

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of Ohio)
Edison Company, The Cleveland Electric) Case No. 09-1820-EL-ATA
Illuminating Company, and The Toledo) Case No. 09-1821-EL-GRD
Edison Company for Approval of Ohio Site) Case No. 09-1822-EL-EEC
Deployment of the Smart Grid) Case No. 09-1823-EL-AAM
Modernization Initiative and Timely)
Recovery of Associated Costs.)

ENTRY

The attorney examiner finds:

- (1) Ohio Edison Company (OE), The Cleveland Electric Illuminating Company (CEI), and The Toledo Edison Company (TE) (collectively, FirstEnergy) are public utilities as defined in Section 4905.02, Revised Code, and, as such, are subject to the jurisdiction of this Commission.
- (2) On November 18, 2009, in furtherance of FirstEnergy's commitment to developing a smart grid initiative and pursuing federal funds that may be available for smart grid investment, FirstEnergy filed an application in this proceeding for approval of the following:
 - a) the proposed Ohio Site Deployment, which is part of FirstEnergy's Smart Grid Modernization Initiative;
 - b) the Peak Time Rebate Rider (Rider PTR);
 - c) recovery from CEI customers, except Rate GT customers, of any revenue shortfall resulting from the application of Rider PTR;
 - d) recovery of actual costs incurred, but that are not reimbursed by DOE, for implementing and maintaining the Ohio Site Deployment through Revised Rider AMI;
 - e) Revised Rider AMI;

- f) the energy savings achieved and expected peak demand reductions obtained from the Ohio Site Deployment for inclusion as part of CEI's compliance with the energy efficiency and peak demand reduction benchmarks, as well as the recovery of any associated lost distribution revenues; and
 - g) any necessary deferrals associated with the Ohio Site Deployment.
- (3) On December 30, 2009, the Commission sought public comment on FirstEnergy's application. Interested stakeholders were directed to submit written comments on the application by January 13, 2010, and reply comments by January 20, 2010.
 - (4) On January 12, 2010, the Office of the Ohio Consumers' Counsel (OCC) requested a two-day extension of time to file their initial and reply comments and an expedited ruling.
 - (5) OCC asserts that good cause exists for granting its motion for an extension due to FirstEnergy's tardiness in responding to OCC's discovery. OCC adds that the two-day extension will afford OCC the opportunity to incorporate the discovery responses into its initial comments. OCC also seeks a corresponding two-day extension for the filing of reply comments.
 - (6) Pursuant to Rules 4901-1-12(C) and 4901-1-13(A), Ohio Administrative Code, the attorney examiner finds that good cause exists to grant OCC's motion for a two-day extension of the filing of OCC's initial comments. However, given the nature of the request, the attorney examiner does not find that good cause exists to also grant an extension for the reply comments or to extend the request for an extension to all interested persons as proposed by OCC.

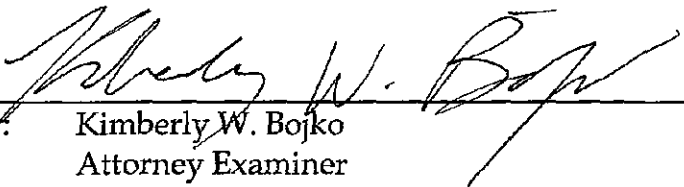
It is, therefore,

ORDERED, That OCC's motion for a two-day extension of time to file its comments be granted in part. It is, therefore,

ORDERED, That OCC's comments on FirstEnergy's application be filed by January 15, 2010, and that its reply comments be filed by January 20, 2010. It is, further,

ORDERED, That a copy of this entry be served upon all parties of record in this case and all parties of record in Case Nos. 08-935-EL-SSO, et al.

THE PUBLIC UTILITIES COMMISSION OF OHIO


By: Kimberly W. Bojko
Attorney Examiner

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Entered in the Journal

JAN 13 2010



Renee J. Jenkins
Secretary