



Ohio Administrative Code

Rule 122:5-3-01 Definitions.

Effective: February 15, 2015

Defined terms used in this chapter are as follows:

- (A) "Account default" means a PIPP plus customer's failure to pay monthly PIPP plus installment amounts causing the PIPP plus customer's electric service to be subject to disconnection by a utility for nonpayment or actually disconnected for nonpayment.
- (B) "Accrued arrearage" means for each PIPP plus customer that customer's total bill balance, less the current bill amount, owed to the electric distribution utility then providing electric service to such customer.
- (C) "Active PIPP plus customer" means a customer who is both currently enrolled in PIPP plus and currently using utility service from the electric distribution utility receiving payments from the fund for such customer.
- (D) "Annual energy assistance guidelines" means the operating guidelines written by the office of community assistance and published annually to provide information to staff of the office of community assistance and local agencies and to the public about the operation of low-income customer assistance programs.
- (E) "Annual HWAP plan" means for each program year for the home weatherization assistance program, the home weatherization assistance state plan submitted by the director to the United States department of energy, as such plan may be amended.
- (F) "Annual LIHEAP plan" means for each program year for the home energy assistance program, the low-income home energy assistance program federal fiscal year state plan for the state of Ohio submitted by the director to the United States department of health and human services, as such plan may be amended.



(G) "Arrearage credit amount" means an amount calculated for each PIPP plus customer as described in paragraph (B)(3) of rule 122:5-3-04 of the Administrative Code.

(H) "Business day" means any day that is not a Saturday or a Sunday and not a day on which governmental offices of the state of Ohio or banks in the state of Ohio are required or permitted to be closed.

(I) "Commission" means the public utilities commission of Ohio.

(J) "Current bill balance" means for each monthly billing cycle for a PIPP plus customer, the difference between such customer's monthly PIPP plus installment amount and the actual amount billed for electric service for the billing cycle.

(K) "Customer" means any person who enters into an agreement to purchase residential electric service by contract and/or tariff from an electric distribution utility or from a municipal electric utility or electric cooperative that participates in the low-income customer assistance programs.

(L) "Customer arrearages" means for each PIPP plus customer, such customer's current bill balance, plus the customer's accrued arrearage at the time the customer enrolls in the PIPP plus program, but does not include past due monthly PIPP plus installments.

(M) "Customer payment" means, for purposes of these rules and arrearage crediting, a payment of a monthly PIPP plus installment made from the customer's financial resources or paid by a third-party on the customer's behalf, excluding federal funds administered by the office of community assistance.

(N) "Director" means the director of the Ohio development services agency and also includes such other officers or employees of the Ohio development services agency who may act for or in the place of the director under this chapter pursuant to rule 122:5-3-09 of the Administrative Code.

(O) "Electrically heated residence" means a residence for which the primary source of heating is an electric appliance such as an electric furnace, heat pump or electric baseboard heater.



(P) "Electric baseload residence" means a residence for which electricity is not the primary source of heating.

(Q) "Electric cooperative" means, as defined in division (A)(5) of section 4928.01 of the Revised Code, a nonprofit electric light company that both is or has been financed in whole or in part under the "Rural Electrification Act of 1936," 49 stat. 1363, 7 U.S.C. 901, and owns or operates facilities in the state of Ohio to generate, transmit, or distribute electricity, or a nonprofit successor of such company.

(R) "Electric distribution utility" means, as defined in division (A)(6) of section 4928.01 of the Revised Code, an electric utility that supplies at least retail electric distribution service.

(S) "Electric partnership program policies and procedures" means the policies and procedures developed, maintained, and published from time to time by the office of community assistance for electric partnership program service providers.

(T) "Electric services company" means, as defined in division (A)(9) of section 4928.01 of the Revised Code, an electric light company that is engaged on a for-profit or nonprofit basis in the business of supplying or arranging for the supply of only a competitive retail electric service in Ohio. "Electric services company" includes a power marketer, power broker, aggregator, or independent power producer but excludes an electric cooperative, municipal electric utility, governmental aggregator, or billing and collection agent.

(U) "Electric utility" means, as defined in division (A)(11) of section 4928.01 of the Revised Code, an electric light company that has a certified territory and is engaged on a for-profit basis in the business of supplying a noncompetitive retail electric service in Ohio or in the businesses of supplying both a noncompetitive and a competitive retail electric service in Ohio. "Electric utility" excludes a municipal electric utility or a billing and collection agent.

(V) "Eligible customer" means a customer who satisfies the eligibility criteria set forth in rule 122:5-3-02 of the Administrative Code.

(W) "Energy efficiency and weatherization services" means those services coordinated by the office



of community assistance through its energy efficiency and weatherization programs targeted, but not provided exclusively, to high-cost, high-volume use structures occupied by eligible customers with the goal of reducing the energy bills of such customers.

(X) "Federal poverty guidelines" means the poverty guidelines updated periodically in the Federal Register by the United States department of health and human services under the authority of 42 U.S.C. 9902(2).

(Y) "Former percentage of income payment plan customer" (former PIPP plus customer) means a customer who (1) remains within the service territory of the electric distribution utility that provided electric service to the customer while participating in the PIPP plus program, (2) either elects to terminate participation in the PIPP plus program or is no longer eligible to participate in the PIPP plus program as a result of an increase in the household income or change in the household size, and (3) is not enrolled in the graduate PIPP plus or post-PIPP plus payment programs provided in accordance with paragraph (B)(5) of rule 122:5-3-04 of the Administrative Code.

(Z) "Fraudulent Enrollment" means the PIPP plus applicant knowingly conceals income or household composition information for any household member in order to be eligible for the program or to obtain a lower PIPP plus installment.

(AA) "Fund" means the universal service fund established by division (A) of section 4928.51 of the Revised Code.

(BB) "Graduate percentage of income payment plan customer" (graduate PIPP plus customer) means a customer who (1) continues to receive electric service from the electric distribution utility that provided service to the customer while participating in the PIPP Plus program, and (2) was previously enrolled in a percentage of income payment plan.

(CC) "Household income" means the total gross income before taxes of all household members except earned income of dependent minors under eighteen years old, any income expressly excluded under federal rules for the administration of the home energy assistance program, and any income otherwise expressly excluded by the director as provided in paragraph (B) of rule 122:5-3-02 of the Administrative Code. Gross household income includes, but is not limited to, wages, interest,



dividends, annuities, and pensions. Sources of income excluded from "household income" shall be those sources of income identified as excluded by the director annually as part of the annual LIHEAP plan and published in the annual energy assistance guidelines.

(DD) "Inactive PIPP plus customer" means a customer who is not currently enrolled in the PIPP plus program, the graduate PIPP plus payment program, or the post-PIPP plus payment program and such customer has a PIPP arrearage balance greater than zero dollars.

(EE) "Local agency" means a community action agency or other local service provider designated by the director to assist with the administration of low-income customer assistance programs at the local level.

(FF) "Low-income customer assistance programs" means the PIPP plus program, the home energy assistance program, the home weatherization assistance program, the electric partnership program (formerly known as the targeted energy efficiency and weatherization program) and such other programs as may be developed by the director as permitted or required by law.

(GG) "Monthly PIPP plus installment amount" means for each PIPP plus customer the amount of such customer's household income to be paid each month for electric service as determined in accordance with paragraph (A) of rule 122:5-3-04 of the Administrative Code.

(HH) "Municipal electric utility" means, as defined in division (A)(20) of section 4928.01 of the Revised Code, a municipal corporation that owns or operates facilities to generate, transmit, or distribute electricity.

(II) "Office of community assistance" means the office within the Ohio development services agency designated as the agency to receive federal funding from United States departments of health and human services and energy for home energy assistance and home weatherization assistance, respectively.

(JJ) "Non-compliance" means anyone who fails to provide accurate, full and complete information as required by the program in order to determine eligibility requirements or is not qualified for benefits they are currently receiving under the program.



(KK) "On-time payment" means, for purposes of these rules and arrearage crediting, a PIPP Plus installment received by the electric distribution utility prior to the date that the next bill for electric service is issued.

(LL) "Operational policies and procedures" means the policies and procedures adopted by the director to further implement the PIPP plus program in accordance with section 4928.53 of the Revised Code and the rules set forth in this chapter of the Administrative Code.

(MM) "Percentage of income payment plan plus program," or "PIPP Plus program," means the program administered by the director in accordance with section 4928.53 of the Revised Code and the rules set forth in this chapter of the Administrative Code allowing eligible customers to pay a percentage of household income in lieu of the actual bill for residential electric service. For purposes of marketing the PIPP plus program to eligible customers, the director may assign a distinct program name or title to the PIPP plus program.

(NN) "PIPP Plus anniversary date" means the calendar date by which the PIPP plus customer must be current on his/her income based PIPP plus payments to continue participation in PIPP plus for the subsequent twelve months. It is also the date by which the PIPP plus customer's arrearage credit amount will be reviewed and may be recalculated. The PIPP plus anniversary date shall be at or about twelve months from when the customer is enrolled in PIPP plus.

(OO) "PIPP Plus annual verification date" means the calendar date at or about twelve months from the PIPP plus customer's most recent re-verification date.

(PP) "PIPP Plus customer" means a customer who participates in the percentage of income payment plan program.

(QQ) "PIPP Plus re-verification date" means the actual date on which the PIPP plus customer documented his or her household income and household size to continue in the PIPP plus program or the PIPP plus graduate program.

(RR) "Post-percentage of income payment plan customer" (post-PIPP plus customer) means a



customer who (1) no longer has electric service from the electric distribution utility that provided service to the customer while participating in the PIPP plus program, (2) was previously enrolled in a percentage of income payment plan, and (3) is enrolled in the transitional phase of the PIPP plus program provided in accordance with paragraph (B)(5)(c) of rule 122:5-3-04 of the Administrative Code.

(SS) "Universal service rider" means the rider on retail electric distribution service rates authorized by section 4928.52 of the Revised Code and established from time to time by petition of the director to the commission as provided therein.

(TT) "Weatherization program standards" means the standards developed, maintained, and published from time to time by the office of community assistance which relate to the installation of weatherization materials and energy efficiency products, services and measures and to performance evaluation of such materials, services, and measures.