BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Adoption of a Portfolio Plan)
Template for Electric Utility Energy Efficiency and)   Case No. 09-714-EL-UNC
Peak-Demand Reduction Programs.)

REPLY COMMENTS OF
THE OHIO SCHOOLS COUNCIL

Pursuant to the Commission's Entry issued August 28, 2009, the Ohio Schools Council

("OSC") respectfully submits these Reply Comments regarding the Commission staff's ("Staff")

draft portfolio plan template.[1]

The OSC is a regional council of governments established under Chapter 167 of the Ohio

Revised Code, and is a political subdivision of the State of Ohio. The OSC is comprised of

member public school districts in 21 Ohio counties, and has sponsored electricity programs with

249 public school districts participating, all located within the service territories of FirstEnergy's

Ohio electric distribution utilities. These public school districts consume about $80 million of

electricity annually. Pursuant to the Stipulation approved by the Commission in Case No. 08-

935-EL-SSO, OSC is the designated energy efficiency/demand side management program

administrator for all public school districts within the FirstEnergy Companies' service territories.

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[1] The OSC did not file Initial Comments as provided for by the Commission's August 28, 2009 Entry, and file these Reply Comments in order to reply to, and reiterate, the limited concern raised by the Ohio Hospital Association, as its implications also impact OSC's members.

Similar to the Ohio Hospital Association's ("OHA") Initial Comments, OSC is also concerned about Staff's proposal to create a separate program classification for governmental and nonprofit utility customers if such categorization might somehow preclude OSC's otherwise eligible public school districts from participating in FirstEnergy's mercantile self-directed program. OSC's public school districts are governmental entities that would fall within this proposed governmental and nonprofit customer category. However, as electric consumers, similar to hospitals, school district facilities appear on the electric grid as medium to large consumers of electricity and take electric service under FirstEnergy's general service tariff classifications. Further, as customers of the electric utility, all or nearly all of OSC's public school districts exceed the 700,000 kWh annual threshold usage requirements to qualify as "mercantile" under Ohio Rev. Code 4928.01(A)(19).

Indeed, the OSC has confirmed with FirstEnergy that qualifying OSC districts may participate in FirstEnergy's mercantile self-directed program, subject to the Commission's approval of submitted projects, and has begun expending substantial time and resources to administer this program.[2] OSC expects that a number of its school districts have in the past self-directed, and will continue to self-direct, new efficiency and demand side management projects in the future. Similar to the OHA, OSC would have a strenuous objection to the Staff's proposal if its effect were to prevent qualifying OSC public school districts from participating in FirstEnergy's mercantile self-directed program. If such a concern is without need or merit, however, OSC does not otherwise oppose Staff's proposed classifications.

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[2] Prior to filing its administrator agreement for the Commission's consideration, OSC sought and received concurrence from FirstEnergy that OSC public school districts could qualify as mercantile and participate in its mercantile self-directed program, subject to approval of submitted projects by the Commission.

The OSC appreciates the opportunity to provide the Commission with its input in this rulemaking and respectfully requests the Commission consider OSC's limited Reply Comments set forth above.

Respectfully submitted,

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