



Ohio Administrative Code

Rule 4901:1-13-14 Coordination between gas or natural gas companies and retail natural gas suppliers or governmental aggregators.

Effective: [September 18, 2023](#)

(A) At a minimum, the gas or natural gas company tariff shall include provisions governing the relationship between the retail natural gas supplier and the governmental aggregator for competitive retail natural gas service. Such provisions shall address:

- (1) Nomination and deliveries.
- (2) Billing (between the gas or natural gas company and the retail natural gas supplier or governmental aggregator).
- (3) Customer billing (options, collection, application of customer payments).
- (4) Measurement of delivered volume.
- (5) Shrinkage and retainable factors.
- (6) Customer enrollment process information exchange.
- (7) Dispute resolution process (between the gas or natural gas company and the retail natural gas supplier or governmental aggregator).
- (8) Standard operating rules.
- (9) Performance standards of the retail natural gas supplier or governmental aggregator.
- (10) Creditworthiness and default security.
- (11) Supplier agreement.



(12) A listing and description of all fees and charges assessed to retail natural gas suppliers or governmental aggregators.

(13) Service termination and disconnection (of end-user customer).

(14) Conditions and processes for returning customers to the gas or natural gas company's commodity service.

(15) Customer enrollment and switching.

(16) Supplier proof of certification.

(B) A gas or natural gas company shall execute a supplier agreement with each retail natural gas supplier and governmental aggregator to operate under the terms of the gas or natural gas company's tariff. At a minimum, the supplier agreement shall include representations and warranties, indemnification, limitations on liability, default (breach), remedies, force majeure, commencement, and term. A current copy of the supplier agreement is to be filed with the gas or natural gas company's tariff or in its tariff docket.

(C) Gas or natural gas companies shall make eligible-customer lists available to certified retail natural gas suppliers and governmental aggregators via electronic media. Such lists shall be updated quarterly and shall, at a minimum, contain customer name, service and mailing addresses, load profile reference category, meter read date or schedule, and historical consumption data for each of the most recent twelve months. All information provided on the eligible-customer lists will be identified in the company tariff and approved by the commission.

(D) The gas or natural gas company shall coordinate customer enrollment with the retail natural gas supplier and governmental aggregator in compliance with all applicable requirements.

(E) The gas or natural gas company shall, within two business days of confirming a retail natural gas supplier's or governmental aggregator's valid electronic enrollment request and prior to commencing enrollment, provide to the customer, by mail or email with an electronic notification of receipt, a competitively neutral confirmation notice stating:



- (1) The gas or natural gas company has received a request to enroll the customer for competitive retail natural gas service with the named retail natural gas supplier or governmental aggregator.
 - (2) The date such service is expected to begin.
 - (3) The customer has seven business days from the postmark date on the notice to contact the gas or natural gas company to rescind the enrollment request or notify the gas or natural gas company that the change of the retail natural gas supplier or governmental aggregator was not requested by the customer.
 - (4) The gas or natural gas company's toll-free or local telephone number.
- (F) Within two business days after receiving a customer's request to rescind enrollment with the retail natural gas supplier or governmental aggregator, the gas or natural gas company shall initiate such rescission and inform the retail natural gas supplier or governmental aggregator that such action has been taken.
- (G) Customers returning to the gas or natural gas company.
- (1) Any customer returning to the gas or natural gas company's commodity service due to default, abandonment, slamming, or certification rescission of a retail natural gas supplier or governmental aggregator will not be liable for any costs associated with the switch.
 - (2) Any switching fee applicable to customers switching from one marketer to another marketer shall also apply to customers switching from a marketer to a gas or natural gas company's applicable tariff service.
 - (3) Customers participating in an opt-out government aggregation program will not be charged a switching fee upon returning to a gas or natural gas company's applicable tariff service due to either termination of the aggregation or the aggregator switching suppliers.
 - (4) Any customer returned to a gas or natural gas company's applicable tariff service shall pay the



applicable rate while taking such service.

(5) Any customer returned to the gas or natural gas company's applicable tariff service pursuant to paragraph (E) of rule 4901:1-28-04 of the Administrative Code shall not be charged a switching fee.

(6) Within two business days after confirming the validated electronic data file for a retail natural gas supplier's or governmental aggregator's customer drop request, the gas or natural gas company shall provide to the customer, by mail or email with an electronic notification of receipt, a notice stating both of the following:

(a) The gas or natural gas company has received a request to drop the customer from competitive retail natural gas service or governmental aggregation with the named retail natural gas supplier or governmental aggregator.

(b) The retail natural gas supplier's or governmental aggregator's toll-free telephone number.

(H) Within three business days of notifying a retail natural gas supplier of a customer cancellation, the gas or natural gas company shall provide to the customer, by mail or email with an electronic notification of receipt, a notice stating all of the following:

(1) The gas or natural gas company has received the cancellation request from the customer and has notified the customer's retail natural gas supplier of the cancellation.

(2) The date the gas or natural gas company received the cancellation.

(3) The gas or natural gas company's toll-free telephone number.

(I) In the event of a material default, as defined by a gas or natural gas company's tariff or by an agreement between the gas or natural gas company and the retail natural gas supplier or governmental aggregator:

(1) The gas or natural gas company will serve a written notice of such default in reasonable detail and with a proposed remedy to the retail natural gas supplier or governmental aggregator and the



commission.

(2) On or after the date the default notice has been served, the gas or natural gas company may file with the commission a written request for authorization to terminate or suspend the retail natural gas supplier or governmental aggregator from participation with the gas or natural gas company's supplier program.

(3) If the material default is due to reasons other than underdelivery or nondelivery, and if the commission, or an attorney examiner, does not issue an entry to suspend or reject the action proposed by the gas or natural gas company within ten business days after receipt of the request, the gas or natural gas company's request to terminate or suspend will be deemed authorized on the eleventh business day.

(4) If the default is due to underdelivery or nondelivery and, if the commission, or an attorney examiner, does not act within five business days after receipt of the request, the gas or natural gas company's request to terminate or suspend will be deemed authorized on the sixth business day.

(5) Notwithstanding paragraphs (J)(3) and (J)(4) of this rule, terminations or suspensions from a gas or natural gas company's supplier program are to be authorized by the commission.

(6) The gas or natural gas company will send notices pursuant to paragraph (J) of this rule by electronic mail, fax, overnight mail, or hand delivery to the commission and staff at the commission's offices. The gas or natural gas company will notify all commissioners, the chief of staff, the director of the service monitoring and enforcement department, the director of the rates and analysis department, the director of the legal department, and the chief of the attorney general's public utilities section. The gas or natural gas company will send the notice to the address, electronic mail, and fax number provided by the retail natural gas supplier or governmental aggregator in its aggregation agreement.