



Ohio Administrative Code Rule 4901:1-38-05 Unique arrangements.

Effective: June 20, 2023

(A) An electric utility may file an application pursuant to section 4905.31 of the Revised Code for commission approval of a reasonable arrangement with one or more of its non-mercantile customers, consumers, or employees.

(1) An electric utility filing an application for commission approval of a reasonable arrangement with one or more of its customers, consumers, or employees bears the burden of proof that the proposed arrangement is reasonable and does not violate the provisions of sections 4905.33 and 4905.35 of the Revised Code, and shall submit an affidavit from a company official as to the veracity of the information provided.

(2) Upon the filing of an application for a reasonable arrangement, the commission may fix a time and place for a hearing if the application appears to be unjust or unreasonable.

(B) A mercantile customer, or a group of mercantile customers, of an electric utility may file an application for commission approval of a reasonable arrangement with the electric utility.

(1) Each customer requesting to take service pursuant to a reasonable arrangement with the electric utility has the burden of proof that, at a minimum the arrangement is in the public interest.

(2) A mercantile customer filing an application for commission approval of a reasonable arrangement has the burden of proof that the proposed arrangement is reasonable and does not violate the provisions of sections 4905.33 and 4905.35 of the Revised Code.

(3) Upon the filing of an application for a reasonable arrangement, the commission may fix a time and place for a hearing if the application appears to be unjust or unreasonable.

(C) The applicant may describe how the reasonable arrangement will further the policy of the state of Ohio embodied in section 4928.02 of the Revised Code.



(D) Reasonable arrangements shall reflect terms and conditions for circumstances for which the electric utility's tariffs have not already provided.

(E) Customer information provided to the electric utility to obtain a reasonable arrangement shall be treated by the electric utility as confidential, with the exception of customer names and addresses, which may be disclosed in filings with the commission.

(F) Affected parties may file a motion to intervene and file comments and objections to any application filed under this rule within twenty days of the date of the filing of the application.