



Ohio Revised Code

Section 4929.162 Effect of infrastructure development rider.

Effective: March 28, 2024

Legislation: House Bill 201

Under an infrastructure development rider, in each monthly billing period:

(A) The natural gas company may not recover more than one dollar and fifty cents from any single customer in this state, for all projects that were approved under section 4929.163 of the Revised Code and for which recovery was authorized under that rider.

(B) The company shall recover the same amount from every customer.

(C)(1) If requested by the natural gas company, the public utilities commission shall approve a regulatory deferral, including carrying costs at the company's cost of long-term debt as approved in its most recent rate case or as otherwise provided in division (C)(2) of this section, for the infrastructure development rider revenue requirement in any year in which the approved customer charge exceeds or is expected to exceed the limitation under division (A) of this section. Only new costs from that year may be considered a part of the cost contributing to the excess in customer charges. No costs from previous years shall contribute to that amount, unless the costs are associated with a previously approved deferral under this division.

(2) If the natural gas company does not have a commission-approved cost of long-term debt, the company shall propose a rate for the carrying cost. The company may propose a rate or methodology for calculating carrying costs that differs from the company's cost of long-term debt approved in its most recent rate case.

(3) The commission shall permit the company to collect any deferred and unrecovered infrastructure development costs in the subsequent year and continuing thereafter, subject to division (C)(5) of this section, so long as the infrastructure development rider rate does not exceed the limit in division (A) of this section. Once costs have been applied to an approved regulatory deferral, the costs remain as part of that deferral and shall not be reallocated to a future deferral application.



(4) The commission shall permit carrying costs to accrue until such time as the entirety of the regulatory deferral and all carrying costs have been recovered, or until the termination of the deferral either by commission order, court order, or subject to division (C)(5) of this section.

(5) The commission may grant a deferral under this section not to exceed five years after its approval by the commission. The commission may grant a deferral under this section for less than five years. After the deferral period granted by the commission has ended, any remaining unrecovered costs shall not be subject to future deferral, a rate case, or other cost recovery mechanism.

(D)(1) The commission, for an applicant's economic development project, may approve the collection of any infrastructure development costs that are not funded through a disbursement from the all Ohio future fund under section 126.62 of the Revised Code or through another rider or rate mechanism approved under section 4909.18 of the Revised Code.

(2) A natural gas company that is prohibited under division (D)(1) of this section from recovering infrastructure development costs for a particular site or project in an infrastructure development rider may recover infrastructure development costs for other sites or economic development projects under division (B)(1)(b) of section 4929.16 of the Revised Code that do not satisfy the requirements of division (D)(1) of this section.