonbypassable rate 86
mechanism established by the public utilities commission for 87
retail recovery of prudently incurred costs related to an LGR. 88

Prohibits any of these nonbypassable rate mechanisms from 89
being revived, reimposed, reestablished, or in any way 90
reinststituted after termination. 91

Allows for owners or operators of a utility with such a 92
nonbypassable mechanism to recover LGR-related costs at the 93
following rates: 94

--100% during 2021. 95

--67% during 2022. 96

--33% during 2023. 97

Makes technical changes: corrects the tabulation in R.C. 98

3706.491 and inserts the H.B. 798 bill number in R.C. 4928.471.

99

H. B. No. 798

As Introduced

_____ moved to amend as follows:

In line 1 of the title, delete "3706.46, 3706.49, 3706.55,"	1
In line 2 of the title, delete "3706.61,"; delete "and"; after	2
"4928.471" insert ", 4928.64, 4928.641,"; after "and" insert "4928.645;"	3
In line 3 of the title, delete "3706.491, 3706.551,"	4
In line 5 of the title, after "5311.197" insert "; and to repeal	5
sections 3706.40, 3706.41, 3706.43, 3706.431, 3706.45, 3706.46, 3706.49,	6
3706.53, 3706.55, 3706.59, 3706.61, 3706.63, 3706.65, 4928.642, and	7
5727.231"	8
In line 6 of the title, delete "delay for one year the charges and"	9
Delete line 7 of the title	10
In line 8 of the title, delete "energy credits, and revise certain	11
other laws," and insert "repeal certain provisions of law"	12
In line 14, delete "3706.46, 3706.49, 3706.55,"	13
In line 15, delete "3706.61,"; delete "and"; after "4928.471" insert	14
", 4928.64, 4928.641, and 4928.645"	15
In line 16, delete "3706.491, 3706.551,"	16



Delete lines 19 through 249	17
In line 612, delete " <u>..B. ...</u> " and insert " <u>H.B. 798</u> "	18
In line 614, delete " <u>..B. ...</u> " and insert " <u>H.B. 798</u> "	19
After line 624, insert:	20
 "Sec. 4928.64. (A) (1) As used in this section, "qualifying renewable energy resource" means a renewable energy resource, as defined in section 4928.01 of the Revised Code that:	21 22 23
(a) Has a placed-in-service date on or after January 1, 1998;	24 25
(b) Is any run-of-the-river hydroelectric facility that has an in-service date on or after January 1, 1980;	26 27
(c) Is a small hydroelectric facility;	28
(d) Is created on or after January 1, 1998, by the modification or retrofit of any facility placed in service prior to January 1, 1998; or	29 30 31
(e) Is a mercantile customer-sited renewable energy resource, whether new or existing, that the mercantile customer commits for integration into the electric distribution utility's demand-response, energy efficiency, or peak demand reduction programs as provided under division (A) (2) (c) of section 4928.66 of the Revised Code, including, but not limited to, any of the following:	32 33 34 35 36 37 38
(i) A resource that has the effect of improving the relationship between real and reactive power;	39 40
(ii) A resource that makes efficient use of waste heat or other thermal capabilities owned or controlled by a mercantile	41 42

customer; 43

(iii) Storage technology that allows a mercantile customer 44
more flexibility to modify its demand or load and usage 45
characteristics; 46

(iv) Electric generation equipment owned or controlled by 47
a mercantile customer that uses a renewable energy resource. 48

(2) For the purpose of this section and as it considers 49
appropriate, the public utilities commission may classify any 50
new technology as such a qualifying renewable energy resource. 51

(B) (1) By the end of 2026, an electric distribution 52
utility shall have provided from qualifying renewable energy 53
resources, including, at its discretion, qualifying renewable 54
energy resources obtained pursuant to an electricity supply 55
contract, a portion of the electricity supply required for its 56
standard service offer under section 4928.141 of the Revised 57
Code, and an electric services company shall have provided a 58
portion of its electricity supply for retail consumers in this 59
state from qualifying renewable energy resources, including, at 60
its discretion, qualifying renewable energy resources obtained 61
pursuant to an electricity supply contract. That portion shall 62
equal eight and one-half per cent of the total number of 63
kilowatt hours of electricity sold by the subject utility or 64
company to any and all retail electric consumers whose electric 65
load centers are served by that utility and are located within 66
the utility's certified territory or, in the case of an electric 67
services company, are served by the company and are located 68
within this state. However, nothing in this section precludes a 69
utility or company from providing a greater percentage. 70

(2) ~~Subject to section 4928.642 of the Revised Code, the~~ 71

The portion required under division (B) (1) of this section shall 72
be generated from renewable energy resources in accordance with 73
the following benchmarks: 74

75

	1	2	3
A	By end of year	Renewable energy resources	Solar energy resources
B	2009	0.25%	0.004%
C	2010	0.50%	0.010%
D	2011	1%	0.030%
E	2012	1.5%	0.060%
F	2013	2%	0.090%
G	2014	2.5%	0.12%
H	2015	2.5%	0.12%
I	2016	2.5%	0.12%
J	2017	3.5%	0.15%
K	2018	4.5%	0.18%
L	2019	5.5%	0.22%
M	2020	5.5%	0%
N	2021	6%	0%

O	2022	6.5%	0%
P	2023	7%	0%
Q	2024	7.5%	0%
R	2025	8%	0%
S	2026	8.5%	0%

(3) The qualifying renewable energy resources implemented 76
by the utility or company shall be met either: 77

(a) Through facilities located in this state; or 78

(b) With resources that can be shown to be deliverable 79
into this state. 80

(C) (1) The commission annually shall review an electric 81
distribution utility's or electric services company's compliance 82
with the most recent applicable benchmark under division (B) (2) 83
of this section and, in the course of that review, shall 84
identify any undercompliance or noncompliance of the utility or 85
company that it determines is weather-related, related to 86
equipment or resource shortages for qualifying renewable energy 87
resources as applicable, or is otherwise outside the utility's 88
or company's control. 89

(2) Subject to the cost cap provisions of division (C) (3) 90
of this section, if the commission determines, after notice and 91
opportunity for hearing, and based upon its findings in that 92
review regarding avoidable undercompliance or noncompliance, but 93
subject to division (C) (4) of this section, that the utility or 94
company has failed to comply with any such benchmark, the 95
commission shall impose a renewable energy compliance payment on 96

the utility or company. 97

(a) The compliance payment pertaining to the solar energy 98
resource benchmarks under division (B) (2) of this section shall 99
be an amount per megawatt hour of undercompliance or 100
noncompliance in the period under review, as follows: 101

(i) Three hundred dollars for 2014, 2015, and 2016; 102

(ii) Two hundred fifty dollars for 2017 and 2018; 103

(iii) Two hundred dollars for 2019. 104

(b) The compliance payment pertaining to the renewable 105
energy resource benchmarks under division (B) (2) of this section 106
shall equal the number of additional renewable energy credits 107
that the electric distribution utility or electric services 108
company would have needed to comply with the applicable 109
benchmark in the period under review times an amount that shall 110
begin at forty-five dollars and shall be adjusted annually by 111
the commission to reflect any change in the consumer price index 112
as defined in section 101.27 of the Revised Code, but shall not 113
be less than forty-five dollars. 114

(c) The compliance payment shall not be passed through by 115
the electric distribution utility or electric services company 116
to consumers. The compliance payment shall be remitted to the 117
commission, for deposit to the credit of the advanced energy 118
fund created under section 4928.61 of the Revised Code. Payment 119
of the compliance payment shall be subject to such collection 120
and enforcement procedures as apply to the collection of a 121
forfeiture under sections 4905.55 to 4905.60 and 4905.64 of the 122
Revised Code. 123

(3) An electric distribution utility or an electric 124

services company need not comply with a benchmark under division 125
(B) (2) of this section to the extent that its reasonably 126
expected cost of that compliance exceeds its reasonably expected 127
cost of otherwise producing or acquiring the requisite 128
electricity by three per cent or more. The cost of compliance 129
shall be calculated as though any exemption from taxes and 130
assessments had not been granted under section 5727.75 of the 131
Revised Code. 132

(4) (a) An electric distribution utility or electric 133
services company may request the commission to make a force 134
majeure determination pursuant to this division regarding all or 135
part of the utility's or company's compliance with any minimum 136
benchmark under division (B) (2) of this section during the 137
period of review occurring pursuant to division (C) (2) of this 138
section. The commission may require the electric distribution 139
utility or electric services company to make solicitations for 140
renewable energy resource credits as part of its default service 141
before the utility's or company's request of force majeure under 142
this division can be made. 143

(b) Within ninety days after the filing of a request by an 144
electric distribution utility or electric services company under 145
division (C) (4) (a) of this section, the commission shall 146
determine if qualifying renewable energy resources are 147
reasonably available in the marketplace in sufficient quantities 148
for the utility or company to comply with the subject minimum 149
benchmark during the review period. In making this 150
determination, the commission shall consider whether the 151
electric distribution utility or electric services company has 152
made a good faith effort to acquire sufficient qualifying 153
renewable energy or, as applicable, solar energy resources to so 154
comply, including, but not limited to, by banking or seeking 155

renewable energy resource credits or by seeking the resources 156
through long-term contracts. Additionally, the commission shall 157
consider the availability of qualifying renewable energy or 158
solar energy resources in this state and other jurisdictions in 159
the PJM interconnection regional transmission organization, 160
L.L.C., or its successor and the midcontinent independent system 161
operator or its successor. 162

(c) If, pursuant to division (C) (4) (b) of this section, 163
the commission determines that qualifying renewable energy or 164
solar energy resources are not reasonably available to permit 165
the electric distribution utility or electric services company 166
to comply, during the period of review, with the subject minimum 167
benchmark prescribed under division (B) (2) of this section, the 168
commission shall modify that compliance obligation of the 169
utility or company as it determines appropriate to accommodate 170
the finding. Commission modification shall not automatically 171
reduce the obligation for the electric distribution utility's or 172
electric services company's compliance in subsequent years. If 173
it modifies the electric distribution utility or electric 174
services company obligation under division (C) (4) (c) of this 175
section, the commission may require the utility or company, if 176
sufficient renewable energy resource credits exist in the 177
marketplace, to acquire additional renewable energy resource 178
credits in subsequent years equivalent to the utility's or 179
company's modified obligation under division (C) (4) (c) of this 180
section. 181

(5) The commission shall establish a process to provide 182
for at least an annual review of the renewable energy resource 183
market in this state and in the service territories of the 184
regional transmission organizations that manage transmission 185
systems located in this state. The commission shall use the 186

results of this study to identify any needed changes to the 187
amount of the renewable energy compliance payment specified 188
under divisions (C)(2)(a) and (b) of this section. Specifically, 189
the commission may increase the amount to ensure that payment of 190
compliance payments is not used to achieve compliance with this 191
section in lieu of actually acquiring or realizing energy 192
derived from qualifying renewable energy resources. However, if 193
the commission finds that the amount of the compliance payment 194
should be otherwise changed, the commission shall present this 195
finding to the general assembly for legislative enactment. 196

(D) The commission annually shall submit to the general 197
assembly in accordance with section 101.68 of the Revised Code a 198
report describing all of the following: 199

(1) The compliance of electric distribution utilities and 200
electric services companies with division (B) of this section; 201

(2) The average annual cost of renewable energy credits 202
purchased by utilities and companies for the year covered in the 203
report; 204

(3) Any strategy for utility and company compliance or for 205
encouraging the use of qualifying renewable energy resources in 206
supplying this state's electricity needs in a manner that 207
considers available technology, costs, job creation, and 208
economic impacts. 209

The commission shall begin providing the information 210
described in division (D)(2) of this section in each report 211
submitted after September 10, 2012. The commission shall allow 212
and consider public comments on the report prior to its 213
submission to the general assembly. Nothing in the report shall 214
be binding on any person, including any utility or company for 215

the purpose of its compliance with any benchmark under division 216
(B) of this section, or the enforcement of that provision under 217
division (C) of this section. 218

(E) All costs incurred by an electric distribution utility 219
in complying with the requirements of this section shall be 220
bypassable by any consumer that has exercised choice of supplier 221
under section 4928.03 of the Revised Code. 222

Sec. 4928.641. (A) If an electric distribution utility has 223
executed a contract before April 1, 2014, to procure renewable 224
energy resources and there are ongoing costs associated with 225
that contract that are being recovered from customers through a 226
bypassable charge as of September 12, 2014, that cost recovery 227
shall, ~~regardless of the amendments to section 4928.64 of the~~ 228
~~Revised Code by H.B. 6 of the 133rd general assembly,~~ continue 229
on a bypassable basis ~~through December 31, 2032~~ until the 230
prudently incurred costs associated with that contract are fully 231
recovered. 232

(B) Division (A) of this section applies only to costs 233
associated with the original term of a contract described in 234
that division and entered into before April 1, 2014. This 235
section does not permit recovery of costs associated with an 236
extension of such a contract. This section does not permit 237
recovery of costs associated with an amendment of such a 238
contract if that amendment was made on or after April 1, 2014. 239

Sec. 4928.645. (A) An electric distribution utility or 240
electric services company may use, for the purpose of complying 241
with the requirements under divisions (B)(1) and (2) of section 242
4928.64 of the Revised Code, renewable energy credits any time 243
in the five calendar years following the date of their purchase 244
or acquisition from any entity, including, but not limited to, 245

the following: 246

(1) A mercantile customer; 247

(2) An owner or operator of a hydroelectric generating 248
facility that is located at a dam on a river, or on any water 249
discharged to a river, that is within or bordering this state or 250
within or bordering an adjoining state, or that produces power 251
that can be shown to be deliverable into this state; 252

(3) A seller of compressed natural gas that has been 253
produced from biologically derived methane gas, provided that 254
the seller may only provide renewable energy credits for metered 255
amounts of gas. 256

(B) (1) The public utilities commission shall adopt rules 257
specifying that one unit of credit shall equal one megawatt hour 258
of electricity derived from renewable energy resources, except 259
that, for a generating facility of seventy-five megawatts or 260
greater that is situated within this state and has committed by 261
December 31, 2009, to modify or retrofit its generating unit or 262
units to enable the facility to generate principally from 263
biomass energy by June 30, 2013, each megawatt hour of 264
electricity generated principally from that biomass energy shall 265
equal, in units of credit, the product obtained by multiplying 266
the actual percentage of biomass feedstock heat input used to 267
generate such megawatt hour by the quotient obtained by dividing 268
the then existing unit dollar amount used to determine a 269
renewable energy compliance payment as provided under division 270
(C) (2) (b) of section 4928.64 of the Revised Code by the then 271
existing market value of one renewable energy credit, but such 272
megawatt hour shall not equal less than one unit of credit. 273
Renewable energy resources do not have to be converted to 274
electricity in order to be eligible to receive renewable energy 275

credits. The rules shall specify that, for purposes of 276
converting the quantity of energy derived from biologically 277
derived methane gas to an electricity equivalent, one megawatt 278
hour equals 3,412,142 British thermal units. 279

(2) The rules also shall provide for this state a system 280
of registering renewable energy credits by specifying which of 281
any generally available registries shall be used for that 282
purpose and not by creating a registry. That selected system of 283
registering renewable energy credits shall allow a hydroelectric 284
generating facility to be eligible for obtaining renewable 285
energy credits and shall allow customer-sited projects or 286
actions the broadest opportunities to be eligible for obtaining 287
renewable energy credits. 288

~~(C) Beginning January 1, 2020, a qualifying renewable 289
resource as defined in section 3706.40 of the Revised Code is 290
not eligible to obtain a renewable energy credit under this 291
section for any megawatt hour for which the resource has been 292
issued a renewable energy credit under section 3706.45 of the 293
Revised Code."~~ 294

In line 667, delete "3706.46, 3706.49," 295

In line 668, delete "3706.55, 3706.61,"; delete "and"; after 296
"4928.471" insert ", 4928.64, 4928.641, and 4928.645" 297

After line 669, insert: 298

"Section 3. That sections 3706.40, 3706.41, 3706.43, 299
3706.431, 3706.45, 3706.46, 3706.49, 3706.53, 3706.55, 3706.59, 300
3706.61, 3706.63, 3706.65, 4928.642, and 5727.231 of the Revised 301
Code are hereby repealed." 302

In line 670, delete "3" and insert "4" 303

The motion was _____ agreed to.

SYNOPSIS

	304
Nuclear resource and renewable energy credit program	305
repeal	306
R.C. 4928.64, 4928.641, and 4928.645; R.C. 3706.40 to	307
3706.65, 4928.642, and 5727.231 (repealed)	308
Repeals provisions of H.B. 6 of the 133rd General Assembly	309
that do the following:	310
--Eliminates the nuclear and renewable energy resource	311
credit program that requires each electric distribution utility	312
(EDU) to collect a per-customer monthly charge on all rate	313
payers in Ohio to subsidize credits for qualifying nuclear	314
resources and qualifying renewable resources (certain in-state	315
solar energy resources) for which facility owners or operators	316
apply to the Ohio Air Quality Development Authority;	317
--Disallow future reductions in the taxable value of	318
tangible personal property of electric companies that are or a	319
part of a qualifying nuclear resource receiving nuclear resource	320
credits from the Authority;	321
--Remove the renewable energy compliance reduction based	322
on kilowatt hours produced by solar energy resources qualified	323
to receive renewable energy credits under the H.B. 6 renewable	324
energy credit program;	325
--Eliminate the prohibition against an in-state solar	326
energy resource getting both a renewable energy credit under the	327
H.B. 6 renewable energy credit program and a renewable energy	328

credit under ongoing law enacted prior to H.B. 6. 329

--Removes the provision that allows an EDU, only to the 330
end of 2032, to recover costs through a bypassable charge for a 331
renewable resource procurement contract executed before April 1, 332
2014 and revives prior law that allowed recovery until the 333
prudently incurred costs are recovered. 334

Technical change 335

R.C. 4928.471 336

Inserts the H.B. 798 bill number in references to the bill 337
in R.C. 4928.471. 338

ENERGY ASSISTANCE PROGRAMS APPLICATION JULY 2020 – MAY 2021

Ohio's Energy Assistance Programs can help income eligible Ohioans manage their utility bills. The Home Energy Assistance Program (HEAP), and emergency HEAP provide the benefit directly to a customer's utility bill. The Percentage of Income Payment Plan Plus (PIPP) is an extended payment plan in which customers pay a percentage of their income toward their utility bill each month. If you are looking to improve the energy efficiency of your home, the Home Weatherization Assistance Program (HWAP) or Electric Partnership Program (EPP) can help. For HWAP and EPP visit energyhelp.ohio.gov to find your local provider and contact them for additional information

You can apply for the Energy Assistance Programs by visiting energyhelp.ohio.gov and completing the online application, by completing this application and mailing it in, or by scheduling an appointment with your local Energy Assistance Provider or HWAP/EPP provider. If you mail in your application, it can take up to 12 weeks to process. Please note: HEAP benefits will be applied to your utility bill starting in January.

Here's what you'll need to complete this application:

- Proof of citizenship for each household member
- Copies of your most recent utility bills
- Proof of income for each household member for the previous 30 days or 12 months
- Disability verification (if applicable)

A household is defined as any individual or group of individuals who are living together as one economic unit for whom residential energy is customarily purchased in common or who make undesignated payments for energy in the form of rent (Per Section 2603 (5) of the Low-Income Energy Assistance Act of 1981). If you live in federally subsidized housing and have a utility bill in your name, you may be eligible for assistance. A copy of the utility bill or documentation of responsibility (example: copy of your rental agreement/lease or signed letter from your landlord) is required.

For a dwelling unit to be eligible for energy assistance benefits, its primary heat source must be:

- A regulated or unregulated utility (gas & electric)
- A legal fireplace (wood)
- A permanent, free-standing fuel tank (oil & propane)
- A legally vented wood/coal stove

Residents of any licensed medical facility (hospital, skilled nursing facility or intermediate care facility) or publicly operated community residence (example: YMCA) are not eligible. Boarding/rooming houses, group homes or emergency shelters are not eligible for payment assistance.

If eligible, the HEAP benefit amount will depend on federal funding levels, how many people live with you, total household income and the main fuel used. In most cases, benefits are applied directly to the energy bill by the utility company. If you are reverifying your PIPP amount, it will be based on either 10% or 6% of your total household income for the past 30 days, depending on your heating source.

These are the programs you can apply for with this application:

- Home Energy Assistance Program (HEAP)
- Home Weatherization Assistance Program (HWAP)
- Percentage of Income Payment Plan Plus (PIPP)

2020–2021 Income Guidelines

Size of Household	Total Gross Annual Household Income			
1	up to \$19,140	\$22,330		\$25,520
2	up to \$25,860	\$30,170		\$34,480
3	up to \$32,580	\$38,010		\$43,440
4	(150%) up to \$39,300	(175%) \$45,850	(200%)	\$52,400
5	(For PIPP, EPP) up to \$46,020	(For HEAP, WCP and SCP) \$53,690	(For HWAP)	\$61,360
6	up to \$52,740	\$61,530		\$70,320
7	up to \$59,460	\$69,370		\$79,280
8	up to \$66,180	\$77,210		\$88,240

When determining 150% of the federal poverty guidelines, households with more than eight members must add \$6,720 to the yearly income or \$552.33 to the 30-day income for each additional member. When determining 175% of the federal poverty guidelines, households with more than eight members must add \$7,840 to the yearly income or \$644.38 to the 30-day income for each additional member. When determining 200% of the federal poverty guidelines, households with more than eight members must add \$8,960 for each additional member.

How can I check the status of my application?

To check the status of your application, please visit energyhelp.ohio.gov and create an account.

Please note: HEAP benefits will be applied to your utility bill starting in January.

If you have questions, please contact your local Energy Assistance Provider or call 1-800-282-0880. TDD hearing impaired only: 711 or send us a message by visiting energyhelp.ohio.gov and clicking "contact us".

Accepted Citizenship Documentation

Proof of U.S. Citizenship	Proof of Legal Resident/Qualified Alien
<ol style="list-style-type: none"> 1. Birth Certificate/Hospital Birth Records 2. Baptismal Records (Only when place and date of birth is shown) 3. Indian Census Record 4. Military Service Record 5. U.S. Passport 6. Verified Citizenship for Ohio Works First (OWF) Program 7. Voter Registration Cards 8. Social Security Cards (Social Security Cards administered by Social Security Administration that do not include notes regarding work authorization status will be accepted). 	<ol style="list-style-type: none"> 1. Naturalization Papers/Certifications of Citizenship 2. INS ID Card 3. Alien Registration Cards/Re-entry permits 4. INS Form I-151 or I-551 (Form I-151 will not be valid after August 1, 1993) 5. INS Form I-94 if annotated with either: a) Sections 203(a)(7), 207, 208, 212(d)(5), 243(h), or 241(b)(3) of the Immigration and Nationality Act; or b) One or a combination of the following terms: Refugee, Parolee, or Asylee 6. Permanent Visa INS Form G-641, "Application for verification of Information from INS Records", when annotated at bottom by INS representative as lawful admission for humanitarian reasons 7. Documentation that alien is classified pursuant to Sections: 101(a)(2), 203(a), 204(a)(1)(a), 207, 208, 212(d)(5), 241(b)(3), 243(h), or 244(a)(3), of the Immigration and Nationality Act 8. Court order stating that deportation has been withheld pursuant to Section 241(b)(3) or 243(h) or of the Immigration and Nationality Act 9. INS Form I-688

Accepted Proof of Income

Fixed Income	Earned Employment Income	Supplemental Income	Other Sources of Income	Other Earned Income
<input type="checkbox"/> Award/Benefit letter <input type="checkbox"/> Payment printout/statement from issuing agency <input type="checkbox"/> Copy of check or bank statement showing deposit <input type="checkbox"/> Most recent filed IRS Form 1040 <input type="checkbox"/> Most recent IRS Form 1099	<input type="checkbox"/> All pay stubs received 30 days from the date of the application that include gross and year-to-date amounts received <input type="checkbox"/> Completed and signed Employment Verification Form	<input type="checkbox"/> Copy of check/award amount letter <input type="checkbox"/> ODJFS documents/eligibility letter with amounts and dates <input type="checkbox"/> Most recent IRS Form 1099 <input type="checkbox"/> Housing Authority Documentation <input type="checkbox"/> Pay Stubs received within the previous 30 days from the date of the application <input type="checkbox"/> Payment printout/statement from issuing agency	<input type="checkbox"/> Statement from Financial Institution <input type="checkbox"/> Copy of check or bank statement showing deposit <input type="checkbox"/> Most recent IRS Form 1099	<input type="checkbox"/> Pay stubs indicating amount received within the previous 12 months from the date of the application <input type="checkbox"/> Self-Employment Income and Expense Form for the previous 12 months (form can be found at energyhelp.ohio.gov) <input type="checkbox"/> Most recent filed IRS Form 1040 and Schedule 1 <input type="checkbox"/> Most recent IRS Form 1099

Privacy Act Notice

DISCLOSURE: The disclosure of Social Security Numbers is mandatory to receive HEAP benefits.

AUTHORITY: 45 CFR 96.84 (c); 42 U.S.C. 405(c)(2)(C)(i)

USE: The state will use Social Security numbers in the administration of the Home Energy Assistance Program to verify information supplied on the application to prevent, detect and correct fraud, waste, and abuse. The information is also used to respond to requests for information from agency programs funded by block grants to states for Temporary Assistance for Needy Families or agencies requesting information for child support or to establish paternity. The applicant may be held civilly or criminally liable under federal or state law for knowingly making false or fraudulent statements.

Personal Information Section

Client Number							

Enter the information completely. **PLEASE USE DARK BLUE OR BLACK INK.**
Failure to fill out the application completely, provide all the required documentation
and sign the application will delay the processing of your application.

First Name*				M.I.		Last Name*											
Social Security Number*				U.S. Citizen / Legal Resident (Qualified Alien)*				Military Status				Date of Birth (MM / DD / YYYY)*					
<div></div>				<div><input type="checkbox"/> Yes <input type="checkbox"/> No</div>				<div><input type="checkbox"/> Active <input type="checkbox"/> Veteran <input type="checkbox"/> No Military Service</div>				<div></div>					
Disabled* <div><input type="checkbox"/> Yes <input type="checkbox"/> No</div>				Gender <div><input type="checkbox"/> Female <input type="checkbox"/> Male</div>				Ethnicity <div><input type="checkbox"/> Hispanic, Latino or Spanish Origins <input type="checkbox"/> Not Hispanic, Latino or Spanish Origins</div>									
Race				<div><input type="checkbox"/> American Indian/Alaskan Native <input type="checkbox"/> Asian <input type="checkbox"/> Native Hawaiian/Other Pacific Islander</div>				<div><input type="checkbox"/> American Indian/Alaskan Native & Black/African American <input type="checkbox"/> Asian/White <input type="checkbox"/> Other Multi-Race</div>				<div><input type="checkbox"/> American Indian/Alaskan Native & White <input type="checkbox"/> Black/African American <input type="checkbox"/> White</div>					
<div><input type="checkbox"/> Black/African American/White</div>																	
Non-Cash Benefits				<div><input type="checkbox"/> Supplemental Nutrition Assistance Program (SNAP) / Food Stamps <input type="checkbox"/> Housing Choice Voucher <input type="checkbox"/> Women, Infants, and Children (WIC)</div>				<div><input type="checkbox"/> Affordable Care Act Subsidy <input type="checkbox"/> HUD-VASH <input type="checkbox"/> Other</div>				Number of Household Members					
<div><input type="checkbox"/> Child Care Voucher <input type="checkbox"/> Permanent Supportive Housing</div>																	
Family Type				<div><input type="checkbox"/> Single Parent/Male <input type="checkbox"/> Non-related Adults with Children</div>				Housing Type <div><input type="checkbox"/> Own <input type="checkbox"/> Rent</div>				Residence Structure					
<div><input type="checkbox"/> Single Parent/Female <input type="checkbox"/> Multigenerational Household</div>												<div><input type="checkbox"/> Mobile Home <input type="checkbox"/> Single-Family</div>					
<div><input type="checkbox"/> Two-Parent Household <input type="checkbox"/> Other</div>												<div><input type="checkbox"/> Multi-Family Low Rise (3 stories or less)</div>					
<div><input type="checkbox"/> Single Person</div>												<div><input type="checkbox"/> Multi-Family High Rise (4 stories or more)</div>					
Email Address						Phone Number (including area code)											
						()											
Preferred Method of Contact* <div><input type="checkbox"/> Email <input type="checkbox"/> Postal</div>																	
Mailing Address (number and street including route)*						Apt/Lot/Unit/Floor											
City*				State*		Zip Code*				County*							
Is Utility Service Address the Same?* <div><input type="checkbox"/> Same as above <input type="checkbox"/> Different (list below)</div>																	
Current Service Address (if different from above; number and street including route)						Apt/Lot/Unit/Floor											
City				State		Zip Code				County							
Do You Receive Rental Assistance?* <div><input type="checkbox"/> Yes <input type="checkbox"/> No</div>						Landlord Organization (if you rent)											
Landlord First Name*				Landlord Last Name*				Landlord Phone Number (including area code)									
								()									
Landlord Mailing Address (number and street including route)*						Apt/Lot/Unit/Floor											
City*				State*		Zip Code*				County*							

If you have additional household members (anyone living under your roof at the same address), please complete page 2 of the application. If you have more than 5 household members, print an additional household member section page from energyhelp.ohio.gov or pick up another application at your Energy Assistance Provider.

*Indicates required information in order to process your application. Failure to fill out the application completely, provide all the required documentation and sign the application will delay the processing of your application.

Household Members Section

Complete for anyone living in your home.

Full Name*				Social Security Number*				Date of Birth (MM / DD / YYYY)*			
Relationship to person applying											
Disabled* <input type="checkbox"/> Yes <input type="checkbox"/> No			Gender <input type="checkbox"/> Female <input type="checkbox"/> Male		Ethnicity <input type="checkbox"/> Hispanic, Latino or Spanish Origins <input type="checkbox"/> Not Hispanic, Latino or Spanish Origins						
Race <input type="checkbox"/> American Indian/Alaskan Native <input type="checkbox"/> Asian <input type="checkbox"/> Native Hawaiian/ Other Pacific Islander			U.S. Citizen / Legal Resident (Qualified Alien)* <input type="checkbox"/> Yes <input type="checkbox"/> No								
<input type="checkbox"/> American Indian/Alaskan Native & Black/African American <input type="checkbox"/> Asian/White <input type="checkbox"/> Other Multi-Race											
<input type="checkbox"/> American Indian/Alaskan Native & White <input type="checkbox"/> Black/African American <input type="checkbox"/> White											
<input type="checkbox"/> Black/African American/White											

Full Name*				Social Security Number*				Date of Birth (MM / DD / YYYY)*			
Relationship to person applying											
Disabled* <input type="checkbox"/> Yes <input type="checkbox"/> No			Gender <input type="checkbox"/> Female <input type="checkbox"/> Male		Ethnicity <input type="checkbox"/> Hispanic, Latino or Spanish Origins <input type="checkbox"/> Not Hispanic, Latino or Spanish Origins						
Race <input type="checkbox"/> American Indian/Alaskan Native <input type="checkbox"/> Asian <input type="checkbox"/> Native Hawaiian/ Other Pacific Islander			U.S. Citizen / Legal Resident (Qualified Alien)* <input type="checkbox"/> Yes <input type="checkbox"/> No								
<input type="checkbox"/> American Indian/Alaskan Native & Black/African American <input type="checkbox"/> Asian/White <input type="checkbox"/> Other Multi-Race											
<input type="checkbox"/> American Indian/Alaskan Native & White <input type="checkbox"/> Black/African American <input type="checkbox"/> White											
<input type="checkbox"/> Black/African American/White											

Full Name*				Social Security Number*				Date of Birth (MM / DD / YYYY)*			
Relationship to person applying											
Disabled* <input type="checkbox"/> Yes <input type="checkbox"/> No			Gender <input type="checkbox"/> Female <input type="checkbox"/> Male		Ethnicity <input type="checkbox"/> Hispanic, Latino or Spanish Origins <input type="checkbox"/> Not Hispanic, Latino or Spanish Origins						
Race <input type="checkbox"/> American Indian/Alaskan Native <input type="checkbox"/> Asian <input type="checkbox"/> Native Hawaiian/ Other Pacific Islander			U.S. Citizen / Legal Resident (Qualified Alien)* <input type="checkbox"/> Yes <input type="checkbox"/> No								
<input type="checkbox"/> American Indian/Alaskan Native & Black/African American <input type="checkbox"/> Asian/White <input type="checkbox"/> Other Multi-Race											
<input type="checkbox"/> American Indian/Alaskan Native & White <input type="checkbox"/> Black/African American <input type="checkbox"/> White											
<input type="checkbox"/> Black/African American/White											

Full Name*				Social Security Number*				Date of Birth (MM / DD / YYYY)*			
Relationship to person applying											
Disabled* <input type="checkbox"/> Yes <input type="checkbox"/> No			Gender <input type="checkbox"/> Female <input type="checkbox"/> Male		Ethnicity <input type="checkbox"/> Hispanic, Latino or Spanish Origins <input type="checkbox"/> Not Hispanic, Latino or Spanish Origins						
Race <input type="checkbox"/> American Indian/Alaskan Native <input type="checkbox"/> Asian <input type="checkbox"/> Native Hawaiian/ Other Pacific Islander			U.S. Citizen / Legal Resident (Qualified Alien)* <input type="checkbox"/> Yes <input type="checkbox"/> No								
<input type="checkbox"/> American Indian/Alaskan Native & Black/African American <input type="checkbox"/> Asian/White <input type="checkbox"/> Other Multi-Race											
<input type="checkbox"/> American Indian/Alaskan Native & White <input type="checkbox"/> Black/African American <input type="checkbox"/> White											
<input type="checkbox"/> Black/African American/White											

Full Name*				Social Security Number*				Date of Birth (MM / DD / YYYY)*			
Relationship to person applying											
Disabled* <input type="checkbox"/> Yes <input type="checkbox"/> No			Gender <input type="checkbox"/> Female <input type="checkbox"/> Male		Ethnicity <input type="checkbox"/> Hispanic, Latino or Spanish Origins <input type="checkbox"/> Not Hispanic, Latino or Spanish Origins						
Race <input type="checkbox"/> American Indian/Alaskan Native <input type="checkbox"/> Asian <input type="checkbox"/> Native Hawaiian/ Other Pacific Islander			U.S. Citizen / Legal Resident (Qualified Alien)* <input type="checkbox"/> Yes <input type="checkbox"/> No								
<input type="checkbox"/> American Indian/Alaskan Native & Black/African American <input type="checkbox"/> Asian/White <input type="checkbox"/> Other Multi-Race											
<input type="checkbox"/> American Indian/Alaskan Native & White <input type="checkbox"/> Black/African American <input type="checkbox"/> White											
<input type="checkbox"/> Black/African American/White											

Household Income Section*

Fill out the table below for all household members. Use additional section (on page 4) as needed for other household members with income.

First Name		Last Name		
Fixed Income	Earned Employment Income	Supplemental Income	Other Sources of Income†	Other Earned Income†
<input type="checkbox"/> Social Security <input type="checkbox"/> Supplemental Security (SSI) <input type="checkbox"/> Social Security Disability Insurance (SSDI) <input type="checkbox"/> Pension (Private & VA) <input type="checkbox"/> Widow/Widower's Benefit <input type="checkbox"/> Alimony <input type="checkbox"/> Black Lung Pension	<input type="checkbox"/> Wages <input type="checkbox"/> Active Military Pay	<input type="checkbox"/> Unemployment <input type="checkbox"/> Utility Assistance <input type="checkbox"/> Workers' Compensation <input type="checkbox"/> Ohio Works First (TANF, ADC) <input type="checkbox"/> Employment Disability Payout <input type="checkbox"/> Strike Benefit	<input type="checkbox"/> Cash withdrawn from IRAs / Annuities / Other Investments <input type="checkbox"/> Interest Income <input type="checkbox"/> Lump Sum Payouts (Estate & Trust Settlements / Divorce Settlements / Insurance Payout / Lottery Winnings) <input type="checkbox"/> Other	<input type="checkbox"/> Self-employment (includes owning own business, babysitting, home party sales, odd jobs, Ohio Electronic Child Care, etc.) <input type="checkbox"/> Seasonal-employment (includes teachers, construction workers, etc.)
†These categories MUST provide 12 months of income documentation				
Gross Income for the Past 30 Days \$	Gross Income for the Past 30 Days \$	Gross Income for the Past 30 Days \$	Gross Income for the Past 30 Days \$	Gross Income for the Past 30 Days \$
Gross Income for the Past 12 Months \$	Gross Income for the Past 12 Months \$	Gross Income for the Past 12 Months \$	Gross Income for the Past 12 Months \$	Gross Income for the Past 12 Months \$

First Name		Last Name		
Fixed Income	Earned Employment Income	Supplemental Income	Other Sources of Income†	Other Earned Income†
<input type="checkbox"/> Social Security <input type="checkbox"/> Supplemental Security (SSI) <input type="checkbox"/> Social Security Disability Insurance (SSDI) <input type="checkbox"/> Pension (Private & VA) <input type="checkbox"/> Widow/Widower's Benefit <input type="checkbox"/> Alimony <input type="checkbox"/> Black Lung Pension	<input type="checkbox"/> Wages <input type="checkbox"/> Active Military Pay	<input type="checkbox"/> Unemployment <input type="checkbox"/> Utility Assistance <input type="checkbox"/> Workers' Compensation <input type="checkbox"/> Ohio Works First (TANF, ADC) <input type="checkbox"/> Employment Disability Payout <input type="checkbox"/> Strike Benefit	<input type="checkbox"/> Cash withdrawn from IRAs / Annuities / Other Investments <input type="checkbox"/> Interest Income <input type="checkbox"/> Lump Sum Payouts (Estate & Trust Settlements / Divorce Settlements / Insurance Payout / Lottery Winnings) <input type="checkbox"/> Other	<input type="checkbox"/> Self-employment (includes owning own business, babysitting, home party sales, odd jobs, Ohio Electronic Child Care, etc.) <input type="checkbox"/> Seasonal-employment (includes teachers, construction workers, etc.)
†These categories MUST provide 12 months of income documentation				
Gross Income for the Past 30 Days \$	Gross Income for the Past 30 Days \$	Gross Income for the Past 30 Days \$	Gross Income for the Past 30 Days \$	Gross Income for the Past 30 Days \$
Gross Income for the Past 12 Months \$	Gross Income for the Past 12 Months \$	Gross Income for the Past 12 Months \$	Gross Income for the Past 12 Months \$	Gross Income for the Past 12 Months \$

First Name		Last Name		
Fixed Income	Earned Employment Income	Supplemental Income	Other Sources of Income†	Other Earned Income†
<input type="checkbox"/> Social Security <input type="checkbox"/> Supplemental Security (SSI) <input type="checkbox"/> Social Security Disability Insurance (SSDI) <input type="checkbox"/> Pension (Private & VA) <input type="checkbox"/> Widow/Widower's Benefit <input type="checkbox"/> Alimony <input type="checkbox"/> Black Lung Pension	<input type="checkbox"/> Wages <input type="checkbox"/> Active Military Pay	<input type="checkbox"/> Unemployment <input type="checkbox"/> Utility Assistance <input type="checkbox"/> Workers' Compensation <input type="checkbox"/> Ohio Works First (TANF, ADC) <input type="checkbox"/> Employment Disability Payout <input type="checkbox"/> Strike Benefit	<input type="checkbox"/> Cash withdrawn from IRAs / Annuities / Other Investments <input type="checkbox"/> Interest Income <input type="checkbox"/> Lump Sum Payouts (Estate & Trust Settlements / Divorce Settlements / Insurance Payout / Lottery Winnings) <input type="checkbox"/> Other	<input type="checkbox"/> Self-employment (includes owning own business, babysitting, home party sales, odd jobs, Ohio Electronic Child Care, etc.) <input type="checkbox"/> Seasonal-employment (includes teachers, construction workers, etc.)
†These categories MUST provide 12 months of income documentation				
Gross Income for the Past 30 Days \$	Gross Income for the Past 30 Days \$	Gross Income for the Past 30 Days \$	Gross Income for the Past 30 Days \$	Gross Income for the Past 30 Days \$
Gross Income for the Past 12 Months \$	Gross Income for the Past 12 Months \$	Gross Income for the Past 12 Months \$	Gross Income for the Past 12 Months \$	Gross Income for the Past 12 Months \$

Household Income Section – Continued

Fill out the table below for additional household members.

Print additional pages, as needed, for other household members with income.

First Name		Last Name		
Fixed Income	Earned Employment Income	Supplemental Income	Other Sources of Income [†]	Other Earned Income [†]
<input type="checkbox"/> Social Security <input type="checkbox"/> Supplemental Security (SSI) <input type="checkbox"/> Social Security Disability Insurance (SSDI) <input type="checkbox"/> Pension (Private & VA) <input type="checkbox"/> Widow/Widower's Benefit <input type="checkbox"/> Alimony <input type="checkbox"/> Black Lung Pension	<input type="checkbox"/> Wages <input type="checkbox"/> Active Military Pay	<input type="checkbox"/> Unemployment <input type="checkbox"/> Utility Assistance <input type="checkbox"/> Workers' Compensation <input type="checkbox"/> Ohio Works First (TANF, ADC) <input type="checkbox"/> Employment Disability Payout <input type="checkbox"/> Strike Benefit	<input type="checkbox"/> Cash withdrawn from IRAs / Annuities / Other Investments <input type="checkbox"/> Interest Income <input type="checkbox"/> Lump Sum Payouts (Estate & Trust Settlements / Divorce Settlements / Insurance Payout / Lottery Winnings) <input type="checkbox"/> Other	<input type="checkbox"/> Self-employment (includes owning own business, babysitting, home party sales, odd jobs, Ohio Electronic Child Care, etc.) <input type="checkbox"/> Seasonal-employment (includes teachers, construction workers, etc.)
[†] These categories MUST provide 12 months of income documentation				
Gross Income for the Past 30 Days \$	Gross Income for the Past 30 Days \$	Gross Income for the Past 30 Days \$	Gross Income for the Past 30 Days \$	Gross Income for the Past 30 Days \$
Gross Income for the Past 12 Months \$	Gross Income for the Past 12 Months \$	Gross Income for the Past 12 Months \$	Gross Income for the Past 12 Months \$	Gross Income for the Past 12 Months \$

First Name		Last Name		
Fixed Income	Earned Employment Income	Supplemental Income	Other Sources of Income [†]	Other Earned Income [†]
<input type="checkbox"/> Social Security <input type="checkbox"/> Supplemental Security (SSI) <input type="checkbox"/> Social Security Disability Insurance (SSDI) <input type="checkbox"/> Pension (Private & VA) <input type="checkbox"/> Widow/Widower's Benefit <input type="checkbox"/> Alimony <input type="checkbox"/> Black Lung Pension	<input type="checkbox"/> Wages <input type="checkbox"/> Active Military Pay	<input type="checkbox"/> Unemployment <input type="checkbox"/> Utility Assistance <input type="checkbox"/> Workers' Compensation <input type="checkbox"/> Ohio Works First (TANF, ADC) <input type="checkbox"/> Employment Disability Payout <input type="checkbox"/> Strike Benefit	<input type="checkbox"/> Cash withdrawn from IRAs / Annuities / Other Investments <input type="checkbox"/> Interest Income <input type="checkbox"/> Lump Sum Payouts (Estate & Trust Settlements / Divorce Settlements / Insurance Payout / Lottery Winnings) <input type="checkbox"/> Other	<input type="checkbox"/> Self-employment (includes owning own business, babysitting, home party sales, odd jobs, Ohio Electronic Child Care, etc.) <input type="checkbox"/> Seasonal-employment (includes teachers, construction workers, etc.)
[†] These categories MUST provide 12 months of income documentation				
Gross Income for the Past 30 Days \$	Gross Income for the Past 30 Days \$	Gross Income for the Past 30 Days \$	Gross Income for the Past 30 Days \$	Gross Income for the Past 30 Days \$
Gross Income for the Past 12 Months \$	Gross Income for the Past 12 Months \$	Gross Income for the Past 12 Months \$	Gross Income for the Past 12 Months \$	Gross Income for the Past 12 Months \$

First Name		Last Name		
Fixed Income	Earned Employment Income	Supplemental Income	Other Sources of Income [†]	Other Earned Income [†]
<input type="checkbox"/> Social Security <input type="checkbox"/> Supplemental Security (SSI) <input type="checkbox"/> Social Security Disability Insurance (SSDI) <input type="checkbox"/> Pension (Private & VA) <input type="checkbox"/> Widow/Widower's Benefit <input type="checkbox"/> Alimony <input type="checkbox"/> Black Lung Pension	<input type="checkbox"/> Wages <input type="checkbox"/> Active Military Pay	<input type="checkbox"/> Unemployment <input type="checkbox"/> Utility Assistance <input type="checkbox"/> Workers' Compensation <input type="checkbox"/> Ohio Works First (TANF, ADC) <input type="checkbox"/> Employment Disability Payout <input type="checkbox"/> Strike Benefit	<input type="checkbox"/> Cash withdrawn from IRAs / Annuities / Other Investments <input type="checkbox"/> Interest Income <input type="checkbox"/> Lump Sum Payouts (Estate & Trust Settlements / Divorce Settlements / Insurance Payout / Lottery Winnings) <input type="checkbox"/> Other	<input type="checkbox"/> Self-employment (includes owning own business, babysitting, home party sales, odd jobs, Ohio Electronic Child Care, etc.) <input type="checkbox"/> Seasonal-employment (includes teachers, construction workers, etc.)
[†] These categories MUST provide 12 months of income documentation				
Gross Income for the Past 30 Days \$	Gross Income for the Past 30 Days \$	Gross Income for the Past 30 Days \$	Gross Income for the Past 30 Days \$	Gross Income for the Past 30 Days \$
Gross Income for the Past 12 Months \$	Gross Income for the Past 12 Months \$	Gross Income for the Past 12 Months \$	Gross Income for the Past 12 Months \$	Gross Income for the Past 12 Months \$

Household Deductions Section*

Total Household Income Deductions (Choose all that apply)		
<input type="checkbox"/> Attorney fees for estate or trust settlements	<input type="checkbox"/> Health Care Spending Accounts	<input type="checkbox"/> Reimbursement for work expenses
<input type="checkbox"/> Child Support paid-out	<input type="checkbox"/> Medicaid Spend Down (deductibles)	<input type="checkbox"/> Self-employment IRS allowable business expenses
<input type="checkbox"/> Health Insurance Premiums	<input type="checkbox"/> Medicare Premiums	<input type="checkbox"/> Short and long term disability
<input type="checkbox"/> Prescription Plans		
Total Deductions for the past 30 Days		Total Deductions for the past 12 Months
\$		\$

Please note: Documentation of deduction(s) is required.

Total Household Eligible Income Section*

Please add the total income received for each adult household member then subtract the total household deductions.

Total Household Income (add amounts from Household Income Section on pages 3 & 4)	Past 30 Days \$	Past 12 Months \$
Total Household Deductions (from Household Deductions Section on page 5)	Past 30 Days - \$	Past 12 Months - \$
Total Eligible Income	Total Household Income less Total Household Deductions above \$	Total Household Income less Total Household Deductions above \$
If applicable, please explain the difference in the past 30 days income from the past 12 months income.		

Please note: Income from child support received and VA disabilities are not countable income. For a complete list of excluded income, please visit energyhelp.ohio.gov. Documentation of excluded income may be required to complete your application.

Utility Information Section*

How do you heat your home?			
<input type="checkbox"/> Natural Gas	<input type="checkbox"/> Fuel Oil or Kerosene	<input type="checkbox"/> Electric (Includes baseboards)	
<input type="checkbox"/> Propane or Bottle Gas (L.P. Gas)	<input type="checkbox"/> Coal, Wood, or Pellets	<input type="checkbox"/> Other	
Company/Vendor	Account Number	Costs included in rent? <input type="checkbox"/> Yes <input type="checkbox"/> No	Shared Meter? <input type="checkbox"/> Yes <input type="checkbox"/> No
Account Holder's First Name		Account Holder's Last Name	Relationship to Primary Client
Do you wish to apply for HEAP? <input type="checkbox"/> Yes <input type="checkbox"/> No		If you are currently enrolled in PIPP, do you wish to reverify on this account? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Do you wish to enroll in PIPP and have a regulated utility provider? <input type="checkbox"/> Yes <input type="checkbox"/> No			

Please provide your electric utility provider information (if not provided above):

Electric Company/Vendor	Account Number	Costs included in rent? <input type="checkbox"/> Yes <input type="checkbox"/> No	Shared Meter? <input type="checkbox"/> Yes <input type="checkbox"/> No
Account Holder's First Name		Account Holder's Last Name	Relationship to Primary Client
If you are currently enrolled in PIPP, do you wish to reverify on this account? <input type="checkbox"/> Yes <input type="checkbox"/> No			
Do you wish to enroll in PIPP and have a regulated utility provider? <input type="checkbox"/> Yes <input type="checkbox"/> No			

ENERGY ASSISTANCE PROGRAMS APPLICATION JULY 2020 – MAY 2021

Terms of Agreement

- I agree**
- To pay my Percentage of Income Payment Plan Plus (PIPP) amount for my electric and/or natural gas service every month.
 - To go to my local Energy Assistance Provider or to energyhelp.ohio.gov to reapply at least once a year with updated household information, and income documentation in order to remain eligible.
 - To contact my local Energy Assistance Provider or go online to energyhelp.ohio.gov to report any changes to my total household income or number of household members, within 30 days of the change.
 - To accept any energy efficiency programs offered by Development or its designated providers, if eligible.
 - To allow my utility companies to release my name, address, telephone number, household member information, amount of my utility usage, and total past due amount to Development and agencies that perform weatherization services and/or provide other energy related services.
 - To allow Development to release my name, address, telephone number, household member information, and current status to the utility companies, and other Energy Assistance Providers.
 - To allow Development to share my usage and demographic data with organizations contracted by Development to evaluate the programs administered by Development.
- I understand**
- That I will not be re-verified if I owe any PIPP payments. I must make up these payments by the next billing cycle, or the due date given to me by my utility companies.
 - That if I do not re-verify my income at least once every 12 months, I will be dropped from PIPP.
 - That if I do not make up missed PIPP payments by my stated Anniversary Date, I will be dropped from PIPP.
 - That if I make my PIPP payments in-full and on-time every month, I will receive a credit for 1/24th of my total past due amount, and I will not need to pay the difference between my PIPP payment and my actual bill amount.
 - That if I reapply for PIPP and I am not eligible, or if I choose to be removed from PIPP, I can enroll in Graduate PIPP for up to 12 months after the date I am removed and still receive credits toward my past due amounts owed on my utility accounts.
 - That if I move out of the service area for my gas/electric company I can enroll in the Post PIPP program to make payments on my closed account and receive credits toward the past due amounts.
 - That I am legally responsible for all past due amounts on my gas and/or electric accounts and if I am no longer enrolled in PIPP, the past due amounts will become due. If these past due amounts are not paid in-full, the utility companies may use any standard means of collection for the past due amounts on my accounts.
 - That I may appeal if my application is not decided upon within 12 weeks. I also may appeal within 30 days if I disagree with my benefit amount or if I was denied assistance

General Authorization

An applicant who provides inaccurate income or household composition information risks: being dropped from PIPP and/or other energy assistance programs; being ineligible to reapply for 24 months; having arrearage credits added back on to their utility bill; and/or receiving a bill from their utility (ies) for the full account balance.

I authorize the Tax Commissioner of the Ohio Department of Taxation or any agent or employee designated by the Tax Commissioner of the Ohio Department of Taxation as well as the Director of the Ohio Development Services Agency or any designated agent or employee of the Director, or the Director of the Ohio Department of Jobs and Family Services or any designated agent or employee of the Director, to disclose to the Director of the Ohio Development Services Agency or any designated agent or employee of the Director, or to the Tax Commissioner of the Ohio Department of Taxation, or any agent or employee designated by the Tax Commissioner, all of my state of Ohio income tax information. The applicant expressly waives notice of the disclosure(s). The applicant expressly waives the confidentiality provisions of the Ohio Revised Code which might otherwise prohibit disclosure and agrees to hold the Ohio Department of Taxation, the Ohio Development Services Agency, and the Ohio Department of Jobs and Family Services, and their respective agents and employees harmless with respect to the disclosures herein. This authorization is to be liberally construed and interpreted; any ambiguity shall be resolved in favor of the Tax Commissioner of the Ohio Department of Taxation, the Director of the Ohio Development Services Agency, and the Director of the Ohio Department of Jobs and Family Services.

I understand that by signing this application, I grant the Ohio Development Services Agency, or its authorized providers, access to my bank, employment, public assistance, utility company or other records needed for verification and evaluation of services. I further grant Ohio Development Services Agency, or its authorized providers, access to any information that I have provided to any other state agency, including but not limited to income information regarding requests for public assistance. I understand that filling out this application does not guarantee that my household will receive assistance. If I am or become a PIPP customer I understand that I may be included in a group for which electric service is purchased in common. I understand that any authorized provider may rescind an approved payment if information is acquired which determines that my household is not eligible for services according to the rules of each program. I understand that I have the right to appeal. I certify that the information I have provided in this application is, to the best of my knowledge, a true, accurate and complete disclosure of the requested information. I understand that I may be held civilly and criminally liable under federal and state laws for knowingly making false or fraudulent statements.

I declare under penalty of perjury that the information submitted in this application is true and correct.

PLEASE SIGN AND MAIL APPLICATION TO:
Office of Community Assistance, Home Energy Assistance Program
P.O. Box 1240, Columbus, Ohio 43216

X Sign Here _____ **Application Date** _____

_____ moved to amend as follows:

In line 87, after "3706.491." insert "(A)"

1

In line 165, after "consultants" insert ", the independent market
monitor from PJM interconnection regional transmission organization,
L.L.C. or its successor organization,"

2

3

4

In line 166, after "commission" insert ", the independent market
monitor,"

5

6

In line 169, after "commission" insert ", the independent market
monitor,"

7

8

In line 176, strike through "The commission shall submit a report
summarizing the"

9

10

In line 177, strike through "findings"; delete "and
recommendations"; strike through "of each annual"; delete "audit"; strike
through "to the"

11

12

13

Strike through line 178

14

In line 179, strike through "minority leader of the house of
representatives, and the"

15

16



In line 180, strike through "authority, and shall make the report" 17

Strike through lines 181 through 183 18

In line 184, strike through "annual audit that was obtained during 19
the"; delete "audit"; strike through "performed" 20

Strike through line 185 and insert "On completion, the audit report 21
shall immediately be made available to any interested parties and to the 22
independent market monitor. At the independent market monitor's 23
discretion, the independent market monitor may make the review and 24
verification to determine whether the funding for the nuclear generating 25
resource exceeds the operating expenses of the nuclear generating resource 26
and may be considered a consultant to the commission. If the independent 27
market monitor makes the review, the independent market monitor shall 28
memorialize it in a record and publicly file the review. In any event, the 29
independent market monitor shall be provided access to all information for 30
determining the operating costs of the nuclear generating facilities. No 31
party shall be provided the audit report prior to its public filing." 32

In line 186, after "(D)" insert "The commission shall allow for a 33
process for interested parties to do the following: 34

(1) Review the audit report and, if applicable, the 35
independent market monitor's review; 36

(2) Allow parties to examine the audit and, if applicable, 37
review findings, including evidentiary hearing and discovery 38
rights in accordance with section 4903.082 of the Revised Code; 39

(3) Make recommendations. 40

The consumers' counsel shall be considered a party upon 41
its filing of a notice. The consumers' counsel shall have the 42
power of subpoena to obtain information. At no time during this 43

<u>matter shall a member of the commission or any examiner</u>	44
<u>associated with the matter discuss the merits of it with any</u>	45
<u>party or intervenor to the proceeding.</u>	46
 (E)"; after "commission" insert " <u>and the independent</u>	47
<u>market monitor"</u>	48
In line 188, after " <u>audit</u> " insert " <u>and, if applicable, the</u>	49
<u>independent market monitor's review"</u>	50
 In line 189, after "payments" insert " <u>or issue refunds</u> "	51
 In line 190, strike through "any of"	52
 Strike through line 191	53
 In line 192, strike through "(1) That the federal"	54
 In line 193, delete " <u>government or PJM interconnection,</u> "	55
 In line 194, delete " <u>L.L.C., or its successor organization</u> "; strike	56
through "has established a monetary"	57
 In line 195, strike through "benefit or other"; delete " <u>financial</u>	58
<u>support program"</u>	59
 In line 196, delete " <u>designed</u> "; strike through "to continue the	60
resource's commercial operation;"	61
 Strike through lines 197 through 199	62
 In line 200, strike through "May 1,"; delete " <u>2028</u> "; strike through	63
", to decommission the resource;"	64
 Strike through lines 201 through 206	65
 In line 207, strike through "first day of May, or, for"; delete	66
" <u>2028</u> "; strike through ", for the seven-month period"	67
 Strike through lines 208 and 209	68

In line 210, delete "(5) That" and insert "that"; delete the first "for" and insert "contrary to"

In line 213, delete "shall be limited to" and insert "exceed"

In line 214, delete "increase the net income or profit margin" and insert "cover the operating expenses"

In line 215, delete "from a negative amount to not more than zero"

In line 216, after "period." insert "Operating expenses shall only include fuel, operating costs, and ongoing capital expenditures."

In line 217, delete "income or profit" and insert "operating"

In line 221, after the first "shall" insert "not"; delete "but shall not include" and insert ","

In line 224, strike through "(E) (1)" and insert "(F) The authority may reconsider its decision under division (E) of this section upon a party's filing of an application for rehearing within thirty days of the decision. The authority shall have forty-five days to enter a final decision on rehearing request. Not later than forty-five days after the authority's final decision, any party may appeal the authority's decision as a matter of right to the supreme court."

(G) (1)"

In line 225, strike through "(D)" and insert "(E)"

In line 226, strike through ", as necessary"

In line 229, strike through "Except when the authority has applied the credit price"

In line 230, strike through "adjustment under division (D) (4) of this section, reduce" and insert "Reduce"

In line 236, after "requirement" insert "i" 94

(e) Based on the audit report, the independent market 95
monitor's review, and the recommendations of the interested 96
parties, do either of the following: 97

(i) Collect an amount necessary to bring the nuclear 98
generation resource's operating margin to zero if it determines 99
that the resource's operating margin is below zero; 100

(ii) Refund to consumers the cost of the nuclear credits 101
paid by consumers if the operating margin is above zero" 102

In line 238, strike through "(E) (1)" and insert "(G) (1)" 103

In line 239, strike through "not" 104

In line 243, strike through "(F)" and insert "(H)" 105

Strike through lines 248 and 249 106

In line 612, delete the first "." and insert "H"; delete "..." and 107
insert "798" 108

In line 614, delete the first "." and insert "H"; delete "..." and 109
insert "798" 110

The motion was _____ agreed to.

SYNOPSIS 111

Nuclear generation resource audit changes; technical 112
changes 113

R.C. 3706.491, 3706.61, and 4928.471 114

Regarding the annual audit relating to a qualifying	115
nuclear resource:	116
- Requires the owner or operator to provide any	117
information requested to the independent market monitor from PJM	118
or its successor organization.	119
- Requires, on completion, the audit report to be made	120
available immediately to interested parties and the independent	121
market monitor, instead of, as the bill provides, to the Senate	122
President and Minority Leader, the House Speaker and Minority	123
Leader, the Ohio Air Quality Development Authority, and the	124
public.	125
- Permits the independent market monitor, at the monitor's	126
discretion, to make the review and verification to determine	127
whether the funding for the nuclear generating resource exceeds	128
the resource's operating expenses and to memorialize and	129
publicly file the review.	130
- Requires that the Public Utility Commission (PUCO) allow	131
for a process for interested parties, including the Ohio	132
Consumers' Counsel on its filing, to do the following:	133
-- Review the audit report and, if applicable, the	134
independent market monitor's review;	135
-- Allow parties to examine the audit and, if applicable,	136
review findings, including evidentiary hearing and discovery	137
rights;	138
-- Make recommendations.	139
- Makes the Consumers' Counsel a party upon filing notice	140
and grants the Counsel subpoena power.	141
- Prohibits PUCO Commissioners and examiners from	142

discussing the audit report with any party or intervenor. 143

- Requires the Authority to consult with the independent 144
market monitor, in addition to PUCO, to consider the findings 145
and recommendations of the monitor's review, if applicable, in 146
addition to the audit when making a determination for nuclear 147
resource credit payment reduction, cessation, or refund. 148
- Requires the Authority to issue refunds for, or to cease 149
or reduce, nuclear resource credit payments if the payments 150
exceed the amount necessary to cover the resource's operating 151
expenses of fuel, operating costs, and ongoing capital expenses. 152
- Repeals the requirement that the Authority cease or 153
reduce nuclear resource credit payments if any of the following 154
apply: 155
 - The federal government or PJM Interconnection, LLC, or 156
its successor organization has established a monetary benefit or 157
other financial support program designed to continue the 158
resource's commercial operation; 159
 - The resource no longer meets the definition of 160
qualifying nuclear resource under continuing law; 161
 - The resource no longer maintains a principal place of 162
business and substantial presence in Ohio with regard to its 163
business operations, offices, and transactions; 164
 - The resource's owner or operator applies to 165
decommission the resource before May 1, 2028; 166
 - For purposes of ensuring that the funding for nuclear 167
resource credits stays reasonable, if the market price index 168
exceeds the strike price on June 1 in the year that the report 169
is submitted, the Authority must apply the credit price 170

adjustment for 2028.	171
- Changes the "reasonable and prudent expenses" definition	172
to exclude depreciation, in addition to lobbying costs,	173
political or charitable donations, share buybacks, management	174
bonuses, or incentive compensation.	175
- Permits the Authority to reconsider its decision to	176
reduce, cease, or issue a refund regarding nuclear generation	177
credit payments upon a party's filing of a rehearing application	178
and permits any party to appeal the Authority's final decision	179
to the Ohio Supreme Court.	180
- Requires, if the Authority determines it necessary to	181
make reductions to nuclear resource credit payments, PUCO to do	182
either of the following, based on the audit report, the	183
independent market monitor's review, and interested parties'	184
recommendations:	185
-- Collect the amount necessary to bring the nuclear	186
generation resource's operating margin to zero if it determines	187
that the resource's operating margin is below zero;	188
-- Refund to consumers the cost of the nuclear credits	189
paid by consumers if the operating margin is above zero.	190
- Repeals the requirement that the laws governing PUCO	191
hearings do not apply to the audit relating to nuclear	192
generation resources under the bill.	193
Makes technical changes: corrects the tabulation in R.C.	194
3706.491 and inserts the H.B. 798 bill number in R.C. 4928.471.	195

_____ moved to amend as follows:

In line 2 of the title, delete "and" and insert ";"	1
In line 5 of the title, after "5311.197" insert "; and to repeal section 4928.75"	2 3
In line 8 of the title, after "revise" insert "and repeal"	4
In line 87, after " <u>3706.491.</u> " insert "(A)"	5
In line 612, delete " <u>..B. ...</u> " and insert " <u>H.B. 798</u> "	6
In line 614, delete " <u>..B. ...</u> " and insert " <u>H.B. 798</u> "	7
After line 669, insert:	8
"Section 3. That section 4928.75 of the Revised Code is hereby repealed."	9 10
In line 670, delete "3" and insert "4"	11

The motion was _____ agreed to.



<u>SYNOPSIS</u>	12
HEAP weatherization funds; technical changes	13
R.C. 3706.491 and 4928.471; R.C. 4928.75 (repealed)	14
Repeals the requirement for the Director of Development	15
Services to annually submit a waiver request to spend 25% of	16
federal low-income home energy assistance program funds for	17
weatherization services.	18
Makes technical changes: corrects the tabulation in R.C.	19
3706.491 and inserts the H.B. 798 bill number in R.C. 4928.471.	20

\$14.7 Billion
Charged to Customers
(2000 - 2019)

SUBSIDY SCORECARD

- ELECTRICITY CHARGES TO OHIOANS -

\$1.7 Billion Projected
Charges to Customers
(2020 - 2030)

FirstEnergy

\$10.2 Billion

DP&L

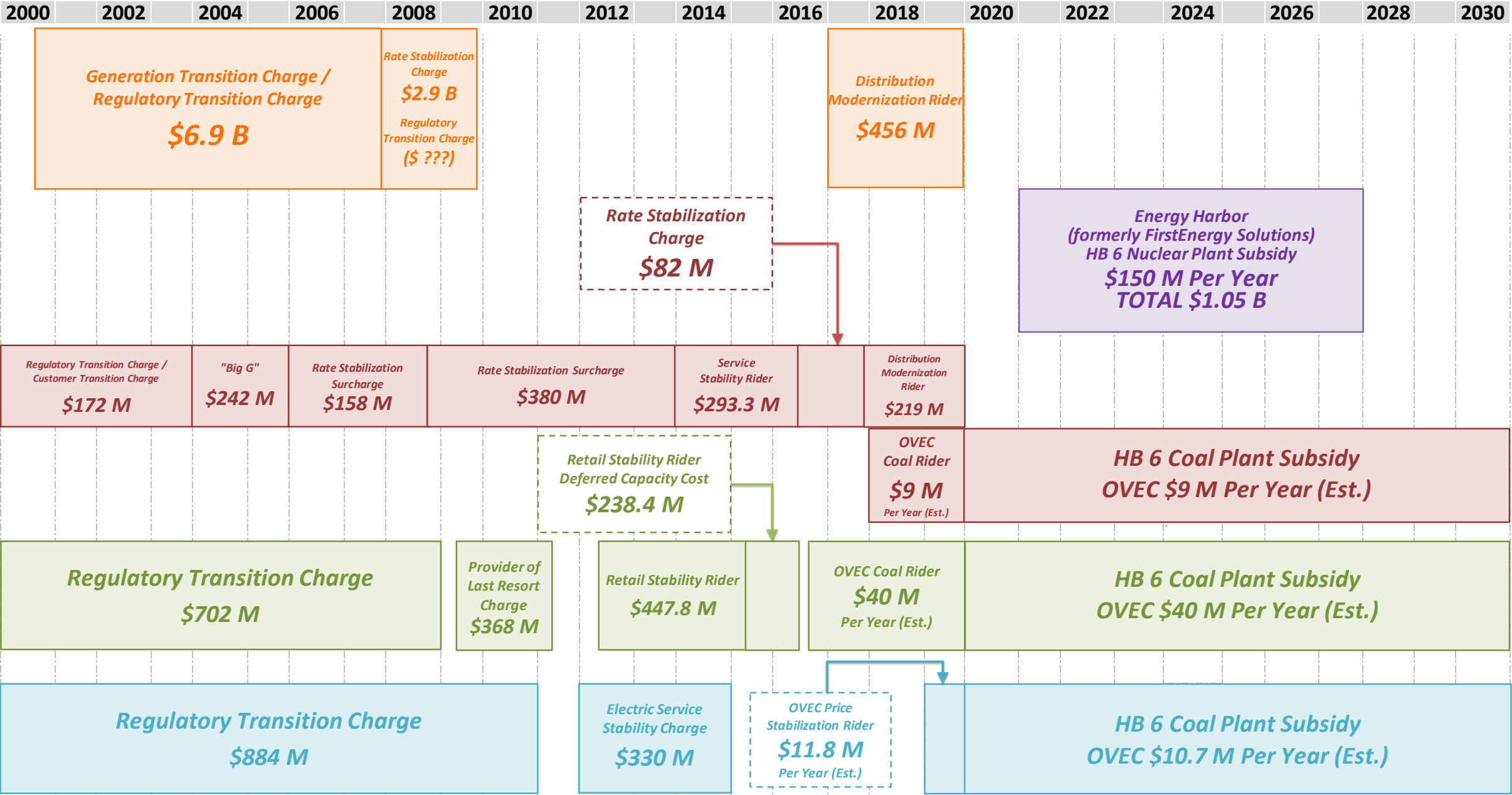
\$1.5 Billion

AEP

\$1.8 Billion

Duke

\$1.2 Billion



B=Billions; M=Millions

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