

As Introduced

**129th General Assembly
Regular Session
2011-2012**

H. B. No. 87

Representatives Goyal, Grossman

Cosponsors: Representatives Garland, Blessing, Gonzales, Reece, Fende

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A B I L L

To enact section 4909.181 of the Revised Code to 1
limit recovery of rate-case expenses for certain 2
water-works and sewage disposal system companies. 3

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 4909.181 of the Revised Code be 4
enacted to read as follows: 5

Sec. 4909.181. (A) As used in this section: 6

(1) "Rate-case expenses" means any of the following: 7

(a) Fees, wages, or other compensation for labor paid to 8
attorneys, consultants, witnesses, or employees in relation to an 9
application for establishment of or change in rates; 10

(b) Expenses for attorneys, consultants, witnesses, or 11
employees in relation to an application for establishment of or 12
change in rates; 13

(c) Costs for preparing studies related to an application for 14
establishment of or change in rates, including lead-lag studies, 15
cost-of-service studies, depreciation studies, and other studies 16
related to an application for establishment of or change in rates; 17

(d) Any other expenses incurred in relation to an application 18

for establishment of or change in rates. 19

(2) "Application for establishment of or change in rates" 20
means an application filed under any of the ratemaking mechanisms 21
referenced in divisions (B) and (C) of this section. 22

(B) No water-works company that serves fifteen thousand or 23
more customers in Ohio, no sewage disposal system company that 24
serves fifteen thousand or more customers in Ohio, and no 25
water-works company that is also a sewage disposal system company 26
that serves a total of fifteen thousand or more customers in Ohio 27
may recover from its customers more than fifty per cent of the 28
total amount of rate-case expenses that it incurs for an 29
application filed under section 4909.18 of the Revised Code. 30

(C) No water-works company that serves fifteen thousand or 31
more customers in Ohio, no sewage disposal system company that 32
serves fifteen thousand or more customers in Ohio, and no 33
water-works company that is also a sewage disposal system company 34
that serves a total of fifteen thousand or more customers in Ohio 35
may recover from its customers any of the rate-case expenses that 36
it incurs for an application filed under section 4909.16, 37
4909.171, or 4909.172 of the Revised Code or any other ratemaking 38
mechanism established subsequent to the effective date of this 39
section. 40