

# **Ohio Consumers' Counsel**

## **Annual Report 2003**

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# Deputy Consumers' Counsel Message

**T**he Ohio Consumers' Counsel (OCC) was actively involved in a variety of important issues in 2003. We have advocated for reliable service, consumer protections and lower rates for Ohio's 4.5 million residential utility consumers.

All eyes were focused on the electric industry in 2003, as the OCC worked to protect consumers from volatile rates in the future and to address electric reliability concerns in the wake of the August 14 blackout. While the OCC was able to help develop a plan to provide stable rates for an additional five years for Dayton Power & Light customers, we have growing concerns about what the future holds for the remainder of the state. Without prompt and decisive action at both the state and federal levels, electric competition in Ohio could be in serious jeopardy. The future of the electric rate cap promised in Senate Bill No. 3 also hangs in the balance in cases before the Ohio Supreme Court and the Public Utilities Commission of Ohio (PUCO). Equally important, the OCC has advocated for state and federal policymakers to address the issue of electric reliability that Ohio's utilities are obligated to provide – without an increase in rates to residential consumers.

In the natural gas industry, OCC focused its attention on reducing consumer rates through its work in cases at the PUCO and education about gas choice programs. For example, the OCC has asked the PUCO to credit the customers of Vectren Energy Delivery of Ohio nearly \$12 million. At the same time, enrollment grew in all of the state's natural gas choice programs, and Vectren's program – the state's newest – reached 20 percent customer switching just a year after getting off the ground. The OCC will continue its efforts in these areas in the coming year.

Arguments at the Ohio Supreme Court over proposed rate increases to some commonly used services and support of Ohio Do-Not-Call legislation, were two of the issues that OCC concentrated on in the telecommunications arena last year. Residential consumers will now have relief from unwanted telemarketing calls and the Ohio Attorney General will have the enforcement power to act against telemarketers who fail to follow the new law. As 2004 unfolds, our focus will shift to proceedings at the PUCO that could determine the future of telephone choice in Ohio.

Decisions made by state and federal regulators in 2004 will help determine the fate of electric and telephone competition. They also will impact consumers' rates and service quality. The OCC will be vigilant in protecting consumers' interests in the process.



Eric Stephens  
Deputy Consumers' Counsel

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**The OCC was created in 1976 by the Ohio General Assembly to represent the interests of residential consumers of Ohio's investor-owned electric, natural gas, telephone and water companies.**

**As the residential utility advocate, the OCC serves as a resource for individuals who have questions and concerns or would like more information about their public utility services. The state agency also investigates and resolves consumer complaints.**



# Deputy Consumers' Counsel

**E**ric Stephens has assumed the responsibilities of directing the Ohio Consumers' Counsel (OCC) on an interim basis while an exhaustive search is conducted to replace Robert S. Tongren, who led the agency from January 1994 to November 2003.

As Deputy Consumers' Counsel, Stephens directs the work of the agency's Advocacy Services Department, including a legal staff that represents the interests of Ohio's residential utility customers. He also serves as a primary liaison with other public agencies.

In addition, Stephens is responsible for developing and implementing policies related to electric, natural gas, telephone and water issues and making recommendations regarding the OCC's involvement in state and federal regulatory utility matters. As part of the OCC's Management Team, he participates in planning overall agency goals and objectives.



Stephens joined the OCC in 1997 as an Assistant Consumers' Counsel and advanced to Director of Advocacy Services in 1999. Stephens' leadership led to his promotion to Deputy Consumers' Counsel in September 2001.

Prior to joining the OCC in 1997, Stephens served as Assistant to the Chairman of the Ohio Industrial Commission and as a law clerk in the Ohio Court of Appeals, Fourth District.

Actively involved in the community, Stephens is a graduate of Leadership Columbus, a program that explores the community's history, its present-day needs and the qualities of leadership.

Stephens earned his law degree from The Ohio State University College of Law and received his bachelor's degree from Youngstown State University.

## Our Mission

*The Ohio Consumers' Counsel advocates for Ohio's residential utility consumers through representation and education.*

## Our Vision

*Informed consumers receiving reasonably priced, quality utility services with the Ohio Consumers' Counsel as their advocate.*

# Chairman's Message

**T**he year 2003 proved to be one of great import to the Ohio's Consumers' Counsel (OCC), which is charged with advocating on behalf of Ohio's 4.5 million residential utility customers. The agency valiantly opposed utility rate hikes, advocated for competitive utility choices and argued two cases at the Ohio Supreme Court. At a time when the fate of utility rates remains uncertain and when state regulators are readying to determine the future of electric and telecommunications choice for Ohioans – the need for an agency solely representing the interests of residential consumers is critical.

Litigating cases before the Public Utilities Commission of Ohio, the courts and federal regulatory agencies is but one of the crucial roles the OCC plays. The professional staff of the OCC also fulfills a more personal role with consumers by meeting with them in groups and one on one, educating them about their utility services and helping to resolve their complaints. All of these components add up to a full array of services that residential consumers want and need.

The last few months of 2003 brought the resignation of Robert S. Tongren as Consumers' Counsel, but the office and its staff rallied to continue their hard work in protecting Ohio's residential utility customers. The OCC Governing Board turned over the responsibilities of the office to Deputy Consumers' Counsel, Eric Stephens, until a permanent Consumers' Counsel could be appointed. Under Mr. Stephens' leadership, the OCC focused on the business at hand, which included handling electric reliability issues, preparing to litigate the post market development surcharge plan proposed by FirstEnergy, advocating for a rate reduction for Vectren Energy Delivery of Ohio customers and opposing an increase in SBC Ohio's wholesale rates, among numerous other cases on the table.

By the time this 2003 Annual Report is published, a new Consumers' Counsel should be in place. I am confident that this individual will be a strong, proactive advocate and will have the experience and wherewithal to gain benefits for consumers and protect their interests to the fullest extent possible.

On behalf of the Governing Board, I extend our sincere appreciation to the Governor, the Ohio General Assembly, the Ohio Attorney General and the PUCO for their continued support of this agency. Without their faith in the work of the OCC, residential consumers would be denied the expert and committed representation that they deserve with respect to utility issues. The pages that follow will provide you insight into the work the OCC has performed in the past year, and a brief overview of the important issues the office will be taking on in 2004. Thank you.



Jerome G. Solove  
Chairman, Ohio Consumers' Counsel Governing Board

- **By law, the bipartisan Ohio Consumers' Counsel (OCC) Governing Board is made up of nine members, three each representing residential consumers, organized labor and family farmers.**
- **Members are appointed by the Ohio Attorney General for a period of three years and are confirmed by the Ohio Senate.**
- **The OCC Governing Board conducts regular public meetings every other month in Columbus.**

# Governing Board Members



**Jerome G. Solove**  
**Chairman**  
Chairman, 1999 – present  
1998 – present  
Residential Consumers  
Hometown: Powell

Jerome Solove was appointed to the Governing Board in 1998 to represent residential consumers, and became Chairman in 1999. He is the president and owner of Jerome Solove Development, Inc., headquartered in Columbus. Solove is a member of the International Council of Shopping Centers, as well as a former board member of the Columbus Area Apartment Association and the Rickenbacker Port Authority in Franklin County. Solove earned a bachelor of science degree in business administration with a dual major in real estate and finance from The Ohio State University.



**Rhonda Johnson**  
**Vice Chairman**  
Vice Chairman, 1996 – 2003  
1996 – 2003  
Organized Labor  
Hometown: Columbus

Rhonda Johnson represents the interests of organized labor as a Governing Board member. She is the vice president of the Columbus Education Association (OEA/NEA), member of the Employment Vision Council of the United Way of Central Ohio, and is a former vocational business teacher with the Columbus School System. Johnson received a bachelor of science degree from Alabama A&M University, and a master of arts degree from The Ohio State University.



**Mark Gehri**  
1997 – present  
Organized Labor  
Hometown: Hudson

Mark Gehri was appointed to the Governing Board in 1997 to represent the interests of organized labor. Gehri is a fire fighter with the Bedford Heights Fire Department, works in the office of the Northern Ohio Fire Fighters and serves as president of Local 1497 of the International Association of Fire Fighters. He attended Cuyahoga Community College and graduated from Brentwood Paramedic School.



**Herman Kohlman**  
1991 – present  
Family Farmers  
Hometown: Oak Harbor

Herman Kohlman was appointed to the Governing Board in 1991 to represent family farmers. He is a member of the Farmers Union Board, the Agriculture Committee for Agriculture Week in Ottawa County, president of the Ottawa County Farmers Union and president of a local fraternal branch. Kohlman is a member of the Democratic Club, the Executive and Central Committees of the Democratic Party and the Ottawa County Farmland Preservation Committee.

# Governing Board Members



**Dorothy Leslie**  
2001 – present  
Family Farmers  
Hometown: Upper Sandusky

Dorothy Leslie was appointed to the Governing Board in 2001 to represent family farmers. She lives in Upper Sandusky, Ohio where she has operated a family farm since 1951. Leslie previously served as the state executive director of the Farm Service Agency from 1989 to 1993 and as a research associate for The Ohio State University. She has earned many awards for her service to the farming community in Ohio over the years and is an active member of the Ohio Farm Bureau and is chairperson of the State Farm Service Agency for the state of Ohio.



**Helen Mac Murray**  
2002 – present  
Residential Consumers  
Hometown: Bexley

Helen Mac Murray was appointed to the Governing Board in 2002 to represent residential consumers. She lives in Bexley, Ohio where she serves on the Bexley City Council. Mac Murray is currently a partner with the Columbus law firm Kegler, Brown, Hill & Ritter, where she serves as director and area chief, national regulatory affairs. From 1995 to 2001, she served as chief of the consumer protection section of the Attorney General's Office where she gained extensive knowledge and experience in representing Ohio consumers.



**James R. Rarey**  
1996 – present  
Organized Labor  
Hometown: Canal Winchester

James Rarey joined the Governing Board in 1996 to represent organized labor. He is the executive secretary-treasurer of the Columbus/Central Ohio Building and Construction Trades Council. Rarey is the past president of the Canal Winchester Village Council and is a former member of the Governor's Labor Advisory Council. Currently, he is a member of the Columbus-Franklin County AFL-CIO Executive Board, the Ohio State Building Trades Council Executive Board and the United Way of Franklin County Community Services Committee. He also serves on the Private Industry Council and the Central Ohio Transit Authority.



**John Steinberger**  
2001 – present  
Family Farmers  
Hometown: St. Paris

John Steinberger was appointed to the Governing Board in 2001 to represent family farmers. He lives in St. Paris where he currently serves as president of Custom Linings, Inc. Steinberger has been very active in farming and agriculture throughout his career, which includes service as executive director of the Rural Development Partnership and chief of the Division of Weights and Measures at the Ohio Department of Agriculture. He is a former county commissioner and has been active in numerous local organizations.

# Strategic Plan 2003

**R**epresentation, education and planning and development continued to be the three key components of the Ohio Consumers' Counsel (OCC) strategic plan for fiscal year 2003. Goals are developed within these three areas and are used as a guide to ensure that the OCC meets the needs of Ohio's residential utility customers.

The OCC's 2003 primary goals included:

1. Provide exemplary service to residential utility customers and improve the efficiency and effectiveness of handling consumer contacts and complaints.
2. Through litigation and other processes, maximize benefits and minimize harm to residential utility customers, and work to develop an environment that will allow meaningful choices.
3. Provide educational resources that meet consumers' wants and needs relating to regulated and competitive utility services.
4. Obtain and develop the resources to provide exemplary customer service to residential utility customers and respond to their changing needs for OCC's advocacy.

## Employee Awards

The Ohio Consumers' Counsel greatly values the hard work and dedication of its entire staff. Throughout the year outstanding individuals as well as project teams are recognized by their peers and rewarded for superior service to the agency.

For the eighth consecutive year, the OCC recognized four Employees of the Quarter, Employee of the Year and three different teams, which worked together to successfully accomplish pre-determined goals.

During fiscal year 2003, the OCC staff nominated and selected employees of the quarter based upon specific criteria including job performance, professionalism, work product and teamwork. The OCC recognized **Ryan Lippe**, Communications Specialist, **Dan Piercy**, Website Specialist, **Pat Tanner**, Utility Rate Analyst Coordinator and **Rusty Russell**, Compliance Investigator. This year, for the first time, there was a tie between two employees, **Ryan Lippe** and **Rusty Russell**, and both were selected as the Employee of the Year. Their nominations spoke volumes about their contributions and dedication to the OCC.

The OCC congratulates each individual honoree and is appreciative of their accomplishments on behalf of residential consumers.



Ryan Lippe  
July - September 2002



Dan Piercy  
October - December 2002



Pat Tanner  
January - March 2003



Rusty Russell  
April - June 2003

# 2003 Achievements



Monica Hunyadi  
Director of Operations

**Administration** - Through efficiency gains in fiscal and organizational management, the Ohio Consumers' Counsel (OCC) finished fiscal year 2003 \$1.8 million or 20 percent under budget; obtained approval of the OCC budget for fiscal year 2004 – 2005 biennium without a funding increase; coordinated the strategic planning process to support biennial planning and increased application of measurable goals; completed the relocation of the complaint-tracking database to the OCC while also improving data coding and recording and complaint management; improved customer satisfaction results by implementing a new staffing plan, training program, enhanced partnerships with utility call centers and community support agencies and improved support procedures; completed computer network and mail system upgrades and installed a storage area network solution to increase storage, stability and back-up capabilities.



Eric Stephens  
Deputy Consumers' Counsel

**Advocacy** - Argued in the Ohio Supreme Court that the Public Utilities Commission of Ohio (PUCO) could not, in violation of Ohio law, grant Sprint pricing flexibility on nearly all of its services so long as Sprint customers did not have competitive choices for local telephone service; obtained price stability and the opportunity for \$91 million in rate reductions for Dayton Power & Light customers through the end of 2008; challenged new charges for the extension of power lines to consumers' homes at the PUCO and in the Ohio Supreme Court; assisted in the preparation of state Do-Not-Call legislation to stop telemarketers from making unwanted calls to Ohioans homes.



Joseph Bowser  
Director of Analytical Services

**Analytical** - Advocated on federal electric issues, including opposition to legislation that could eliminate important consumer protection standards currently in federal law; testified before the Public Utilities Commission of Ohio in support of requiring local telephone exchange carriers to continue to provide local switching to competitors, so that the choice in providers that residential consumers have is not diminished; worked with other parties to extend Dayton Power & Light's electric market development period, which helped to avoid the possibility of much higher customer bills in 2004, and provided five more years of relatively stable rates.



Maureen Miller  
Director of Communications

**Communications** - Educated consumers about current utility issues by distributing more than 60 press releases, consumer alerts, guest columns and letters to newspaper editors; delivered over 600 presentations and reached more than 68,000 consumers; launched a grassroots campaign to educate consumers about work at both the state and national level to implement a Do-Not-Call registry; redesigned the Ohio Consumers' Counsel (OCC) website to include important statewide utility news, more interactive activities, improved navigational tools and an updated visual appearance; communications efforts resulted in consumers becoming more aware of the OCC and the value of its services by 6 percent.

# Electric: Looking Back

**A**dvocating for consumers to receive reliable service and identifying ways to protect them against higher, more volatile rates in the future dominated the electric work of the Ohio Consumers' Counsel (OCC) in 2003.

The OCC took the following action:

**Secured protection for residential customers of Dayton Power & Light (DP&L).** The company's market development period, along with capped rates, was set to expire on December 31, 2003. While competition could have helped keep electric rates down, residential consumers had yet to see any choice of suppliers. The OCC helped develop a plan to provide five additional years of stable rates, which was approved by state regulators in September 2003.

**Opposed the Public Utilities Commission of Ohio's (PUCO) fast-paced timeline to approve a post market development period plan developed by FirstEnergy.** The expedited schedule was unreasonable for a plan that would have serious consequences for consumers, including the allowance of generation rate increases of a little more than 50 percent over three years.

**Advocated for rules to protect consumers after the market development periods end.** Ohio's electric choice law required the PUCO to issue rules detailing the structure of post market development period generation rates, including the market-based offer and a competitive bidding process. The OCC advocated for uniform bidding procedures to

ensure that suppliers did not face the obstacle of dealing with separate programs administered by each local electric utility. In December 2003, the PUCO issued rules that allow each utility to submit its own procedures, reducing the possibility of a successful bidding process. The OCC has asked the PUCO to reconsider its decision. In addition, the OCC opposed post market development period proposals by Cincinnati Gas & Electric and Monongahela Power that had the potential to impact residential consumers negatively.

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The OCC opposed energy legislation that would have limited federal authority over the development of properly functioning Regional Transmission Organizations.

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**Opposed attempts to violate the rate cap.** Consumers were promised that electric rates would be capped as part of Ohio's electric choice law and the OCC has advocated against several attempts to raise rates. For example, in February 2003 the PUCO rejected the OCC's request to reconsider a decision to allow American Electric Power (AEP), FirstEnergy and Monongahela Power to charge customers new fees to extend power lines to customers' homes. The OCC appealed the line extension fees to the Ohio Supreme Court, where oral arguments took place in January 2004.

**Advocated for the effective, efficient and affordable transmission of electricity.** The OCC requested that the U.S.-Canadian blackout task force's recommendations include the creation of mandatory reliability rules and standards for the regional coordination of transmission operations. A complaint filed by the OCC in 2002 regarding AEP's failure to meet transmission obligations was stayed by the PUCO in 2003 and remains unresolved.

# Electric: Looking Ahead

**O**hio is moving into the fourth year of electric choice facing many obstacles and the possibility of higher, more volatile rates after the market development periods end in 2005. Beyond issues involving the competitive market, there will continue to be questions about electric reliability due to the August 14, 2003 blackout.

The OCC will continue its important advocacy efforts by:

**Requesting a statewide reliability investigation of all of Ohio's investor-owned electric utilities by the Public Utilities Commission of Ohio (PUCO).**

With numerous examples of electric utilities transmission and distribution problems, the OCC is requesting that the PUCO investigate and take action against violators of Ohio law, which requires reliable service.

**Opposing efforts to delay or obstruct the regional coordination of transmission.**

The OCC will continue to support standardized federal rules for Regional Transmission Organizations (RTOs) and oppose any legislation in the U.S. Congress to limit federal regulators' authority over RTOs.

**Analyzing the blackout task force's reliability**

**recommendations.** The OCC will analyze the final report and recommendations made by the U.S.-Canadian blackout task

force. Residential consumers are already paying for a reliable system through their monthly electric bills. Necessary steps should be taken to prevent future widespread blackouts.

**Seeking protections against higher electric rates in 2006.** During 2004, the OCC will continue to pursue options to protect residential consumers from unreasonable price increases after the market development periods end in 2005.

The OCC will continue to support a uniform approach for the competitive bid in order to help competition develop. In January 2004, the OCC requested that the PUCO reconsider its rules, which could allow five different processes.

**Seeking to maintain the rate cap**

**promised to consumers.** The OCC will continue to oppose attempts to violate the rate cap mandated under Ohio's electric restructuring law. Beyond the OCC's opposition of new line extension fees, electric utilities have, and may continue to ask, the PUCO to increase rates based on costs incurred during the market

development period. Charging new fees or deferring costs during the rate cap violates the letter and the spirit of Ohio's restructuring law.

**Opposing obstacles to shopping.** The OCC will advocate for a fair and competitive electric choice market by opposing measures that make it more difficult for local governments to aggregate and individual customers to switch suppliers.



"Kudos and congratulations to the Ohio Consumers' Counsel for providing educational tools so that our students, faculty and staff can learn more about what this wonderful organization is doing to build a better Ohio. Their direct and hands-on approach will strengthen and enhance Ohio's chances of being a national leader in developing new ways to better understand the utility services that we enjoy on a daily basis.

James B. Ewers, Jr. Ed.D

*Associate Executive Director for Student Affairs, Miami University, Middletown*

# Natural Gas: Looking Back

**T**he continued development of Ohio's natural gas choice programs presented many opportunities as well as challenges throughout 2003. The Ohio Consumers' Counsel (OCC) focused its advocacy efforts on balancing a competitive environment and ensuring stable and reasonable rates.

In 2003, the OCC took the following actions on behalf of residential natural gas customers:

**Opposed confusing monthly Gas Cost Recovery (GCR) rates for Cincinnati Gas & Electric (CG&E) and Vectren Energy Delivery of Ohio.** Just as consumers were beginning to recover from the previous winter's heating bills, CG&E and Vectren, over the objections of the OCC, obtained approval from the Public Utilities Commission of Ohio (PUCO) to change their GCR rates on a monthly rather than quarterly basis. Because the new monthly GCR rates are submitted to the PUCO only one day before becoming effective, consumers receive no advance pricing information. Only after consumers receive their bills do they know the GCR rate for the gas they have already used. This lack of notice also hinders consumers' ability to budget their natural gas expenses and comparatively price shop for a natural gas supplier.

**Uncovered overcharges by Dominion East Ohio and obtained refunds for customers.** By participating in the

company's annual GCR financial audit case, the OCC discovered that Dominion had been recovering certain natural gas supply costs from customers through both its GCR and its distribution rates. The OCC testified before the PUCO that Dominion should no longer be allowed to include those costs in its GCR rates. Through an agreement among the OCC, Dominion and the PUCO staff, \$3.3 million was refunded to those customers remaining on Dominion's GCR rate. In addition, the company agreed not to collect these costs through its GCR rates.

**Opposed companies' requests to raise natural gas distribution rates automatically.** The OCC filed objections in two cases before the PUCO in which several natural gas companies had requested to establish automatic adjustments to consumers' rates.

- **Eastern Natural Gas Company** requested the PUCO to allow it to collect a \$4 monthly fee from customers to cover costs associated with the future construction of new natural gas pipelines without the company demonstrating that money had actually been spent. In December 2003, Eastern withdrew its request.
- **Dominion East Ohio, Columbia Gas of Ohio, Vectren Energy Delivery of Ohio, Northeast Ohio Natural Gas and Oxford Natural Gas** all requested approval from the PUCO to recover bad debt expenses from customers through automatic adjustments. The OCC argued against these "bad debt trackers" and proposed several modifications that if approved by the PUCO, would reduce the harm to residential consumers.



"Until my heat was shut off for non-payment, I did not know I even had gas service in my apartment. Then I received a bill for \$1,000. I contacted the Ohio Consumers' Counsel after getting nowhere with the natural gas company. The person I talked with at the Consumers' Counsel helped to bring credibility to my complaint and assisted me in getting the charge cut by almost 88 percent."

Scott Hersch  
*Residential Consumer, South Euclid, Ohio*

# Natural Gas: Looking Ahead

Issues associated with natural gas rates and Ohio's choice programs will continue to be at the forefront of the natural gas industry. The Ohio Consumers' Counsel (OCC) will work to ensure that residential consumers continue to receive reliable service while benefiting from a competitive market.

In 2004, the OCC anticipates the following activities:

**Advocate on behalf of residential consumers during the Public Utilities Commission of Ohio's (PUCO) Gas Cost Recovery (GCR) rules review.** The PUCO's five-year review of the GCR rules began in June 2003 and the outcome of that review in 2004 will play a critical role in many related issues. The OCC filed two sets of objections with the PUCO detailing its concerns about allowing changes to the GCR that could harm consumers or adversely affect Ohio's natural gas choice programs.

**Participate in evaluating and discussing the current Gas Cost Recovery (GCR) mechanism.** The OCC expects that the question of whether the current GCR mechanism is appropriate, especially with the continued expansion of the natural gas choice programs, will continue to be raised. In 2003, for example, two natural gas companies – over the objections of the OCC – applied for

and received permission from the PUCO to change their GCR rates monthly instead of quarterly. The OCC believes Ohio needs a GCR mechanism that reduces pricing volatility without adversely affecting competition or harming consumers.

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Worked for Ohio's natural gas choice customers - After participating in the development and implementation of House Bill 9, rules pertaining to the operation of Ohio's natural gas choice programs, the OCC continued its advocacy on behalf of customers in each service area. The OCC has reviewed and commented on each of the natural gas company's tariffs to ensure they are in compliance with these new rules and that consumers are receiving the protections they deserve.

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**Analyze and comment on the future services provided by local natural gas companies.** With Ohio utility companies supplying the gas commodity to fewer customers as a result of competitive offers available through the choice programs, the OCC anticipates that the utility companies may begin to propose alternatives to their current natural gas supply and service obligations. A review of modifications to the GCR rate option, as well as determining who will serve as a supplier of last resort in the future marketplace, will become even more prevalent as these programs continue to expand.

**Vigilantly monitor the natural gas industry as a whole with a concentrated emphasis on Ohio's choice programs.** The OCC will continue to take an active role on both the education and litigation fronts in an effort to inform and protect residential consumers. Issues

such as natural gas pricing, supply, competitive supplier performance, and safety and reliability will remain a priority.

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A residential consumer billed \$2,500 for their electric, gas and telephone services during a year would pay \$1 for OCC services, and receive average benefits of over \$45.

# Telecommunications: Looking Back

**D**uring 2003, the Ohio Consumers' Counsel (OCC) argued at the Public Utilities Commission of Ohio (PUCO) and the Ohio Supreme Court against higher rates and new fees for residential telephone services. The OCC also supported efforts on Ohio's "Do Not Call" legislation that would help protect consumers against unwanted telemarketing calls.

**Opposed SBC Ohio's late payment charge.** SBC Ohio filed with the PUCO to modify its late payment charge to a flat fee of \$6 or 1.5 percent of a customer's unpaid bill, whichever was greater. The OCC opposed this increase because it would violate the rate cap on basic local service. The PUCO rejected the OCC's position, but adopted SBC's revised proposal that requested a flat fee of \$5 or 1.5 percent. SBC only can assess the late payment fee to customers that are late paying their bill and have an outstanding balance of \$25 or more.

**Opposed SBC Ohio's request to enter the long-distance market.** SBC Ohio filed an application with the PUCO to enter the long-distance market in Ohio. The OCC opposed SBC's application because SBC had not passed required tests to show its systems could effectively and efficiently switch customers to competitive local providers. OCC also was concerned that

SBC's past service problems could reappear if the company began to offer additional services to more customers. Despite OCC's opposition, the PUCO recommended, and the Federal Communications Commission (FCC) granted, SBC's application.

**Argued against the PUCO's alternative regulation rules.**

The OCC argued before the Ohio Supreme Court that the PUCO acted illegally when it declared that all telephone services throughout Ohio were competitive. Residential customers in many areas of the state had few if any local telephone choices. The rules allow telephone companies such as SBC Ohio and Sprint to raise rates substantially on several services and features including Call Forwarding and 3-way Calling.

**Supported a national Do-Not-Call list and state law.** Unwanted telemarketing calls continued to be a major concern for residential consumers. At the state level, the OCC supported legislation that gives the Attorney General the necessary enforcement capabilities to take action in state and local courts. The OCC monitored the Do-Not-Call activities at the federal level, including the rollout of the national Do-Not-Call registry. The OCC assisted consumers in learning how to sign up for the registry and how to file a complaint against telemarketers.

**Advocated on behalf of Ohio's telephone customers at the Federal Communications Commission in opposition to increased fees.** – The OCC opposed a federal increase to the "Subscriber Line Charge," a fee every Ohio telephone customer pays to help cover the costs of maintaining outside wires, poles and other facilities used to provide long-distance service.

# Telecommunications: Looking Ahead

In 2004, decisions will be made that could have a substantial impact on both local and long-distance telephone competition, including decisions on wholesale rates charged by local telephone companies. The OCC will continue to advocate on all levels to give Ohioans the protection they need and the opportunity to choose which company provides their service.

## **Monitor wholesale rates.** SBC

Ohio has proposed to double the wholesale rates it charges competitors from \$14 to \$28 per month. If SBC or any telephone company is allowed to charge higher wholesale rates, it could harm the growing competitive market and leave consumers with little or no choice in telephone providers. The OCC will continue to review SBC's filings and work to keep a healthy competitive telephone market alive in Ohio.

## **Participate in FCC mandated impairment proceedings.**

The Federal Communications Commission (FCC) released its Triennial Review Order, finding that local telephone choice would be harmed if competitors could not access local telephone companies' switching facilities. These facilities give competitors the ability to route calls from their customers to customers of other local telephone companies. Several local telephone companies have challenged the decision and the FCC required investigations by state regulators into whether

competitors' access to these facilities is necessary. In Ohio, Cincinnati Bell Telephone and SBC challenged the ruling and the PUCO has begun its investigation. The OCC believes that if competitors are required to provide their own switching facilities, many will stop serving residential consumers, reversing the development of a competitive market. During 2004, the OCC will continue to advocate at the state and federal level to encourage the growth of competition in Ohio.

**Monitor the development of competition in Ohio.** Although SBC Ohio's local telephone customers saw an increase in the number of companies offering local service, those served by Cincinnati Bell Telephone, Sprint, Verizon and other companies across Ohio saw little or no choice in alternative providers. The OCC will continue to monitor factors such as the wholesale rates of Ohio telephone companies to ensure that competitors

have the opportunity to enter the market and begin offering consumers the choices they deserve.

**Support state Do-Not-Call law.** The OCC will continue to educate consumers about the importance of the state's Do-Not-Call law and the value in signing up on the national registry. Additionally, the OCC will work with the Attorney General's office to help report violations of the Do-Not-Call law and ensure continued protection for Ohio's residential telephone customers.

# 1-877-PICKOCC

**T**he Ohio Consumers' Counsel (OCC) operates a toll-free hotline to provide utility information and help resolve complaints against electric, natural gas, telephone and water companies.

**Resources.** The OCC's hotline is staffed with trained representatives that have an in-depth knowledge of Ohio utilities and the rules that each company must follow. The OCC's representatives investigate fees that are questioned by residential consumers and research any policies or procedures that may have been violated by a utility. They spend the necessary time to understand consumers' problems, advocate for solutions that put consumers' needs first and follow up to ensure that any agreed-upon credits or services are provided by the utility.

In 2003, the OCC improved the functionality of its hotline database, enabling investigators to identify trends in consumer problems, complaints and concerns more easily. In addition, more direct relationships were established with nonprofit, community-based agencies to help address their clients' utility concerns.

**Issues.** In 2003, approximately 40 percent of calls received through the OCC's toll-free number involved local and long-distance telephone service. Common issues included unauthorized long-distance charges, establishing payment arrangements, learning about the Lifeline assistance program and questions related to telephone bills.

An additional 40 percent of calls related to natural gas service. Consumers most often called the OCC to learn more about financial assistance programs, inquire about a high bill or gain insight about natural gas choice programs.

Fifteen percent of the OCC's calls involved electric service, most often regarding payment responsibilities and financial assistance programs. Consumers also requested information about electric choice, local government aggregation, power outages and how to read their bill.

**Results.** During 2003, the OCC handled complaints that resulted in \$391,000 in direct savings to consumers through refunded charges and bill credits. In addition, OCC representatives helped prevent the disconnection of 383 customers from a utility service and 482 customers were able to get a utility service restored following a disconnection or installation delay.

The OCC continually strives to improve Ohioans' level of satisfaction with the services customers receive through its hotline. In 2003, an independent survey showed that the majority of consumers who contacted the OCC had an "excellent" or "very good" experience working with the agency's representative. The OCC will use this input to enhance its ability to meet consumers' needs in the coming year.



"When I signed up with a local telephone competitor, I was promised a package with multiple features. After receiving my first bill, I noticed that the features were listed, but were not available on my telephone. After six months of trying to get the issue resolved I contacted the Ohio Consumers' Counsel (OCC). With the help of the OCC, the issue was resolved quickly. My account was credited \$85 and I switched back to my local telephone provider without a delay of service."

Betty Koehn  
*Residential Consumer, Milan, Ohio*

# Resolving Complaints

**Dial-up Dilemma.** For almost a year, Mrs. Woodbridge had been struggling to get her local telephone company to stop billing her erroneous Internet usage fees. The Internet service account in her name had been fraudulently set up in January 2002. The company confirmed that the account was established in error and promised to terminate the service. But Mrs. Woodbridge continued to be billed for time she never spent online.

Finally, Mrs. Woodbridge contacted the OCC for help. One of the OCC's Consumer Response Center representatives went to work to help resolve Mrs. Woodbridge's complaint. Within two weeks, the OCC was able to resolve the matter. As a result, Mrs. Woodbridge received a credit to her local telephone bill and a letter of apology from her telephone company.

**Natural Gas Gouging.** When James opened his natural gas bill in May he was shocked to discover a charge for more than \$800. He immediately called the utility company and found out that his natural gas meter had not been working from January through April. The company had threatened to disconnect James' service if he did not pay the back-billed amount. James was confused and certainly did not have the more than \$800 the company was demanding. He tried to establish a payment plan, but the company was unwilling to work with him. James contacted the OCC for assistance.

The OCC was able to save James from having his service disconnected and was also able to verify the amount he was being back-billed for. It turned out that the company was in fact overcharging him. The natural gas meter had been out of service those months and there was money owed, but that charge was about \$220 less than the company originally quoted James. The OCC also worked with the company to set James up on a 12-month payment plan.

**Long-Distance Disconnection.** Gretchen contacted the OCC when she realized that her long-distance company was billing her at a per-minute rate higher than what she agreed to when she established the service. The Consumer Response Center received her call for help and quickly went to work by contacting the long-distance company on her behalf. What the OCC found was that Gretchen had used an automated menu to switch her local telephone service from one company to another and in the process had inadvertently cancelled both her local and long-distance services.

The OCC was able to return Gretchen to her original long-distance provider and also helped her identify the best calling plan for her needs.

# Resolving Complaints

## **D**eadlines add stress to important decision. As

a senior citizen, Kathleen was on a tight budget and rarely made changes to her utility services. Imagine her surprise when she opened her natural gas bill and read about a decision she had to make and the added stress of a deadline. Her attempts to contact the company did not get her any closer to an

answer about what she needed to do. Through the assistance of a community service agency, Kathleen contacted the Ohio Consumers' Counsel. The OCC's representative contacted the natural gas company and discovered that Kathleen was in an agreement with a natural gas supplier. Through the help of the OCC, Kathleen was able to get everything straightened out and found that by switching to a different supplier, she could save money on her natural gas bills.

## **Features promised but not added to telephone service.**

Kathy tried for many months to work with a telephone company to find out why certain features that were promoted with her service package had not been put into effect, but to no avail. Every time she called to ask why she was not getting the included features, she received an answer

that she was not able to understand. Kathy found the telephone number for the Ohio Consumers' Counsel on the back of her bill and decided to call to see what additional assistance she could receive. The OCC representative went straight to work on her issue and just a few short days later had a resolution. Kathy was able to switch back to her original local telephone provider and received a refund from the other provider for a little more than \$80, thanks to the hard work and attention from the OCC.

**Language differences create barrier.** Imagine living in an area and not being able to completely speak or understand the language spoken around you. Roberto faced this problem when he was trying to terminate his electric service and have the final bill sent to his new address. He tried several times to talk with a Spanish speaking representative at the electric company, but no one seemed to be able to translate for him. Frustrated, he called the Ohio Consumers' Counsel where he reached a Spanish speaking representative who was able to assist him. By putting in a three-way call to the company, the OCC representative was able to translate the information Roberto needed to relay to the company and the issues were resolved.

**Opposed SBC Ohio's plan to increase wholesale fees it charges competitors.** – The OCC asked the Public Utilities Commission of Ohio to dismiss a proposal from SBC Ohio that would allow the company to double rates it charges competitors. The OCC believed these price hikes would have slammed the door on competitive choices for residential telephone customers after years of working to bring choices to Ohioans.

# Communicating with Consumers

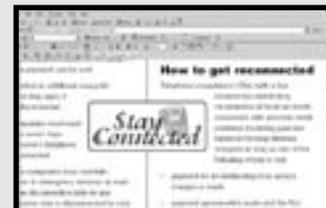
**T**he Ohio Consumers' Counsel (OCC) has long been committed to communicating with residential consumers to help educate them about their utility services. Through presentations to groups, working with the media and taking advantage of the Internet, the OCC is always looking for new ways to bring relevant and timely utility information to Ohioans.

**Issued press releases to promote coverage of important utility news.** During 2003, the OCC issued more than 60 news releases, guest columns and letters to the editor to raise awareness and educate consumers about utility issues that affect their daily lives. Some of the important issues included the OCC's:

- Concerns about the August 14 blackout and the agency's recommendations for mandatory transmission and reliability standards.
- Opposition to SBC requesting approval to provide long-distance service.
- Agreement for DP&L to provide five more years of stable rates.
- Opposition to a monthly rate change for CG&E and Vectren Energy Delivery of Ohio.
- Opposition to rate increases imposed on Sprint customers.
- Support for the new Ohio Do-Not-Call law that gives more protections for consumers against telemarketers.
- Year-end update on electric choice in Ohio.

**Developed new printed materials to provide consumers with easy-to-read utility information.** With the growing complexity of the utility industry, the OCC created new fact sheets, brochures and posters to help residential consumers better understand their utility services.

- **Natural Gas Pricing 2003** – This fact sheet was created to help consumers better understand why the price of natural gas fluctuates. In addition, the Natural Gas Pricing fact sheet provides options that consumers may take advantage of when trying to better manage their winter heating bills.
- **Room by Room – Energy Efficiency** – The OCC created a new energy efficiency brochure that provides the latest tips on how to conduct a home energy audit and offers room-by-room energy efficiency tips.
- **Stay Connected** – To complement the OCC's efforts to educate consumers about disconnection and reconnection of their utility services, a series of brochures were developed that contained a list of qualifications necessary to apply for energy and telephone assistance programs.
- **Support Ohio's Do-Not-Call Campaign** – To draw attention to Ohio's proposed Do-Not-Call legislation, the OCC created brochures encouraging consumers to support the effort and outlined the benefits of the bill.



# Outreach & Education

**R**eaching out to consumers at risk, identifying new audiences and creating innovative education initiatives were the focus of the Ohio Consumers' Counsel's (OCC) outreach and education efforts in 2003. Some of the highlights included developing new topics for speeches and training programs, and informational brochures were targeted to specific audiences and regions of the state. The OCC also implemented a grassroots education campaign to promote passage of Senate Bill 28, the Do-Not-Call legislation.

In addition, paycheck stuffers emphasizing OCC's education and complaint handling services reached 29,000 employees of new organizations and agencies including city and county government. Over 30,000 tray liners featuring our toll-free telephone number and web address were distributed to restaurants and organizations throughout Ohio as well.

Highlights of education programs for 2003 included:

**Utility Survivor Guide for College Students** – OCC developed special materials for college students including a brochure and puzzle magnet. Over 21,000 pieces were distributed to colleges and universities throughout the state. The brochure provided tips on how to establish utility services and how to compare local and long-distance telephone rates.

**Stay Connected** – The Train-the-Trainer Stay Connected program the OCC developed reached out to social service organizations to help them educate their clients on ways to prevent disconnection of their utilities. Posters highlighting utility assistance programs were mailed to over 1,600 organizations and agencies throughout Ohio.

**Do-Not-Call Campaign** – OCC supported Senate Bill 28, the Do-Not-Call legislation, through several initiatives. OCC developed a presentation and provided it to over 120 organizations and agencies. In addition a brochure was designed to outline the benefits of the legislation and over 15,000 were distributed.

**Puzzled by Natural Gas Prices** – Natural gas prices have fluctuated over the last few years and higher prices have created a great hardship for consumers. OCC developed this new speech to assist consumers in understanding why natural gas prices have been volatile and what to expect in the future. Consumers also received information about energy efficiency to assist them in lowering their energy bills.



**Regional Community Advisory Panels** – OCC's Regional Community Advisory Panels (CAP) served as a resource for identifying consumer concerns and reaching out to the community. In order to provide a direct resource within the OCC to its Consumer Response Center, the OCC identified specific staff members to handle complaints for community organizations.

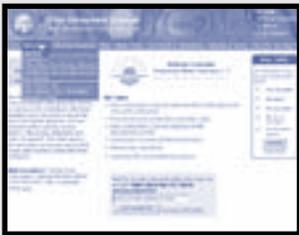
**Minority Organizations** – OCC visited organizations such as the Somali Women's Center, the Hispanic Business Association, King Arts Complex, Urban League of Massillon, Arab American Community Center and the International Family Resource Center to educate these groups about OCC's services. In addition, OCC participated in Minority Health Month activities staffing health fairs and providing printed materials.

## In 2003, Outreach & Education:

- Visited 82 of Ohio's 88 counties
- Spoke to organizations in 197 Ohio cities
- Visited 381 organizations and agencies.
- Traveled over 109,000 miles to meet and educate more than 68,571 residential consumers and organizations
- Participated in 137 shows, fairs, listener lunches and breakfast breaks to meet and inform residential consumers
- Provided 639 speeches and presentations
- Distributed 362,925 educational materials to consumers and organizations
- 289 organizations contacted OCC to request educational materials to distribute to their constituents.
- Provided presentations to 174 new organizations and agencies.
- The bi-monthly newsletter Consumers' Corner is mailed to over 77,000 consumers, consumer organizations and agencies.
- Over 22,000 Consumer Assistance Handbooks were distributed to consumers, organizations and agencies.

The Ohio Consumers' Counsel (OCC) website, www.pickocc.org, continued to be a lifeline to many of Ohio's utility consumers, averaging 75,561 hits monthly. During 2003, several of the existing features were updated, a new visual appearance was designed and the OCC added interactive surveys and industry top news items.

**New Web Format.** Consumers visiting the website continued to find important statewide utility news as well as more



interactive activities and improved navigational tools. Many items that are consumer favorites such as fact sheets, news releases and the natural gas calculators remain prominently featured on the home page.

Several new features were added to help consumers stay informed about their utilities and locate the information more quickly. Some of the items include:

- An area dedicated to "Top News" within each industry for electricity, natural gas, telecommunications and water.
- More complete, consistent drop down menus. Each of the drop down menus now lists all the categories of information available about the specific topic.
- The "How the OCC Can Help You" section provides information about the services available through OCC's toll-free hotline and provides comments made by consumers the OCC has assisted.

- An events calendar that lists the location and topic of OCC presentations to groups and organizations throughout the state.
- The addition of industry specific poll questions. The OCC values input from consumers, who can make their comments count by responding to a variety of utility questions.
- Reorganization of the front page into three columns of information that includes an overview of the OCC, the most recent news for all utility industries and a poll question.

Many of the updates and additions resulted from comments submitted by consumers through an online survey conducted early in 2003.

**Utility Polls.** Throughout the year, the OCC gathered feedback from residential consumers. To obtain the data quickly, several polls were added to the website. The topics included: the importance of the OCC to consumers, information about electric power outages and how likely consumers are to drop traditional telephone service and switch to using only cell phones. By the end of 2003, 72 percent of consumers who completed the poll believed that having access to the OCC was very important.

**The Future.** The OCC will continue to provide consumers with updated utility information as quickly as possible through the website and use consumer feedback to help make the information easy to find and use.

# Fiscal Report

## Utility Companies Assessed More Than \$100,000 for FY 04:

Ohio Edison Company .....	\$837,306.68
Cleveland Electric Illuminating Company .....	\$619,770.87
Cincinnati Gas & Electric Company .....	\$642,554.49
Ameritech Ohio .....	\$579,276.60
Dayton Power and Light Company .....	\$177,906.84
Columbia Gas of Ohio, Inc. ....	\$363,179.43
East Ohio Gas Company .....	\$308,987.35
Columbus Southern Power Company .....	\$481,982.26
Toledo Edison Company .....	\$308,115.54
Ohio Power Company .....	\$566,429.14
New Par (dba AirTouch Cellular) .....	\$344,761.47
Cincinnati Bell Telephone Company .....	\$145,115.57
Vectren Energy Delivery of Ohio .....	\$117,442.73
Verizon North, Inc. ....	\$139,140.89
AT&T Communications of Ohio, Inc. ....	\$105,882.06
Sprintcom, Inc. ....	\$152,384.89
United Telephone Company of Ohio .....	\$109,196.61
FirstEnergy Solutions Corporation .....	\$112,231.02

## Operating Budget - FY 04 Appropriations

100 Personal Services .....	\$7,025,041.00
320 Maintenance and Equipment .....	\$2,057,478.00
401 Consultants and Transcripts .....	\$195,000.00
<b>Total .....</b>	<b>\$9,277,519.00</b>

## Encumbrances and Disbursements for FY 04

(as of December 31, 2003)

100 Personal Services .....	\$2,851,176.56
320 Maintenance and Equipment .....	\$558,602.88
401 Consultants and Transcripts .....	\$127,445.60
<b>Total .....</b>	<b>\$3,537,225.04</b>

# Case Participation

<b>Electric</b>	<b>Party/Issue</b>
03-2570-EL-UNC	Columbus Southern Power/Ohio Power Companies
03-2567-EL-ATA	Monongahela Power
03-2405-EL-CSS	Dominion Retail v. Dayton Power & Light
03-2341-EL-ATA	Dayton Power & Light
03-2144-EL-ATA	FirstEnergy
03-2079-EL-AAM; 03-2080-EL-ATA; 03-2081EL-AAM	Cincinnati Gas & Electric
03-2049-EL-UNC	Ohio Department of Development
03-1966-EL-ATA; 03-1967-EL-ATA; 03-1968-EL-ATA	FirstEnergy
FERC ER03-1118	Midwest Independent System Operator, Inc.
03-1461-EL-UNC	FirstEnergy
US Ct Appeals - DC Circuit Case No. 03-1223; 03-1224; 03-1225	American Electric Power Corp. et al.; Commonwealth Edison, et al.; Dayton Power & Light v. FERC
03-1145-EL-GAG	Cincinnati Gas & Electric
03-1104-EL-ATA	Monongahela Power
03-681-EL-COI	Commission Investigation
FERC ER03-262-000; ER03-262-001; ER03-404; ER03-405; ER03-406	PJM Companies
03-504-EL-FOR	FirstEnergy
03-93-EL-ATA	Cincinnati Gas & Electric Company
02-3310-EL-ETP	Columbus Southern Power and Ohio Power
02-3210-EL-PWC	Toledo Edison, et al. v. City of Toledo
02-2906-EL-ATA	Cincinnati Gas & Electric
02-2878-EL-ATA; 02-2879-EL-AAM	Dayton Power & Light
02-2868-EL-UNC	Ohio Department of Development for Universal Service Fund Riders
02-2779-EL-ATA	Dayton Power & Light
02-2364-EL-CSS	OCC v. Dayton Power & Light
02-1944-EL-CSS	WPS Energy Svc/Green Mountain Energy Corp. v. FirstEnergy
02-1586-EL-CSS	OCC, IEU & AMPO v. American Electric Power
02-1411-EL-ORD	Market Monitoring
02-1358-GE-UNC	Ohio Gas & Electric Home Heating Companies
02-834-EL-UNC	Shell Energy Services
02-570-EL-ATA	Dayton Power & Light
02-565-EL-ORD	Competitive Retail Electric Service Standards
02-564-EL-ORD	Ohio Electric Companies for Electric Service and Safety Standards, Electric Interconnection Standards, and the Electric Reliability, Safety and Customer Service Standards Enforcement
FERC ER02-1289-000	Trans-Elect
FERC EL02-65	Alliance Companies, et al. & National Grid
01-3229-EL-AAM	Cincinnati Gas & Electric
01-3019-EL-UNC	FirstEnergy/Ohio Home Builders' Association
FERC EC02-15-000; EG02-13-000; ER02-177-000	Cinergy Services, Inc.
EC01-156; ER01-3154	TRANSlink
Ohio Supreme Court Case No. 03-316	Electric Line Extensions
01-2708-EL-COI	Commission Investigation into Electric Line Extensions

# Case Participation

FERC ER01-2997-000.....	Dayton Power & Light
FERC ER01-2995-000; ER99-3144-015 .....	American Electric Power Corp.
FERC EC01-130 .....	American Electric Power Corp.
FERC EL01-80 .....	National Grid USA
01-2164-EL-ORD.....	All Ohio Electric Companies
01-1356-EL-ATA; 01-1357-EL-AAM; 01-1358-EL-ATA; 01-1359-EL-AAM .....	Columbus Southern Power and Ohio Power
FERC ER01-780 .....	Exelon Corp, et al.
00-2394-EL-ORD.....	Competitive and Non-competitive Retail Electric Service Standards
00-2087-EL-GAG .....	City of Cleveland
Ohio Supreme Court Case No. 02-0052 .....	Cities of Maumee, Oregon & Toledo v. PUCO
00-1935-EL-CRS .....	Enron Energy Services, Inc.
00-1926-EL-GAG .....	City of Parma
FERC ER01-123 .....	Dynegy Inc. & Illinois Power
US Ct. of Appeals 00-1174 .....	Regional Transmission Organizations
00-813-EL-EDI; 01-1938-EL-ATA; 01-1817-EL-ATA .....	Operational Support Planning for Ohio Taskforce
00-02-EL-ETP .....	Monongahela Power
Ohio Supreme Court Case No.00-2260 .....	Columbus Southern Power and Ohio Power
Ohio Supreme Court Case No. 00-2092 .....	AK Steel v. PUCO
99-1615-EL-ORD.....	Electric Restructuring Rules
99-1612-EL-ORD.....	Market Monitoring - Reopened
Ohio Supreme Court Case No. 01-573 .....	FirstEnergy
EC99-80-000/ER99-3144-000/RT01-88-000/RT01-88-006 & 008 & 012 .....	American Electric Power, Consumers Energy, Detroit Edison, FirstEnergy
DC Circuit Court of Appeals 02-1061 .....	Alliance Regional Transmission Organization Companies, et al.
FERC PL98-5-000 .....	ISO Investigation
FERC ER98-1438, EC98-24; RT01-87-000; ER01-3053; ER02-108-000.....	MidWest ISO
FERC RM94-7-000, RP94-07-001 and RM95-08-000 .....	Order 888
2nd Circuit Court of Appeals 97-1715, et al. ....	Order 888 Appeal
94-102-EL-EFC .....	Columbus Southern Power
93-2101-EL-AAM/93-2102-EL-AAM/93-2103-EL-AAM/93-2104-EL-AAM.....	Ohio Power
93-2105-EL-AAM/93-2106-EL-AAM/93-2107-EL-AAM	

<b>Natural Gas .....</b>	<b>Party/Issue</b>
03-1584-GA-UNC.....	Cincinnati Gas & Electric Company
03-1398-GA-UNC.....	Eastern Natural Gas Company
03-1384-GA-ORD .....	GCR Rules Review
03-1127-GA-UNC.....	East Ohio Gas Company d/b/a Dominion East Ohio, Columbia Gas of Ohio, Inc., Vectren Energy Delivery of Ohio, Northeast Ohio Natural Gas Corp and Oxford Natural Gas Company
03-221-GA-GCR.....	Columbia Gas of Ohio
03-220-GA-GCR.....	Vectren Energy Delivery of Ohio Inc
02-2903-GA-ATA.....	Columbia Gas of Ohio
02-2895-GA-ATA.....	Cincinnati Gas & Electric
02-2583-GA-CRS .....	My Choice Energy

# Case Participation

02-2494-GA-UNC.....	Columbia Gas of Ohio
02-1926-GA-CRS .....	Metromedia Energy
02-1654-GA-CRS .....	Nicor Energy, LLC
02-1566-GA-ATA.....	Vectren Energy Delivery of Ohio
02-1358-GE-UNC.....	Ohio Gas & Electric Home Heating Companies
02-479-GA-UNC.....	Cincinnati Gas & Electric
02-221-GA-GCR.....	Columbia Gas of Ohio
02-220-GA-GCR.....	Vectren Energy Delivery of Ohio, Inc.
02-219-GA-GCR.....	Dominion East Ohio
02-218-GA-GCR.....	Cincinnati Gas & Electric
01-2216-GA-ORD .....	Alternative Regulation Plan or Exemptions
01-2607-GA-CSS; 01-2620-GA-ATA .....	Columbia Gas of Ohio
01-1371-GA-ORD .....	Competitive Retail Natural Gas Service Rules
01-1228-GA-AIR; 01-1478-GA-ALT.....	Cincinnati Gas & Electric
01-330-GA-CSS; 01-640-GA-CSS; 01-17-GA-CSS.....	Energy Co-op
01-261-GA-ATA.....	Vectren Energy Delivery of Ohio
01-220-GA-GCR.....	Vectren Energy Delivery of Ohio
01-219-GA-GCR.....	Dominion East Ohio
00-2259-GA-AIR.....	Southeastern Natural Gas Company
00-1611-GA-UNC.....	Columbia Gas of Ohio
FERC RM98-10; RM98-12 .....	Notice of Proposed Rulemaking Governing Interstate Natural Gas Pipelines
98-1364-GA-UNC.....	Accounting for Customer Choice Expenses
98-222-GA-GCR.....	Columbia Gas of Ohio
98-218-GA-GCR.....	Cincinnati Gas & Electric
96-1113-GA-ATA.....	Columbia Gas of Ohio

## **Telecommunications..... Party/Issue**

FCC 03-173 .....	Commission Rules Review
03-2229-TP-ACE.....	Time Warner Cable Information Services
FCC 03-211 .....	Vonage Holdings Corporation
03-2040-TP-COI .....	PUCO Impairment Proceeding
FCC WC03-167 .....	SBC Ohio
FCC WC03-157 .....	Verizon
03-1626-TP-ACE.....	Comm South Companies
FCC 03-109 .....	Lifeline and Link-up
03-1619-TP-CSS .....	OCC vs. United Telephone Company of Ohio d/b/a Sprint
FCC 02-6 .....	Schools and Libraries Universal Service
03-1408-TP-ACE.....	Global Connection, Inc. of America
03-1310-TP-ACE .....	Comm South Companies, Inc.
03-1149-TP-ZTA.....	SBC Ohio
FCC 94-129 .....	Telecom Act of 1996
03-1123-TP-ACE.....	Investors At Work, Inc. d/b/a/ Best Communications
03-1080-TP-ACE.....	1-800-RECONEX, Inc. d/b/a/ USTel

# Case Participation

03-1026-TP-ACE.....	Alternative Access Telephone Communications Corp.
03-965-TP-SLF .....	SBC Ohio
03-950-TP-COI.....	Commission Investigation into VoIP
03-620-TP-ACE.....	BAK Communications, LLC
02-3038-TP-SLF; 02-3039-TP-SLF; 02-3040-TP-SLF .....	Verizon
03-483-TP-CSS .....	OCC v. United Telephone Company of Ohio d/b/a Sprint
03-430-TP-ACE.....	Phone-Link, Inc.
FCC 02-278; CC 92-90 .....	FCC Do-Not-Call
FCC WC 02-340 .....	NECA
02-3069-TP-ALT .....	SBC Ameritech
FCC WC 02-319 .....	SBC Communications
02-2429-TP-SLF .....	SBC Ameritech
02-2117-TP-ALT .....	United Telephone d/b/a/ Sprint
Ohio Supreme Court Case No. 02-1929 .....	United Telephone d/b/a/ Sprint
FCC 02-112 .....	FCC Sunset of BOC Separate Subsidiary Requirements
02-1238-TP-ACE.....	Midwestern Telecommunications, Inc.
02-1216-TP-ACE.....	Universal Telecom, Inc.
FCC 02-53 .....	Rulemaking Proceeding Revising Its Policies Governing the Federally Tariffed Charges of the Incumbent Local Exchange Carriers (ILECs)
02-1280-TP-UNC .....	SBC Ameritech
02-1179-TP-ACE.....	GTC
FCC 02-39 .....	FCC ILEC Equal Access Obligations
02-579-TP-CSS .....	CoreComm Newco, Inc. v. SBC Ameritech
FCC 02-33; 95-20; 98-10 .....	Companies Providing Broadband Access to Internet over Wireline Facilities
02-496-TP-ACE.....	CAT Communications
FTE File R411001 .....	Telemarketing Rulemaking
FCC CI 02-22 .....	Minimum Notice Requirement for Recently Detariffed Domestic Toll Services
FCC NSD-L-00-25.....	SBC Communications
01-2705-TP-UNC .....	Suretel, Inc.
01-2632-TP-ACE.....	EZ Phone, Inc.
01-2253-TP-ORD .....	Extended Area Service
01-1310-TP-ACE.....	Voice Vision International
01-1051-TP-ACE.....	DVC Enterprises Inc
FCC CC 00-199 .....	2000 Biennial Reg. Review
Ohio Supreme Court Case No. 02-1428 .....	OCC v. PUCO - Commission inquiry into Elective Alternative Regulatory Framework
00-1532-TP-COI .....	Minimum Telephone Service Standards
00-1265-TP-ORD .....	Ameritech Ohio
00-942-TP-COI.....	United Telephone d/b/a/ Sprint
99-1202-TP-ATA .....	Local Service Guidelines
99-998-TP-COI .....	Competitive Telecom. Services
99-563-TP-COI .....	Treatment of Reciprocal Compensation
99-941-TP-ARB .....	Ameritech Ohio
99-938-TP-COI.....	

# Case Participation

FTC File R611016 .....	Pay-Per-Call
98-1466-TP-ACE; 01-3055-TP-WVR; 01-3056-TP-WVR .....	NOW Communications
98-1398-TP-UNC .....	Bell Atlantic and GTE
98-1091-TP-ATA .....	GTE North
98-1026-TP-ACE .....	Supra Telecom
FCC CC Docket 98-141 .....	SBC Communications
98-732-TP-ATA .....	CBT Seven Mile Call
98-357-TP-PEX .....	Middletown v. Ameritech & Cincinnati Bell
97-L-1020 (Third Judicial Circuit Madison, Illinois) .....	Ameritech
96-1079-TP-ATA .....	GTE
FCC 96-262 .....	Access Charge Reform
FCC CC96-150 .....	Accounting Safeguards under the Telecommunications Act of 1996
96-922-TP-UNC .....	Ameritech Ohio
FCC 96-98; FCC No. 99-68 .....	Unbundled Network Element Proceeding
FCC 96-45 .....	Federal Universal Service
93-487-TP-ALT/93-576-TP-CSS .....	Ameritech (Ohio Bell Tel. Co.)

<b>Water .....</b>	<b>Party/Issue</b>
03-2266-WW-SIC .....	Ohio Water Companies
01-2924-WW-AIR .....	Consumers Ohio Water
01-2775-WS-ORD .....	Chapter 4901:1-15 O.A.C.
01-2567-WS-ACE .....	Columbia Park Water and Sewer System

<b>All Utilities .....</b>	<b>Party/Issue</b>
03-2083-AU-PWC .....	SBC Ohio v. Pickerington
03-2082-AU-PWC .....	South Central Power v. Pickerington
03-888-AU-ORD .....	Rule Review: Credit & Disconnect
03-324-AU-PWC .....	WorldCom, Inc., AT&T Corp., and Time Warner Telecom of Ohio, L.P. v. City of Dayton
02-3207-AU-PWC .....	WorldCom, et al. v. City of Toledo
02-2627-AU-COI .....	Commission Investigation of the Financial Viability of Ohio Regulated Public Utilities



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