



Ohio Administrative Code

Rule 4901:1-13-12 Consumer safeguards and information.

Effective: September 18, 2023

(A) The commission staff may review and/or request modification of informational, promotional, and educational materials.

(B) Unfair and deceptive acts or practices.

No gas or natural gas company shall commit an unfair or deceptive act or practice in connection with the promotion or provision of service, including an omission of material information. An unfair or deceptive act/practice includes, but is not limited to, the following:

(1) A gas or natural gas company representing to a customer that distribution service will or may be disconnected unless the customer pays any amount due for nonregulated, nontariffed service.

(2) A gas or natural gas company charging a customer for a service for which the customer did not make an initial affirmative order. An affirmative order means that a customer must positively elect to subscribe to a service before it is added to the account. Failure to refuse an offered or proposed service is not an affirmative order for the service.

(C) Customer-specific information.

(1) A gas or natural gas company shall not disclose a customer's account number without the customer's written consent or electronic authorization, or a court or commission directive ordering disclosure, except for the following purposes:

(a) A gas or natural gas company's collections and/or credit reporting activities.

(b) Participation in the home energy assistance program, the emergency home energy assistance program, and the percentage of income payment plan programs.



(c) Cooperation with governmental aggregators.

The gas or natural gas company must use the consent form described in this rule. Electronic consent forms will use the same format as described in paragraph (D)(3) of this rule.

(2) A gas or natural gas company shall not disclose a customer's social security number, except for the following purposes:

(a) Completing a customer credit evaluation.

(b) Collections and/or credit reporting activities by a gas or natural gas company, a competitive retail natural gas supplier, or a governmental aggregator.

(c) Participation in the home energy assistance program, the emergency home energy assistance program, and the percentage of income payment plan programs.

(d) Customer provides written consent via the consent form in paragraph (3) below.

(3) The consent form shall be clearly identified on its face as a release of personal information and all text appearing on the consent form shall be in at least fourteen-point type. The following statement shall appear prominently on the consent form, just prior to the signature, in type darker and larger than the type in surrounding sentences: "I realize that under the rules and regulations of the public utilities commission of Ohio, I may refuse to allow (name of the gas or natural gas company) to release the information set forth above. By my signature, I freely give (name of the gas or natural gas company) permission to release the information designated above." The information that the gas or natural gas company seeks to release shall be specified on the form. Forms requiring a customer to circle or to check off preprinted types of information to be released may not be used.

(D) Upon customer request, a gas or natural gas company shall timely provide twelve months of a customer's usage history and twenty-four months of a customer's payment history to the customer without charge.

(E) A gas or natural gas company with a choice program will:



- (1) Provide generic customer and usage information, in a universal file format, to other retail natural gas suppliers on a comparable and nondiscriminatory basis.

- (2) Provide customer-specific information to retail natural gas suppliers and governmental aggregators on a comparable and nondiscriminatory basis as prescribed in paragraph (C) of rule 4901:1-13-14 of the Administrative Code, unless the customer objects to the disclosure of such information.

- (3) Prior to issuing any eligible-customer lists and at least four times per calendar year, provide all customers clear written notice, in billing statements or other communications, of their right to object to being included on such lists. Such notice shall include instructions for reporting such objection. This notice shall read as follows: "We are required to include your name, address, and usage information on a list of eligible customers that is made available to other retail natural gas suppliers or governmental aggregators. If you do not wish to be included on this list, please call _____ or write _____, or complete the appropriate form on _____ website."

- (4) Not release such information unless and until the customer affirmatively indicates that the information may be released, if a customer reports such objection as provided in paragraphs (F)(2) and (F)(3) of this rule.