



## Ohio Administrative Code

### Rule 4901:1-10-24 Customer safeguards and information.

Effective: November 1, 2021

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(A) Each electric utility shall notify customers annually, by bill insert or other notice, about its summary of customer rights and responsibilities, as prescribed by rule 4901:1-10-12 of the Administrative Code, and how to request a copy from the electric utility.

(B) Each electric utility shall maintain a listing in each incumbent local exchange carriers local directory operating in the electric utility's certified territory.

(C) Customer education and marketing practices.

Each electric utility shall provide informational, promotional, and educational materials that are non-customer specific and explain services, rates, and options to customers. The staff may review and/or request modification of informational, promotional, and educational materials. Such materials, shall include the following information:

(1) An explanation of the service, its application, and any material exclusions, reservations, restrictions, limitations, modifications, or conditions.

(2) If services are bundled, an identification and explanation of service components and associated prices.

(3) An identification and explanation of:

(a) Any one-time or nonrecurring charge(s) (e.g., penalties and open-ended clauses).

(b) Recurring charge(s) (e.g., usage).

(4) An explanation of how the customer can access the approximate generation resource mix and environmental disclosure data, as prescribed in rule 4901:1-10-31 of the Administrative Code.



(D) Unfair and deceptive acts or practices. No electric utility shall commit an unfair or deceptive act or practice in connection with the promotion or provision of service, including an omission of material information. An unfair or deceptive act/practice includes, but is not limited to, the following:

(1) An electric utility states to a customer that distribution service will or may be disconnected unless the customer pays any amount due for a non-tariffed or non-regulated service.

(2) An electric utility charges a customer for a service for which the customer did not make an initial affirmative order. An affirmative order means that a customer or applicant for service must positively elect to subscribe to a service before it is added to the account. Failure to refuse an offered or proposed service is not an affirmative order for the service.

(E) Customer specific information.

(1) An electric utility shall not disclose a customer's account number without the customer's consent and proof of that consent as delineated in paragraph (E)(4) of this rule, or a court or commission directive ordering disclosure, except for the following purposes:

(a) An electric utility's collections and/or credit reporting activities.

(b) Participation in the home energy assistance program, the emergency home energy assistance program, and programs funded by the universal service fund, pursuant to section 4928.52 of the Revised Code, such as the percentage of income payment plan programs.

(c) Cooperation with governmental aggregation programs, pursuant to section 4928.20 of the Revised Code.

(2) An electric utility shall not disclose a customer's social security number without the customer's written consent as delineated in paragraph (E)(4) of this rule, or without a court order, except for the following purposes:



(a) Completing a customer credit evaluation.

(b) An electric utility's or competitive retail electric service (CRES) provider's collections and/or credit reporting activities.

(c) Participation in the home energy assistance program, the emergency home energy assistance program, and programs funded by the universal service fund, pursuant to section 4928.52 of the Revised Code, such as the percentage of income payment plan programs.

(3) An electric utility shall not disclose residential customer energy usage data that is more granular than the monthly historical consumption data, provided on the customer pre-enrollment list pursuant to paragraph (E) of rule 4901:1-10-29 of the Administrative Code, without the customer's consent, or as required for billing purposes, or electronic authorization, or a court or commission directive ordering disclosure.

(4) Customer information release consent form

(a) Written consent shall be on a separate piece of paper and shall be clearly identified on its face as a release of personal information and all text appearing on the consent form shall be in at least sixteen-point type. The following statement shall appear prominently on the consent form, just prior to the signature, in type darker and larger than the type in surrounding sentences: "I realize that under the rules and regulations of the public utilities commission of Ohio, I may refuse to allow (name of the electric utility) to release the information set forth above. By my signature, I freely give (name of the electric utility) permission to release the information designated above." The written consent form for the release of customer energy usage data shall specify the identity of any recipients of the data, type and granularity of the data being collected, and uses for which the data is being collected. Forms requiring a customer to circle or to check off preprinted types of information to be released may not be used.

(b) Electronic consent shall be verifiable and in a substantially similar format to the written consent in paragraph (E)(4)(a) of this rule. The following statement shall appear prominently: "I realize that under the rules and regulations of the public utilities commission of Ohio, I may refuse to allow (name of the electric utility) to release the information set forth above. By providing my electronic



signature, I freely give (name of the electric utility) permission to release the information designated above."

(5) Nothing in this rule prohibits the commission from accessing records or business activities of an electric utility, as provided for in paragraph (B) of rule 4901:1-10-03 of the Administrative Code.

(F) Customer load pattern information. An electric utility shall:

(1) Upon request, timely provide twenty-four months of a customer's usage history, payment history, detailed consumption data, if available, and time differentiated price data, if applicable, to the customer without charge.

(2) Provide generic customer load pattern information, in a universal and user-friendly file format, to other electric service providers on a comparable and nondiscriminatory basis. Load pattern information shall be based upon a minimum of three years of historical customer usage data.

(3) Provide customer-specific information to CRES providers on a comparable and nondiscriminatory basis as prescribed in paragraph (E) of rule 4901:1-10-29 of the Administrative Code, unless the customer objects to the disclosure of such information.

(4) Prior to issuing any eligible-customer lists and at least four times per calendar year, provide all customers clear written notice, in billing statements or other communications, of their right to object to being included on such lists. Such notice shall include instructions for reporting such objection. This notice shall read as follows:

"We are required to include your name, address, usage information, and other customer specific information as identified on the approved pre-enrollment list displayed on our website and tariffs, on a list of eligible customers that is made available to other competitive retail electric service providers. If you do not wish to be included on this list, please call (electric utility telephone number) or write (electric utility address). If you have previously made a similar election, your name will continue to be excluded from the list without any additional action on your part. If you previously decided not to be included on the list and would like to reverse that decision, please call or write us at the same telephone number and address. An election not to be included on this list will not prevent



(electric utility name) from providing your information to governmental aggregators."

In addition, the electric utility may offer its customers the option of contacting the electric utility by electronic means and, if it does so, the electric utility shall add its electronic mail address or web site to the above notice. The categories of customer specific information listed on the pre-enrollment shall be displayed in an easily accessible place on each utility's website for customers to view.

(5) If a customer objects as provided in paragraphs (F)(3) and (F)(4) of this rule, the electric utility shall not release such information unless and until the customer affirmatively indicates that the information may be released.

(G) To provide customers with a list of certified CRES providers actively seeking residential customers within the electric utility's service territory, each electric utility shall maintain a link on its website directing customers to the commission's website, [energychoiceohio.gov](http://energychoiceohio.gov), which offers such information.