



## **Governor Seeks Independence with Next PUCO Pick - Gongwer News Service**

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Gov. Mike DeWine said he is seeking to instill more independence in the Public Utilities Commission of Ohio with a new appointment on the horizon.

Applications are due later this week for a seat at the PUCO as Commissioner Dan Conway's current term is set to expire April 10.

Whether Mr. Conway, a former energy attorney who was appointed in 2017 by former Gov. John Kasich, will reapply is unclear; A PUCO spokesman said the commissioner has not indicated his intent.

The governor said in an interview that when it comes to this and future appointments to the panel, he will seek to replicate the thought process that led him to appoint former Franklin County Court Judge Jenifer French nearly one year ago. (See Gongwer Ohio Report, March 19, 2021)

"When I appointed Judge French, I felt it was important at this point for the PUCO to have a chair who did not have the background or connections in the industry," Gov. DeWine said. "As I look at future appointments, I'm going to follow that criteria."

Chair French replaced former Chair Sam Randazzo, a longtime energy attorney who resigned in 2020 amid the cloud of the nuclear subsidy scandal. Mr. Randazzo has denied any wrongdoing but FirstEnergy Corp. admitted seeking to bribe him with millions to obtain favorable treatment.

Gov. DeWine at the time said he would look to restore public trust by appointing Ms. French. He chose her after utilizing a rarely used provision under the statutory appointment process in which the governor can reject an initial list of finalists.

"We're going to try to find bright people, judicious people who make decisions but we don't want them to have extensive work in the industry so we'll follow that same criteria," he said of the upcoming appointment.

Under Chair French, the PUCO has continued grappling with the fallout of the energy scandal surrounding the 2019 law (HB6, 133rd General Assembly). Four audits and investigations are still underway by the commission into FirstEnergy's operations and spending amid the scandal.

Debate, meanwhile, continues over remaining facets of HB6 that have yet to be repealed – both before the legislature with pending repeal bills and through various PUCO cases.

Gov. DeWine said he would not be opposed to repealing remaining vestiges of the energy law, including the Ohio Valley Electric Corp. recovery extension mechanism. That prospect has been unable to generate sufficient support among legislative Republicans. (See Gongwer Ohio Report, October 15, 2021)

"My focus never, in regard to that bill, was with coal power plants," he said. "It was part of the bill. I didn't write the bill. So, you know, it's never been something that I have focused on or that was a priority of mine at all."

After supporting the policy of HB6 a day after the arrests, Gov. DeWine backtracked the next day, saying that after reflection the law had been tainted and should be replaced. (See Gongwer Ohio Report, July 23, 2020)

The nuclear provisions were repealed (HB 128) in 2021, following nuclear operator Energy Harbor's assurance the payments were no longer needed and perhaps even a liability.

Regarding nuclear, the governor said he continues to support that form of energy.

"If they go out of service in Ohio, then you dramatically change the amount of energy that's produced in Ohio," he said. "The percentage that is carbon free – you've gone down to a very low number."

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