

Before the Sunset Review Committee

Submitted Testimony of Jenifer French

PUCO Nominating Council

August 28, 2024



Co-Chairs Wilkin and Hillyer, and members of the Sunset Review Committee, my name is Jenifer French. I am the chairperson of the Public Utilities Commission of Ohio (PUCO). I am here to testify on behalf of the PUCO Nominating Council and ask that the members of this committee continue to support this entity.

Per the statutory guidance provided in ORC 4901.021, the Nominating Council serves as a screening committee for applicants for the position of PUCO commissioner. PUCO commissioners are appointed to five-year terms that are staggered so that one term expires each year. When this occurs, or when a vacancy is created by any other reason such as death, resignation, or termination, the nominating council process is triggered. The PUCO has designated an internal staff member called the Nominating Council Coordinator to provide administrative support to the Nominating Council in preparing to publicly meet and review applications. To begin the application process, an advertisement for the open position is printed in newspapers throughout Ohio and shared through the PUCO's social media channels. Resumes and cover letters addressing certain information required by statute are mailed in hard-copy form or electronically mailed over the internet to the Nominating Council. Applicant information is then compiled and sent to the council members for their consideration. The council members evaluate the applicants and determine which applicants are to be invited to be interviewed by the whole council.

Once the interviews are completed, the council convenes a public meeting to vote on those candidates who they believe are "the most fully qualified to accede to the office of commissioner."¹ The names of the four candidates who receive the most votes are sent to the governor's office. The governor selects the appointee to the PUCO from these four names. If the governor is unsatisfied with the list, the governor may reconvene the council and ask for four new names. The governor must then choose a candidate from the first or the second list.

The regulation of public utilities impacts all Ohioans, including businesses, residential consumers, municipalities, and utilities. Regulation of those utilities requires expertise,

¹ R.C. 4901.021(D)(2).

for example in the areas of accounting, law, energy, and transportation. Therefore, the Nominating Council is comprised of the following twelve people, which represent a broad spectrum of those areas of expertise or consumer stakeholders:

- The chair of the Ohio Consumers' Council governing board;
- The president of the Accountancy Board of Ohio;
- The chair of the State Board of Registration for Professional Engineers and Surveyors;
- The president of the Ohio State Bar Association;
- The president of the Ohio Municipal League;
- The director of Development or the director's designee;
- A senior citizen appointed by the director of the Ohio Department of Aging;
- A public member appointed by the speaker of the house of representatives;
- A public member appointed by the president of the senate; and
- Three appointments from the governor:
 - One representing public utilities;
 - One representing the business community; and
 - One representing organized labor.

The council is memorialized in R.C. 4901.021.

Thank you for your time. I am happy to answer any questions that you might have.

The Public Utilities Commission of Ohio
Mike DeWine, Governor
Jenifer French, Chair

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