

FILE

FirstEnergy.76 South Main Street
Akron, Ohio 44308Kathy J. Kolich
Senior Attorney330-384-4580
Fax: 330-384-3875**FAX***Via Federal Express
and Facsimile (614-466-0313)*

May 17, 2007

Ms. Renee J. Jenkins
Director, Administration Department
Secretary to the Commission
Docketing Division
The Public Utilities Commission of Ohio
180 East Broad Street
Columbus, OH 43215-3793

Dear Ms. Jenkins:

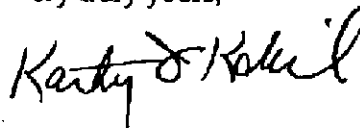
Re: *Answer*
Lester L. Lemke v. The Toledo Edison Company
Case No. 07-514-EL-CSS

RECEIVED-DOCKETING DIV
2007 MAY 17 AM 10:15
PUCO

Enclosed for filing, please find the original and twelve (12) copies of the *Answer* regarding the above-referenced case. Please file the enclosed *Answer*, time-stamping the two extras and returning them to the undersigned in the enclosed envelope.

Thank you for your assistance in this matter. Please contact me if you have any questions concerning this matter.

Very truly yours,



kag

Enclosures

cc: Parties of Record

This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business.
Technician BJM Date Processed 5/17/07

BEFORE THE
PUBLIC UTILITIES COMMISSION OF OHIO

Lester L. Lemke,)	
)	
Complainant,)	
)	
vs.)	CASE NO. 07-514-EL-CSS
)	
The Toledo Edison Company,)	ANSWER
)	
Respondent.)	

ANSWER OF
THE TOLEDO EDISON COMPANY

Respondent, The Toledo Edison Company submits its Answer to the Complaint filed in the instant action and says that:

1. It is a public utility, as defined by §4905.03(A)(4), O.R.C. and is duly organized and existing under the laws of the State of Ohio.
2. It has at all times acted in accordance with its Tariff, PUCO No. 8, on file with the Public Utilities Commission of Ohio, as well as all rules and regulations as promulgated by the Public Utilities Commission of Ohio, the laws existing in the State of Ohio, and accepted standards and practices in the electric utility industry.
3. It admits that the Company contacted Complainant on or about April 30, 2007 and requested that Complainant temporarily disconnect its wind turbine from the Company's distribution system. A copy of the written request is attached as Exhibit 1. It further avers that said request was made upon discovering that Complainant's turbine was not pre-certified, or that Complainant submitted the necessary test results as required by the Ohio Administrative Code.
4. It further avers that the Company has subsequently determined that Complainant's wind generator, as currently configured, does not present a significant threat to the integrity of the Company's distribution system and has allowed Complainant to

reconnect his generator to the Company's distribution system, at Complainant's risk.


5. It further avers that the parties are attempting to obtain the necessary test results to bring Complainant's generator into compliance with State regulations. (See attached Exhibit 2.)
6. It denies for lack of information or belief as to the truth of any and all other allegations made in the Complaint for which no specific response was made.

FIRST DEFENSE

7. The Toledo Edison Company has at all times acted in accordance with its Tariff, PUCO No. 8, on file with the Public Utilities Commission of Ohio, as well as all rules and regulations as promulgated by the Public Utilities Commission of Ohio, the laws existing in the State of Ohio, and accepted standards and practices in the electric utility industry.

WHEREFORE, having answered the Complaint, the Company respectfully requests that the Commission proceed accordingly.

Respectfully submitted,


Kathy J. Kolich
(Attorney No. 0038855)
Senior Attorney
FirstEnergy Service Company
76 South Main Street
Akron, Ohio 44308
Phone: 330-384-4580
Fax: 330-384-3875
kjkolich@firstenergycorp.com

On behalf of
The Toledo Edison Company

CERTIFICATE OF SERVICE

THIS IS TO CERTIFY that a copy of the foregoing Answer of The Toledo Edison Company was served upon Lester L. Lemke, 3270 State Route No. 590, Elmore Ohio 43416, by regular U.S. Mail, postage prepaid, on this 17th day of May, 2007.

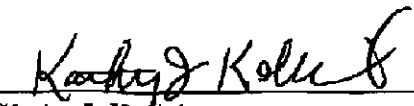

Kathy J. Kojich

Exhibit 1
Case No. 07-514-EL-CSS

FirstEnergy.

2800 Pottsville Pike
PO Box 16001
Reading, PA 19612-6001

April 30, 2007

Mr. Lester L. Lemke
3270 State Route 590
Elmore, OH 43416

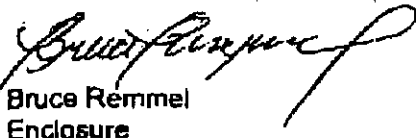
Dear Mr. Lemke:

In early February, 2006, The Toledo Edison Company authorized the interconnection of your wind turbine generator to Toledo Edison's electric system. Upon further review of our records, it has come to our attention that this authorization was done in error. Pursuant to State regulations, the inverter on your system must be tested in accordance with UL 1741 in order to qualify for the simplified interconnection review process. This testing is necessary so as to avoid harm to you and Toledo Edison workers and to preserve the integrity of Toledo Edison's system. Because these tests have yet to be performed, your wind turbine generator must be immediately disconnected from Toledo Edison facilities until it can be verified that your generator complies with IEEE 1547 which is the State approved, national standard for interconnection of generation to a utility's electrical distribution system. Attached is a copy of the Technical Requirements for Interconnection and Parallel Operation of Distributed Generation. This is a standard interconnection document that applies to all electric utilities in the State. Please note sections 1.2 and 1.6.

Before Toledo Edison can approve interconnection to its system, you must provide test results demonstrating that your generator complies with the necessary testing parameters. Generally, any required testing on a customer generator is to be done at the customer's cost. However, in an effort to make amends for any inconvenience our error may have caused you, Toledo Edison will reimburse you for any reasonable costs incurred by you for such tests, as well as any reasonable costs incurred to disconnect your generator (which we recommend be done by a trained professional familiar with your system), *provided that* you obtain pre-approval from Rich Reineck (419-249-4110), a Toledo Edison customer support representative, prior to the work being performed. Your system vendor should be able to either provide the necessary testing or direct you to someone who can.

Toledo Edison apologizes for its error and regrets any inconvenience it may have caused you. We look forward to working with you to rectify this matter as quickly as is reasonably possible.

Sincerely,



Bruce Rimmel
Enclosure

cc: RReineck

Exhibit 2
Case No. 07-514-EL-CSS

FirstEnergy

76 South Main Street
Akron, Ohio 44308

Kathy J. Kolich
Senior Attorney

330-384-4580
Fax: 330-384-3875

May 4, 2007

Mr. Lester L. Lemke
3270 State Route No. 590
Elmore, Ohio 43416

Dear Mr. Lemke:

As I explained in a recent telephone conversation, I have ascertained from FirstEnergy engineers that, based on certain testing that they were able to perform on your wind generator, they have concluded that your generator, as currently configured, does not pose a significant risk of injury to FirstEnergy workers or damage to FirstEnergy's distribution system. Please note that these findings should not be relied upon by you for purposes of determining any risk of injury to you or anyone that interacts with your unit.

The Company's findings, however, do not resolve the matter in its entirety. As I explained, state regulations require that generating systems be precertified by a testing laboratory or, if not precertified, tested to ensure that the proposed generator meets certain testing parameters set forth in the regulations. FirstEnergy and its utilities are required to follow state regulations and, therefore, the Company cannot ignore the fact that the requisite test results have yet to be provided.

As I understand it, the Company prematurely approved the operation of your wind generator without first obtaining the required test results. As previously indicated in a letter to you from Mr. Bruce Remmel, such approval was done in error and the error must be corrected so as to bring your unit into compliance with state regulations. Given that the Company has determined that the operation of your unit will not pose a significant threat to either FirstEnergy employees or its system, FirstEnergy will allow you to operate, *at your own risk*, your wind generator, provided that you submit the necessary test results demonstrating that the unit complies with state regulations within the next sixty days. If such results are not provided within this time frame, FirstEnergy will be forced to require you to disconnect your wind generator until it can be demonstrated that the unit complies with state regulations.

Company engineers have informed me that the dealer from whom you purchased your wind generator should either have the requisite test results, or should be able to perform the tests on your behalf. As indicated in Mr. Remmel's letter, FirstEnergy will reimburse you for any reasonable costs incurred consistent with the provisions set forth in that letter.

Exhibit 2

Case No. 07-514-EL-CSS

Mr. Lester L. Lemke

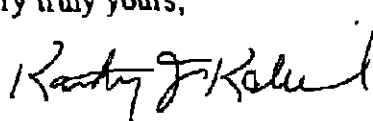
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May 4, 2007

Mr. Lemke, as I tried to explain during our telephone conversation, FirstEnergy is not opposed to you operating your generator. However, the Company is bound by state regulations and must insist that its customers comply with them. While the Company is not legally obligated to allow operation of your unit prior to all regulations being met, the Company is trying to compromise in an effort to make amends for any inconvenience our initial error may have caused you. Further, FirstEnergy stands ready to assist you in achieving compliance with state regulations and, in fact, has attempted to obtain the necessary test results directly from the dealer or vendor. To date, such information has not been provided.

If you have any questions or difficulties in obtaining the necessary test results, feel free to call me at 330 384-4580 and I will direct you to the appropriate personnel within FirstEnergy.

Very truly yours,



Kathy J. Kolich

KJK:ls

c: B. C. Rimmel
R. M. Rennick

bc: R. E. Ledden
R. J. O'Callaghan
S. E. Ouellette
R. L. Savako