

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Adoption of Rules for)
Alternative and Renewable Energy Technol-)
ogy, Resources, and Climate Regulations, and)
Review of Chapters 4901:5-1, 4901:5-3, 4901:5-) Case No. 08-888-EL-ORD
5, and 4901:5-7 of the Ohio Administrative)
Code, Pursuant to Amended Substitute Senate)
Bill No. 221.)

ENTRY ON REHEARING

The Commission finds:

- (1) On July 31, 2008, Amended Substitute Senate Bill No. 221 (SB 221) was enacted to, among other things, substantially revise Chapter 4928 of the Revised Code to address energy efficiency and alternative energy resources, renewable energy credits, clean coal technology, and environmental regulations.
- (2) On April 15, 2009, the Commission issued its opinion and order (April 15 Order) adopting three new chapters of the Ohio Administrative Code (O.A.C.): Chapter 4901:1-39: Energy Efficiency and Demand Reduction Benchmarks, Chapter 4901:1-40: Alternative Energy Portfolio Standard, and Chapter 4901:1-41: Greenhouse Gas Reporting and Carbon Dioxide Control Planning. The April 15 Order also modified relevant forecasting rules contained in Chapters 4901:5-1, 4901:5-3, and 4901:5-5, O.A.C.
- (3) On May 15, 2009, applications for rehearing were filed pursuant to Section 4903.10, Revised Code, by 15 parties or groups. On June 10, 2009, the Commission issued an entry granting rehearing for further consideration of the matters specified. On June 17, 2009, the Commission issued a second entry on rehearing (June 17 Entry) addressing the substantive issues raised and modifying many of the rules adopted in the April 15 Order. On June 24, 2009, the Commission issued an entry correcting, *nunc pro tunc*, the June 17 Entry.
- (4) Section 4903.10, Revised Code, provides that any party who has entered an appearance in a Commission proceeding may apply for rehearing with respect to any matters determined by filing an application within 30 days after the entry of the order upon the journal of the Commission.

- (5) On July 17, 2009, Ohio Edison Company, Cleveland Electric Illuminating Company, and Toledo Edison Company (collectively, FirstEnergy), and Nucor Steel Marion, Inc. filed applications for rehearing of the June 17 Entry.
- (6) The parties have raised a number of assignments of error associated with the rules adopted by the Commission in its April 15 Order, as amended by the June 17 Entry. The Commission grants the applications for rehearing as we find that sufficient reasons have been set forth to warrant further consideration of the matters specified therein.

It is, therefore,

ORDERED, That the applications for rehearing be granted for further consideration of the matters specified therein. It is, further,

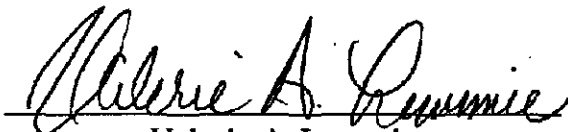
ORDERED, That a copy of this entry on rehearing be served upon all parties filing comments or pleadings in this docket, and all interested persons of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

Alan R. Schriber, Chairman


Paul A. Centolella


Ronda Hartman Fergus


Valerie A. Lemmie


Cheryl L. Roberto

RMB:geb

Entered in the Journal

AUG 12 2009



Renee J. Jenkins
Secretary