



## Ohio Administrative Code

### Rule 4901:1-19-07 Procedures for alternative rate plan applications.

Effective: June 15, 2023

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(A) The following procedures and timelines shall be used to determine the date of acceptance for an application for purposes of calculating the time periods provided in section 4929.07 of the Revised Code. The procedures and timelines are consistent with those contained in chapter II, paragraph (A)(4)(c) of appendix A to rule 4901-7-01 of the Administrative Code, which are used to determine the date of a rate case application's acceptance by the commission.

(1) The commission staff will inform the applicant by letter within thirty calendar days of the date of the original docketing of the application whether the application as originally filed is in technical compliance, is substantially in compliance or fails to substantially comply with the filing requirements. The letter will indicate any defects or deficiencies with the filing requirements.

(2) If the application is in technical compliance, the application shall be deemed to have been filed as of the date the original application was filed.

(3) If the application is in substantial compliance, the applicant shall file its response to the commission staff's letter within fifteen calendar days. The application is considered filed as of the date of the original application if the applicant's response places the application in technical compliance.

(4) If the application does not substantially comply, the application shall be considered as having been filed as of the date upon which the supplemental information rendering the application in technical compliance with the filing requirements was filed.

(B) Commission entry accepting alternative rate plan application.

(1) Within sixty days from the date of the original docketing of the application with the commission, the commission will issue an entry indicating whether the application has complied with the filing requirements. The commission shall consider supplemental information docketed by the applicant in



determining the completeness of the filing.

(2) During the processing of the application, the commission may dismiss any application which does not substantially comply with the filing requirements of rule 4901:1-19-06 of the Administrative Code.

(3) Provided the applicant has complied with paragraph (A)(3) of this rule, if the commission issues no entry within sixty calendar days from the date of the original docketing of the application, the application shall be considered in compliance with the filing requirements and as having been filed as of the date of the original docketing of the application for purposes of calculating the time periods provided in section 4929.07 of the Revised Code.

(C) The commission staff will file a written report which addresses, at a minimum, the justness and reasonableness of the proposed alternative rate plan.

(D) At its discretion, the commission may conduct a hearing to consider the application. If the commission, at its discretion, conducts local public hearings, such hearings are subject to the procedural parameters set forth in section 4903.083 of the Revised Code.

(E) Intervention is subject to section 4903.221 of the Revised Code and rule 4901-1-11 of the Administrative Code.

(F) Objections.

(1) Objections must:

(a) Be filed with the commission and served on all parties within thirty calendar days after the filing of the written report by the commission staff.

(b) Specifically designate those portions of the staff report and/or the application that are considered to be objectionable and explain the objection.

(c) Sufficiently explain how the portions of the report and/or the application objected to are unjust



and unreasonable.

(2) Intervenors shall segregate their objections into two areas:

(a) Objections to the staff report for issues discussed in the staff report and any other issues relating to the review of the reasonableness of the proposed alternative rate plan; and

(b) Objections to the applicant's application for issues relating to the applicant's proposed alternative rate plan to the extent the issue was not addressed in the staff report.

(G) Discovery shall be that time period applicable to general rate proceedings pursuant to paragraph (B) of rule 4901-1-17 of the Administrative Code. Any motions or requests to change the timing of discovery shall be fully supported. Except as otherwise provided herein, discovery shall proceed according to Chapter 4901-1 of the Administrative Code.