

## Executive

## As Passed by the House

## As Reported by Senate Finance

## OCCCD2 Prohibition of OCC Advocacy Against Competitive Markets

R.C. 4911.02

No provision.

Prohibits the Consumers' Counsel from advocating or promoting positions contrary to the development of competitive markets in Ohio, including any position contrary to natural gas retail auctions, merchant-function exit, or state policies pertaining to competitive natural gas markets.

**Fiscal effect: None**

R.C. 4911.02

Replaces the House provision with a provision that requires the Consumers' Counsel to follow current state policies that involve supporting retail natural gas competition.

**Fiscal effect: None.**

## OCCCD1 Prohibition of OCC Call Center

R.C. 4911.021, 4927.17, 4928.10, 4929.22

No provision.

Prohibits the Office of Consumers' Counsel (OCC) from operating a call center for consumer complaints, and requires such calls to be forwarded to the Public Utilities Commission.

R.C. 4911.021, 4927.17, 4928.10, 4929.22

Same as the House.

No provision.

Removes requirements that utilities include OCC's contact information on customer bills and notices.

No provision.

**Fiscal effect: Reduces expenditures within GSF Fund 5F50 appropriation item 053601 by an amount between \$700,000 and \$900,000.**

**Fiscal effect: Same as the House.**

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PUCCD3      Reallocation of Funds Resulting from Reduced OCC Appropriation

R.C.      *4909.15, 4928.18*

No provision.

Requires the Public Utilities Commission of Ohio (PUCO) to recalculate public utilities' rates, for utilities that do not pay the minimum Office of Consumers' Counsel (OCC) assessment, by the end of 2011 for closed rate cases, based on payments of assessments calculated in accordance with the reduced appropriation amount for the OCC contained in the bill.

**Fiscal effect: Under existing law, OCC operations are funded by assessments on regulated utilities, with the amount assessed determined by the amount appropriated to GSF item 053601. The appropriation to this line item is reduced by about \$4.4 million (51%) from FY 2011 to FY 2012. This provision ensures that the reduction in the amount appropriated is returned to the customers of utilities affected by the provision, rather than being retained by the utility.**

Section:    *749.10*

Replaces the House provision with a provision that requires instead that the PUCO, by the end of 2011, determine appropriate methods for the distribution of the reduced OCC appropriation contained in the bill to the benefit of utility customers, and requires the Commission to implement the methodology in a timely manner.

**Fiscal effect: Same as the House, except that the mechanism for refunding the amounts to utility customers is left to the PUCO to determine; also the OCC appropriation in the Senate version of the bill implies that customers should receive \$7.2 million over the biennium rather than \$4.4 million per year.**