



Ohio Administrative Code Rule 4901:1-1-03 Duty to disclose tariffs.

Effective: April 11, 2024

(A) Definitions. For purposes of this rule, and this rule only, the following applies:

(1) "A utility" is:

(a) An electric light company as defined by division (C) of section 4905.03 of the Revised Code;

(b) A gas company or a natural gas company, as defined by divisions (D) and (E) of section 4905.03 of the Revised Code, having more than five thousand customers; or

(c) A water-works company or sewage disposal system, as defined by divisions (G) and (M) of section 4905.03 of the Revised Code, having more than five thousand customers.

(2) "An applicant" is a person, partnership, corporation, association, or organization that makes an application or requests electric, gas, water, or sewage service from a utility. An applicant includes those persons or entities who are currently a customer and are seeking to receive service at another or a new location and those persons or entities who already receive one type of utility service (e.g., electric or water) and want to receive another type of utility service (e.g., gas or sewer) at the same or a different location.

(3) "An eligible customer" is a customer who, based on the information available to the utility, may meet or may become able to meet the criteria or terms and conditions of service of a particular tariff offering or rate schedule. For example, if an electrical residential load management schedule were open to electric residential customers with a monthly minimum demand of four kilowatt hours, an eligible customer would be any residential customer regardless of his or her historical monthly level of demand. Likewise, if a rate schedule were available to any residential electric customer with an electric water heater, all residential customers would be eligible customers. In these two examples, all residential customers are eligible customers (although many of these eligible customers may not actually qualify to receive service under these tariffs) because they may meet or may become able to



meet the criteria or terms and conditions of service. However, if an industrial or commercial rate schedule were changed or modified, residential customers would not be considered as eligible customers.

(4) "Disclose" means to inform by use of a brief, one-to-four-sentence (more if necessary) message contained on a bill, on a bill insert, or in a special mailing. A utility may supplement the disclosure by a notice published in a newspaper or newspapers of general circulation in the service territory of the utility. The disclosure must state:

(a) That a new rate is available or that the criteria or terms and conditions of an existing rate schedule have been modified;

(b) The nature of the new rate schedule or the modification of the existing rate schedule;

(c) That further information can be obtained by calling or writing a specific telephone number or address.

(5) "Changes in the criteria or terms and conditions of service" includes all authorized modifications in a particular tariff schedule or offering except for increases and decreases in the base rate, emergency or excise tax surcharge, or the gas cost recovery rate.

(6) "Explanation of the rates, charges, and provisions applicable to the service furnished or available" means a brief summary of the effective rates and the distinctive character of service which distinguish this rate schedule from an alternative one. The explanation may:

(a) Include a typical bill summary and a brief listing of the characteristics of the service or criteria which must be met in order to qualify to receive service under this schedule;

(b) Be oral or written; however, if the customer or applicant specifically requests a written explanation, the utility must provide a written explanation.

(B) Duty to disclose.



(1) Within ninety days after a new rate schedule becomes effective, or within ninety days after modifications or changes in the criteria or terms and conditions of service of an existing tariff schedule or offering become effective, the utility shall disclose to the eligible customers the availability of the new tariff schedule or the fact that the criteria or terms and conditions of service of such an existing tariff have changed. A copy of such notice shall be filed with the public utilities commission prior to its distribution to customers.

(2) Upon the request of any customer or applicant, the utility shall provide an explanation of the rates, charges, and provisions applicable to the service furnished or available to such customers or applicant, and shall provide any information and assistance, such as the availability of alternative tariff schedules, necessary to enable the customer to obtain the most economical utility service conforming to his or her stated needs. Nothing in this rule may be construed so as to delay the prompt initiation of service if requested by an applicant.