



Ohio Administrative Code Rule 4901:5-19-02 General provisions.

Effective: July 7, 2023

(A) The requirements of this chapter are intended to provide the governor with the means of managing, on a statewide basis, a continuing fuel shortage. It is expected that electric providers and electric power producers will take all prudent measures prior to reaching mandatory action levels under rule 4901:5-19-05 of the Administrative Code.

(B) The institutional and regulatory relationship between jurisdictional utilities and the commission remains intact. Except as otherwise provided by this chapter or commission order during an energy emergency, each electric provider and electric power producer shall comply with all applicable rules and requirements of the commission.

(C) Measures required by the governor under these rules, implemented or enforced pursuant to rule 4901:5-19-03 of the Administrative Code, shall prevail over any existing requirements of the commission inconsistent with said measures.

(D) All actions required in this chapter are intended to be implemented by each electric provider and electric power producer to the extent reasonably possible. Actions ordered of consumers stay in effect until terminated or changed. Electric power producers are not required to take any action that may adversely impact the safety of plant personnel or plant equipment.

(E) In anticipation of an imminent energy emergency or during a declared energy emergency, the commission may order all electric power producers having a generating capacity of fifty megawatts or more to submit to commission staff a weekly report of electric supply adequacy. Upon request of the chairperson of the commission, the report of electric supply adequacy shall be submitted daily. The report shall contain the following information:

- (1) Name of unit and megawatt output under normal operating conditions.
- (2) The expected megawatt output of the unit during the declared energy emergency.



- (3) The amount of fuel available, on hand, to operate the unit.
- (4) The amount of fuel procured to continue emergency operations of the unit.
- (5) The average daily consumption rate of fuel to operate the unit during the declared energy emergency.
- (F) Upon request, each electric power producer shall submit to commission staff the calculations and a detailed description of all assumptions made in the reports required under paragraph (E) of this rule.
- (G) In anticipation of an imminent energy emergency or during a declared energy emergency, each electric provider and electric power producer shall be required to answer commission staff's questions, as well as to update its company's contact information with the commission.
- (H) The commission's fuel source advisory council may notify and advise the chairperson of the commission about electric power supply problems and shortages and may make recommendations, including the need for the governor to declare an energy emergency and to implement rule 4901:5-19-05 of the Administrative Code.
- (I) The chairperson of the commission shall notify the governor when, based on the information available to the chairperson, the chairperson believes that either of the following conditions exists:
- (1) An energy emergency may exist with regard to the supply of fuel for electric generation.
 - (2) An energy emergency no longer exists with regard to the supply of fuel for electric generation.
- (J) When and if it is determined such action is appropriate, the governor may request the secretary of the United States department of energy to invoke appropriate federal laws and regulations.
- (K) The commission may, upon an application or a motion filed by a party, waive any requirement of this chapter, other than a requirement mandated by statute, for good cause shown.



(L) The commission may direct the attorney general to bring an action for immediate injunction or other appropriate relief to enforce commission orders and to secure immediate compliance with this chapter.

(M) The provisions of this rule only apply to entities to the extent of the commission's statutory authority.