



## Ohio Administrative Code

### Rule 4901:1-19-11 Abrogation or modification of an order granting an exemption, exit-the-merchant-function plan, or alternative rate plan.

Effective: June 15, 2023

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(A) The commission may, upon its own motion or upon the motion of any person adversely affected by an exemption, exit-the-merchant-function plan, or alternative rate plan, including the natural gas company operating under the exemption or plan, and after notice and hearing pursuant to division (A) of section 4929.08 of the Revised Code, modify or abrogate any order granting the exemption, exit-the-merchant-function plan, or alternative rate plan under section 4929.04 or 4929.05 of the Revised Code, where both of the following conditions exist:

(1) The commission determines that the findings upon which the order was based are no longer valid and that the modification or abrogation is in the public interest.

(2) The modification or abrogation is not made more than eight years after the effective date of the order, unless the affected natural gas company consents.

(B) The commission may order such procedures as it deems necessary, consistent with this chapter, in its consideration of whether to modify or abrogate an order granting an exemption, exit-the-merchant-function plan, or alternative rate plan.

(C) If the commission has issued an order approving an exemption under section 4929.04 of the Revised Code, the natural gas company will not be required to provide default commodity sales service through a purchased gas adjustment clause, unless the commission determines that market conditions are not competitive or that the physical supply of natural gas commodity has been compromised by unforeseen circumstances. The commission may issue orders or directives imposing temporary measures necessary for the provision of default commodity sales service and set an expedited hearing on the orders or directives. Any such orders or directives are drawn as narrowly as possible to accomplish the purpose of protecting the public on an interim basis. The commission takes all possible steps to ensure that the temporary measures remain in place only long enough to remedy noncompetitive market conditions or resumption of the ordinary function of the physical supply of natural gas commodity. A natural gas company may request recovery of all costs



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reasonably incurred by the company in complying with any temporary measures imposed under this chapter.