



## Ohio Administrative Code

### Rule 122:5-3-05 Procedures for disbursing public funds to electric utilities; timely remittance of revenue.

Effective: February 15, 2015

(A) Application of customer deposits. If an electric distribution utility has collected a deposit from a customer who subsequently enrolls in the PIPP plus program, the electric distribution utility shall apply the deposit to the customer's account in a manner consistent with rule 4901:1-10-14 of the Administrative Code (or any successor rule of substantially the same effect) promptly following delivery of notice by the director that the customer has enrolled in the PIPP plus program. Consistent with the commission rule set forth in paragraph (B) of rule 4901:1-18-15 of the Administrative Code (or any successor rule of substantially the same effect), electric distribution utilities shall not charge or collect deposits from any PIPP plus customer as long as such customer continues to be an active PIPP plus customer and customer deposits shall not be charged to or payable from the fund.

(B) Payment for electric service. The director shall make monthly payments from the fund to electric distribution utilities on behalf of active PIPP plus customers. For each active PIPP plus customer, the director shall pay an amount equal to the difference between the cost of electric service provided by the relevant electric distribution utility to such active PIPP plus customer during the applicable billing cycle and the monthly PIPP plus installment amount for such customer for the corresponding billing cycle whether or not the customer has paid the monthly PIPP plus installment amount. It shall be the responsibility of each electric distribution utility to collect monthly PIPP plus installment amounts, which shall not be paid from the fund for any electric service provided after the effective date of this rule. The director shall also make monthly payments from the fund to electric distribution utilities for transition assistance for eligible graduate PIPP plus customers as provided in paragraph (B)(5)(a) of rule 122:5-3-04 of the Administrative Code. Electric distribution utilities may not bill the director for electric service or any other charges to a customer's account for any time during which electric service to such customer was disconnected or for any time during which such customer was not an active PIPP plus customer, and no such amounts will be paid from the fund. Electric distribution utilities shall submit invoices to the director monthly by the fifteenth day of the month for all billing cycles ended during the preceding revenue month. "Revenue months" shall be periods established by each electric distribution utility corresponding to its respective billing activities and listed in an annual schedule that shall be provided to the director. If the fifteenth is not



a business day, invoices may be submitted on the next business day after the fifteenth. Invoices shall be in the form further described in paragraph (F)(1) of this rule. The director shall use its commercially reasonable efforts to remit payments from the fund to the electric distribution utility within fifteen days after receipt of a proper invoice for such services. In the event the director fails to remit payment within thirty days after receipt of a proper invoice for services, the director shall be obligated to pay interest on the late payment at the rate then provided for in section 126.30 of the Revised Code.

(C) Municipal electric utility or electric cooperative. In the event a municipal electric utility or an electric cooperative elects to participate in the low-income customer assistance programs as permitted by section 4928.51 of the Revised Code, such municipal electric utility or electric cooperative shall be subject to all applicable conditions and requirements of sections 4928.51 to 4928.61 of the Revised Code and the rules in this chapter of the Administrative Code. For purposes of applying the rules in this chapter to a municipal electric utility or electric cooperative, all references to an electric distribution utility will be construed to refer to such municipal electric utility or electric cooperative. A detailed plan for participation of a municipal electric utility or an electric cooperative and administration of low-income customer assistance programs for the customers of the municipal electric utility or electric cooperative shall be developed by the director and such municipal electric utility or electric cooperative and memorialized in a written agreement.

(D) Timely remittance of revenue; deposit to fund.

(1) Collections remitted. Each electric distribution utility shall remit to the director all universal service rider revenue collected by such electric distribution utility and all revenue collected by such electric distribution utility in respect of any customer arrearages for which the electric distribution utility was at any time paid from the fund or otherwise through a PIPP plus rider mechanism. Such revenue shall be paid over to the director by the fifteenth day of the month immediately following the month in which the revenue is received by the electric distribution utility. In the event an electric distribution utility fails to remit timely any universal service rider revenue or revenue from the collection of customer arrearages, such electric distribution utility shall be obligated to pay interest on the late payment at the rate then provided for in section 126.30 of the Revised Code. Each payment from an electric distribution utility to the director shall be accompanied by a revenue report as further described in paragraph (F)(2) of this rule. Payments shall be made to the director by



electronic funds transfer according to funds transfer instructions provided by the director from time to time.

(2) Deposit to universal service fund. All revenue remitted by any electric distribution utility to the director in connection with the PIPP plus program shall be deposited promptly by the director into the fund.

(E) Billing and payment disputes. The director shall have a reasonable time to review all invoices and revenue reports submitted by electric distribution utilities. Payment of invoices and acceptance of remittances shall not foreclose the director from disputing any error or deficiency found by the director upon review of invoices or revenue reports. In the event the director finds any invoice or revenue report to be deficient or in error, the director shall notify the affected electric distribution utility in writing, and the director shall be entitled to recover from the electric distribution utility any overcharges for service or underpayment of collections with interest accruing from the date such payments were made or should have been made at the rate provided for in section 126.30 of the Revised Code. If the electric distribution utility disputes the director's finding of error or deficiency, representatives of the director and the electric distribution utility shall meet in person to review the respective calculations of the disputed amounts and work in good faith to resolve the dispute.

(F) Reporting

(1) Invoices for service to PIPP plus customers. Invoices shall provide the director customer-level and aggregate information about the electric service provided to PIPP plus customers during the billing cycles covered by the invoice. Invoices shall be submitted in form and substance as required by the director from time to time. The director shall notify electric distribution utilities in writing of any changes to the required form or substance for invoices and allow a reasonable time for electric distribution utilities to transition to the modified invoice requirements.

(2) Revenue reports. Revenue reports shall provide information to the director regarding collections and universal service fund revenue remitted to the director in connection with the PIPP plus program. Revenue reports shall be submitted in form and substance as required by the director from time to time. The director shall notify electric distribution utilities in writing of any changes to the required form or substance for revenue reports and allow a reasonable time for electric distribution



utilities to transition to the modified revenue report requirements.

(3) Monthly customer information reports. On or before the fifteenth day of each month (or if the fifteenth is not a business day, the next business day after the fifteenth), each electric distribution utility shall report to the director about all customers of such electric distribution utility participating in either or both the PIPP plus program or the home energy assistance program during the preceding calendar month. Monthly customer information reports shall be submitted in form and substance as required by the director. The director shall notify electric distribution utilities in writing of any changes to the required form or substance for customer information reports and allow a reasonable time for electric distribution utilities to transition to the modified customer information report requirements.

(4) Special information requests. From time to time to assist the office of community assistance with the administration and/or evaluation of low-income customer assistance programs, the director may make special information requests of electric distribution utilities and shall provide a reasonable period of time for reply. The electric distribution utilities shall respond to the special information requests within the time permitted. If an electric distribution utility is unable to respond completely to a special information request, the electric distribution utility shall notify the office of community assistance promptly and cooperate with the office of community assistance to address any issues that would delay or impair compliance with the information request.

(5) Electronic data interchange. All invoices, revenue reports, monthly customer information reports, and any special information requests that may be reasonably requested by the director from time to time shall be submitted to the director electronically. In addition, each electric distribution utility shall submit to the director a paper copy of each invoice and revenue report certified by a responsible officer of the utility as being true, correct and complete. Technical guidelines and protocols for electronic data interchange shall be established and maintained by the director and provided to each electric distribution utility. To the extent practicable, the director shall provide electric distribution utilities notice and an opportunity to review and comment on any proposed change to electronic data interchange technical guidelines and protocols, and the director shall allow a reasonable time for electric distribution utilities to implement system modifications necessary to conform to any technical changes adopted by the director.