



Ohio Revised Code

Section 4929.163 Application for economic development project.

Effective: March 28, 2024

Legislation: House Bill 201

(A) A natural gas company may file an application with the public utilities commission for approval of an economic development project for which the company will incur infrastructure development costs.

(B) The company shall file the application for project approval prior to beginning the project.

(C) The application for project approval, to the extent applicable, shall contain a description of each of the following:

(1) The economic development project;

(2) The infrastructure development costs to be expended on the project;

(3) How the project meets the criteria set forth in rules adopted under division (D) of this section;

(4) The support for the project by an economic development entity or chamber of commerce. For purposes of this application requirement, "economic development entity" includes any of the following:

(a) JobsOhio or any JobsOhio network or regional partner;

(b) Department of development;

(c) Port authority created under Chapter 4582. of the Revised Code;

(d) Special improvement district created under Chapter 1710. of the Revised Code;

(e) Community urban redevelopment corporation qualified to operate under Chapter 1728. of the



Revised Code;

(f) Community improvement corporation organized under Chapter 1724. of the Revised Code;

(g) New community authority organized under Chapter 349. of the Revised Code;

(h) Joint economic development district created under section 715.70 or 715.71 of the Revised Code;

(i) Development corporation organized under Chapter 1726. of the Revised Code;

(j) Municipal utility district designated under section 715.84 of the Revised Code.

(D)(1) The commission shall adopt rules setting forth the criteria for project approval under this section.

(2) The commission may approve a project under this section that involves infrastructure development costs described in division (B)(1)(a) of section 4929.16 of the Revised Code if the infrastructure development costs, excluding the return set forth in division (B)(2)(c) of section 4929.16 of the Revised Code, are projected to generate a return on the company's investment that is less than the most recently authorized return on equity.

(E) The commission shall adopt rules to provide for an accelerated review of an application filed under division (A) of this section. The rules shall provide for the automatic approval of the application not later than thirty days after the date of the application filing unless the commission suspends the application for good cause shown. If the application is suspended, the commission shall approve, deny, modify, or hold a hearing on the application not later than forty-five days after the date that the suspension begins.