



Ohio Administrative Code

Rule 4906-3-12 Application fees and board expenses.

Effective: December 11, 2015

(A) The board's expenses associated with the review, analysis, processing, and monitoring of applications made pursuant to Chapters 4906-1 to 4906-7 of the Administrative Code shall be borne by the person submitting the application and shall include all expenses associated with monitoring, construction, and operation of the facility and compliance with certificate conditions. Application fees submitted to the board shall be utilized for all direct expenses associated with the consideration of an application and granting of a certificate and monitoring of construction and initial operation of the facility. The chairman shall provide, annually to each applicant, a current summary of the applicant's active cases showing case numbers, fees received, and board expenses.

(B) The application filing fee for a certificate for a single or multiple unit electric power generation plant and associated facilities, or substantial additions thereto, shall consist of the product of fifty cents times the maximum kilowatt electric capacity, as determined by the estimated net demonstrated capability of the highest capacity alternative. The maximum application filing fee shall be one hundred fifty thousand dollars.

(1) After accepting an application as complete, the chairman, using paragraph (B) of this rule, shall determine the amount of the application filing fee, advise the applicant of the fee amount and advise the applicant that it is payable upon filing the accepted, complete application.

(2) Board expenses associated with a preapplication conference will be included as part of the application review expenses. If the applicant fails to file an application within twelve months of the preapplication conference, the chairman shall invoice the applicant for the board's expenses incurred as a result of the preapplication conference.

(C) The application filing fee for a certificate for a gas pipeline and associated facilities or an electric power transmission line and associated facilities shall consist of:

(1) An amount based on the estimated construction cost of the most costly alternative route as



follows:

Construction cost	Fee
up to - \$500,000	\$10,000
\$500,000 - 1,000,000	\$25,000
1,000,001 - 2,000,000	\$35,000
2,000,001 - 5,000,000	\$50,000
5,000,001 - up	\$65,000

(2) After accepting an application as complete, the chairman, using paragraph (C)(1) of this rule, shall determine the amount of the application filing fee, advise the applicant of the fee amount, and advise the applicant that it is payable upon filing the accepted, complete application.

(3) Board expenses associated with a preapplication conference will be included as part of the application review expenses. If the applicant fails to file an application within twelve months of the preapplication conference, the chairman shall invoice the applicant for the expenses the board incurred as a result of the preapplication conference.

(4) If an associated transmission substation is included in the application for an electric transmission line, the application fee for the substation shall be calculated separately and added to the filing fee for the transmission line.

(D) The application filing fee for an amendment to a certificate shall consist of:

(1) An amount based on the estimated construction cost of the amended portion of the facility as follows:

Construction cost	Fee
up to - \$500,000	\$3,000
\$500,000 - 1,000,000	6,000
1,000,000 - 2,000,000	9,000
2,000,001 - 5,000,000	12,000
5,000,001 - up	15,000



(2) After accepting an amendment application as complete, the chairman, using paragraph (D)(1) of this rule, shall determine the amount of the application filing fee, advise the applicant of the fee amount, and advise the applicant that it is payable upon filing the accepted, complete amendment application.

(E) If the chairman determines that the initial application fee paid under paragraph (B), (C) or (D) of this rule will not be adequate to pay for the board's expenses associated with the application prior to the end of the year in which the certificate is issued, the chairman may charge the applicant a supplemental application fee in an amount necessary to cover such expenses.

(F) At the end of the calendar year in which the certificate is issued, the chairman shall determine if the application filing fee was adequate to pay the actual expenses for review of the application. If the fee was inadequate, the chairman shall invoice the applicant for the amount of the shortage, and shall do so, at least, annually thereafter to cover the board's expenses until the project has been completed. If there are adequate funds, no annual invoicing will be required until a shortage occurs. The review will be done annually. Final reconciliation, including refunds in cases where fees paid exceed the amount needed to cover the board's expenses, will be done at the end of the calendar year in which the applicant notifies the board that the project has been completed. If a certificate application is withdrawn, the chairman shall cause a refund to be issued in the amount of the application fee in excess of the costs incurred to date.

(G) For purposes of this rule, "construction cost" shall include all costs of the project including rights-of-way, land acquisition, clearing, material and equipment, erection of the facility and any other capital cost applicable to that project.

(H) Board expenses for the resolution of jurisdictional issues, and all other incidental services will be invoiced at cost. Payment shall be due upon receipt of an invoice.

(I) The board shall publish annually a report accounting for the collection and expenditure of fees. The annual report shall be published not later than the last day of June of the year following the calendar year to which the report applies.