

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Energy Efficiency and	)	
Peak Demand Reduction Program	)	Case No. 09-580-EL-EEC
Portfolio of Ohio Edison Company.	)	
In the Matter of the Energy Efficiency and	)	
Peak Demand Reduction Program	)	Case No. 09-581-EL-EEC
Portfolio of The Cleveland Electric	)	
Illuminating Company.	)	
In the Matter of the Energy Efficiency and	)	
Peak Demand Reduction Program	)	Case No. 09-582-EL-EEC
Portfolio of The Toledo Edison Company.	)	

FINDING AND ORDER

The Commission finds:

- (1) Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company (FirstEnergy or the Companies) are public utilities as defined in Section 4905.02, Revised Code, and, as such, are subject to the jurisdiction of this Commission.
- (2) On July 9, 2009, FirstEnergy filed an application for approval of two energy savings and peak demand reduction programs, the High Efficiency Light Bulb Program, which provides for the direct distribution of high efficiency light bulbs to residential customers, and the Online Home Energy Education Tool Program, which will provide online tools to help residential and small business customers to better understand and manage their energy usage, as part of their compliance with the 2009 energy efficiency and peak demand reduction benchmarks established in Section 4928.66, Revised Code. FirstEnergy also requests approval to recover the full costs associated with the implementation of these two programs from customers through their Rider DSE (Demand Side Management and Energy Efficiency).

- (3) On July 22, 2009, the Industrial Energy Users-Ohio (IEU-Ohio) and the Natural Resources Defense Council (NRDC) filed motions to intervene in this proceeding. In addition, the Office of the Ohio Consumers' Counsel (OCC) filed a motion to intervene and recommendations for modifications on August 10, 2009. NRDC also filed its recommendations on August 10, 2009. Finally, on August 17, 2009, Ohio Partners for Affordable Energy (OPAE) filed a motion to intervene and a motion for admission *pro hac vice* on behalf of David C. Rinebolt.
- (4) On August 24, 2009, FirstEnergy filed a response to the recommendations submitted by OCC and NRDC. In addition, on September 16, 2009, FirstEnergy filed a letter in this docket representing that it had reached a consensus with the interested parties regarding modifications to its proposed programs.
- (5) Upon consideration, the Commission finds that the motions to intervene filed by IEU-Ohio, NRDC, OCC, and OPAE are reasonable and should be granted. Further, the Commission finds that the motion for admission *pro hac vice* filed on behalf of David C. Rinebolt is reasonable and should be granted.
- (6) The Commission notes that these programs initially were proposed without key stakeholder support and before the completion of FirstEnergy's market study as provided in its electric security plan stipulation. However, given the stakeholder's agreement to the application as modified by the September 16, 2009 filing, the Commission will approve the programs for 2009 only. The Commission finds that the proposed energy efficiency and peak demand reduction programs, subject to the modifications filed on September 16, 2009, are reasonable and should be approved. Further, the Commission finds that FirstEnergy's request for recovery of the costs associated with the implementation of these programs does not appear to be unjust or unreasonable and should be approved. Therefore, the Commission finds that it is unnecessary to hold a hearing in this matter.

It is, therefore,

ORDERED, That the application filed by FirstEnergy, as modified on September 16, 2009, be approved. It is, further,

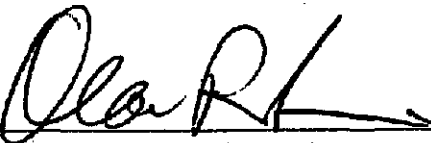
ORDERED, That the motions to intervene filed by IEU-Ohio, NRDC, OCC, and OPAC be granted. It is, further,


ORDERED, That the motion for admission *pro hac vice* submitted on behalf of David C. Rinebolt be granted. It is, further,

ORDERED, That nothing in this Finding and Order shall be binding upon this Commission in any future proceeding or investigation involving the justness or reasonableness of any rate, charge, rule or regulation. It is, further,

ORDERED, That a copy of this Finding and Order be served upon all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

  
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Alan R. Schriber, Chairman

  
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Paul A. Centolella

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Ronda Hartman Fergus

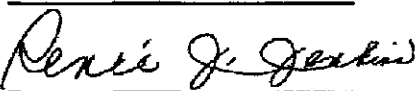
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Valerie A. Lemmie

  
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Cheryl L. Roberto

GAP:ct

Entered in the Journal

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Renee J. Jenkins  
Secretary