

23
 RECEIVED-DOCKETING DIV
 2010 FEB 17 PM 1:27
 PUCO

**BEFORE
 THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Ohio)	
Edison Company, The Cleveland Electric)	Case Nos. 09-1947-EL-POR
Illuminating Company, and The Toledo)	09-1948-EL-POR
Edison Company For Approval of Their)	09-1949-EL-POR
Energy Efficiency and Peak Demand)	
Reduction Program Portfolio Plans for)	
2010 Through 2012 and Associated Cost)	
Recovery Mechanisms.)	

In the Matter of the Application of Ohio)	
Edison Company, The Cleveland Electric)	Case Nos. 09-1942-EL-EEC
Illuminating Company, and The Toledo)	09-1943-EL-EEC
Edison Company For Approval of Their)	09-1944-EL-EEC
Initial Benchmark Reports.)	

In the Matter of the Energy Efficiency and)	
Peak Demand Reduction Program)	Case Nos. 09-580-EL-EEC
Portfolio of Ohio Edison Company, The)	09-581-EL-EEC
Cleveland Electric Illuminating Company,)	09-582-EL-EEC
and The Toledo Edison Company.)	

**DIRECT TESTIMONY
 OF
 DYLAN SULLIVAN**

**ON BEHALF OF
 THE NATURAL RESOURCES DEFENSE COUNCIL**
 2 N Riverside Plaza, Suite 2250
 Chicago, IL 60606

February 16, 2010

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 RL Date Processed 2/17/2010

Direct Testimony of Dylan Sullivan

TABLE OF CONTENTS

	<u>PAGE</u>
1. INTRODUCTION	1
2. SHARED SAVINGS INCENTIVE	3
3. LOST REVENUE COLLECTION AND REVENUE DECOUPLING	10
4. ENERGY EFFICIENCY PROGRAMS	16
5. ENERGY EFFICIENCY PORTFOLIO	18

Part 1: Introduction

Q1: Please state your name, address, and position.

A1: My name is Dylan Sullivan. My business address is 2 N Riverside Plaza, Suite 2250, Chicago, Illinois 60606. I am employed by the Natural Resources Defense Council ("NRDC") as an Energy Advocate.

Q2: Please describe your educational background and professional experience.

A2: I earned a Bachelor of Arts degree, magna cum laude, in Environmental Geology from the University of Missouri-Columbia in 2004. I was awarded a Masters of Science in Civil and Environmental Engineering from Stanford University in June 2008. I joined NRDC in June 2008. At NRDC, I work in Ohio and Illinois to ensure that electric utilities' energy efficiency portfolios are cost effective and address major end-uses of electricity and all customer classes. I represent NRDC on the Stakeholder Advisory Group assisting Illinois utilities in meeting the state's efficiency portfolio standard, and on groups that serve the same purpose at Duke Energy-Ohio and American Electric Power-Ohio ("AEP"). I also represent NRDC on the FirstEnergy Collaborative, including its residential subcommittee.

Q3: Have you previously submitted testimony before the Public Utilities Commission of Ohio ("PUCO" or "Commission")?

A3: Yes. I submitted testimony in the Electric Security Plan case of Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison

Company (collectively, the "Company" or "FirstEnergy"), Case No. 08-935-EL-SSO.

Q4: What is the purpose of your testimony?

A4: The purpose of my testimony is to discuss the Company's Program Portfolio Plan ("Plan") filed in the dockets listed above. I will specifically address the proposed shared savings incentive, lost revenue collection mechanism, two energy efficiency programs, and the energy efficiency portfolio the Company presents in this Plan.

Q5: What resources did you use in preparing your testimony?

A5: I consulted the Application, testimony, and exhibits filed by the Company in Case No. 09-1947-EL-POR, 09-1948-EL-POR, and 09-1949-EL-POR. I consulted the Stipulation and Recommendation in the Program Portfolio Plan Case of American Electric Power-Ohio ("AEP"), Case No. 09-1089-EL-POR, et al., and the Stipulation and Recommendation and Supplemental Stipulation in the Electric Security Plan case of FirstEnergy, Case No. 08-935-EL-SSO. I consulted recent Michigan Public Service Commission orders adopting revenue decoupling pilot mechanisms in Case Nos. U-15768 and U-15645. I also consulted the paper, "Rate Impacts and Key Design Elements of Gas and Electric Utility Decoupling" by Pamela Lesh, a NRDC consultant.

Part 2: Shared Savings Incentive

Q6: What is a shared savings incentive?

A6: It costs money for a utility to provide energy efficiency programs to its customers. As programs save energy, they produce benefits that accrue to the utility and its customers, including avoided energy costs, avoided capacity costs, and avoided global warming pollution. Shared savings incentives are designed to encourage the utility to maximize the benefits of its energy efficiency portfolio by granting the utility a portion of the net benefit that it helped create for its customers through energy efficiency programs.

Q7: Does NRDC support shared savings incentives?

A7: NRDC believes shared savings incentives are an appropriate reward for utilities that do an exemplary job of delivering energy efficiency programs to customers. In Ohio, where the “floor” of energy efficiency performance is set by O.R.C. Section 4928.66, we believe that incentives are appropriate when a utility over-complies with its annual energy savings benchmark by using cost effective energy efficiency programs delivered to customers.

Q8: What does the Company propose for its shared savings incentive?

A8: The Company proposes that it receive 15% of the net benefits of its energy efficiency portfolio, as defined by the Utility Cost Test (“UCT”), net of taxes,

when one or more of its operating companies exceed the utility's required annual benchmark in a given year.¹

Q9: Does the Company's shared savings proposal merit support?

A9: As proposed, it does not. The Company's shared savings proposal rewards the Company for actions other than delivering energy efficiency programs to its customers. Also, the Total Resource Cost ("TRC") test should be used to calculate net benefits, as opposed to the UCT as proposed in the Direct Testimony of Steven E. Ouellette. Finally, the proposal does not take into account the Company's ability to "bank" over-compliance for use in subsequent years.

Q10: How does the proposal reward the Company for actions other than delivering energy efficiency programs to customers?

A10: As mentioned earlier, shared savings incentives reward the utility a portion of the net benefit that it helped create for its customers through energy efficiency programs. But O.R.C. Section 4928.66(A)(2)(d) allows utilities to use "customer-sited programs" and "transmission and distribution infrastructure improvements that reduce line losses" to comply with energy efficiency benchmarks. By their nature, self-directed projects consist of measures undertaken by customers: their savings are not the result of a Company energy efficiency program. The energy savings from transmission and distribution projects similarly do not result from energy efficiency programs delivered to customers.

¹ EE & PDR Program Plan, The Cleveland Electric Illuminating Company, Page 139, Case No. 09-1947-EL-POR.

Q11: Is the Company's proposed collection of shared savings from transmission and distribution investments that reduce line losses allowed by Commission rule?

A11: The Company's proposed collection of shared savings from transmission and distribution investments is not allowed by Commission rule, because these investments have not been undertaken primarily for the purpose of energy efficiency. According to O.A.C. Section 4901:1-39-07(1), the Company is only allowed to collect costs from customers related to transmission and distribution investments that reduce line losses for "the portion of those investments that are attributable to and undertaken primarily for energy efficiency or demand reduction purposes." In its Plan, the Company does not claim that these investments have been undertaken primarily for energy efficiency and demand reduction purposes, nor did the Company make such a claim in the two transmission and distribution energy savings Applications it has filed with the Commission.²

Q12: How should the Company's proposed collection of shared savings from customer-sited projects and transmission and distribution investments be addressed?

A12: To encourage the Company to seek more energy savings from comprehensive and cost effective energy efficiency programs delivered to customers, the mechanism should only be triggered when the company meets 100% of its annual benchmarks

² See Application in Case No. 09-951-EL-EEC, et al., and Application in Case No. 09-384-EL-EEC, et al.

with energy efficiency programs delivered to customers, rather than mercantile self-direct projects or transmission and distribution investments that reduce line losses. Once the mechanism is triggered, only the net benefits from energy efficiency programs delivered to customers should be used to calculate the shared savings incentive.

Q13: Please provide an example.

A13: Let's assume that the Company meets 130% of its annual energy savings benchmark: 110% of compliance is the result of energy efficiency programs delivered to customers, 10% of compliance is the result of mercantile-self direct projects, and 10% of compliance is from transmission and distribution investments that reduce line losses. The shared savings mechanism would be triggered, because the Company met more than 100% of its annual benchmark from energy efficiency programs delivered to customers. Also, only the net benefits from these energy efficiency programs delivered to customers would be used to calculate the incentive. Assuming the shared savings percentage is 15%, the Company would receive 15% of the net benefits of the energy efficiency programs delivered to customers.

Q14: Have other shared savings mechanisms in Ohio excluded mercantile self-direct savings from the net benefits calculation?

A14: Yes. The shared savings mechanism described in Section VIII of the Stipulation and Recommendation in the Program Portfolio Plan case of AEP, Case No. 09-

1089-EL-POR, et al., excludes savings from the Self Direct program from shared savings.

Q15: Does AEP's shared savings mechanism exclude the savings from transmission and distribution investments that reduce line losses?

A15: AEP's Program Portfolio Plan did not include any such investments, so such exclusion was not necessary.

Q16: Does your recommendation that the Company's shared savings mechanism be modified to exclude energy savings from transmission and distribution investments and mercantile self-direct projects conform with shared savings models used in other states?

A16: Yes. Ohio's energy efficiency portfolio standard is unique in that it allows transmission and distribution investments that reduce line losses to be used to meet annual benchmarks. Similarly, Ohio's use of "existing" mercantile savings to meet annual benchmarks is unique. Nationally, shared savings mechanisms reward utilities for energy efficiency programs they deliver to customers.

Q17: What is the difference between the TRC test and the UCT for the purposes of shared savings incentives?

A17: The benefits side of the TRC and UCT are the same: avoided energy, capacity, and global warming pollution. The cost side of the TRC includes the utility's costs of running programs and the incremental cost of measures. The cost side of

the UCT includes the utility's costs of running programs and the incentives paid by the utility. The TRC seeks a broad view of the cost effectiveness of energy efficiency: will the investment increase or decrease the cost of energy services in the service territory or region? The UCT's view is more limited: will an energy efficiency investment cost the utility less than providing the same amount of electricity?

Q18: Why should the TRC test be used to calculate the net benefits of the portfolio?

A18: The TRC test should be used because it would provide the utility with an incentive to guide its customers toward measures that have lower incremental costs per unit of energy savings: in other words, the Company would have an incentive to implement more cost effective measures. If the UCT were used to calculate net benefits, the Company would be encouraged to lower incentives. With TRC-based net benefits, the Company would be encouraged to provide market-appropriate incentives for cost effective measures.

Q19: Should the Commission make any other changes to the Company's proposed shared savings mechanism?

A19: Yes. The Commission should ensure that "banked" savings from a previous year's over-compliance are not used to trigger a shared savings incentive in a subsequent year. For example, if the Company meets 105% of its annual benchmark in Year 1 with energy efficiency programs delivered to customers, it would be allowed to

take a shared savings incentive on the net benefits of its energy efficiency portfolio. In Year 2, the Company could apply its over-compliance from Year 1 to its Year 2 benchmark, but in order to be eligible for shared savings, the Company would have to meet its Year 2 benchmark while still excluding the amount of over-compliance carried over from Year 1.

The Commission should also ensure that the effects of “banked” savings are excluded from the net benefits used to calculate the shared savings incentive. To use the above example, if the Company exceeds its energy efficiency benchmark in Year 2, even while excluding the amount of over-compliance carried over from Year 1, the net benefits from which shared savings would be calculated would not include the over-compliance increment that was carried over from Year 1.

Without these two protections, the Company could double-count energy savings for purposes of the incentive mechanism.

Q20: Overall, how would your proposed shared savings incentive mechanism differ from the Company’s proposal?

A20: Under the mechanism I propose, the Company would have an incentive to focus more on energy efficiency programs delivered to customers, and would be rewarded if it well-administered cost effective energy efficiency programs that save more energy than the law requires.

Part 3: Lost Revenues

Q21: How does the Company propose to collect from its customers the distribution revenue it will forgo as a result of the Plan's implementation?

A21: The Company proposes to collect the variable distribution revenue ("lost revenue") that results from the plan in the DSE2 charge.³ The Company states that actual variable distribution costs will be assessed at the program level and assigned to the residential rate schedule.⁴

Q22: How much lost revenues would be collected from customers?

A22: For providing programs in 2010, the Company will collect \$4,483,372, 86% of which will be collected from customers in the RS rate (residential customers).⁵ The Company's residential customers will pay an estimated \$13.9 million of lost revenues in 2011 and \$20.5 million of lost revenues in 2012.⁶

Q23: What is the basis for the Company's proposal to collect lost revenues?

A23: The Company states that the "structure and function" of its cost recovery mechanism (which includes lost revenues) was already approved by the Commission via the Stipulation and Recommendation in Case No. 08-935-EL-

³ Direct Testimony of Steven E. Ouellette, Page 7, line 16, Case No. 09-1947-EL-POR, et al.

⁴ Direct Testimony of Steven E. Ouellette, Page 10, line 22, Case No. 09-1947-EL-POR, et al.

⁵ Direct Testimony of Steven E. Ouellette, Exhibits SEO-C1, SEO-C2, SEO-C3, Case No. 09-1947-EL-POR, et al.

⁶ For this estimate, I divided the Company's RS 2010 "Variable Distribution Revenue Not Collected," as shown in the Direct Testimony of Steven E. Ouellette, Exhibits SEO-C1, SEO-C2, SEO-C3 by the 2009 and 2010 MWh saved from the Residential Sector and Residential Low-Income Sector Cumulative Projected Portfolio Savings, as shown in the Direct Testimony of George L. Fitzpatrick, Exhibit FE-GLF-2. I then multiplied this "variable distribution revenue not collected per unit of MWh saved" by the Residential and Residential Low Income Cumulative Projected Portfolio Savings in Program Year 2011 and 2012, as shown in the Direct Testimony of George L. Fitzpatrick, Exhibit FE-GLF-2, to estimate annual lost revenue collection from the RS rate class in 2011 and 2012.

SSO.⁷ But the Company's proposed lost revenue collection conflicts with the Stipulation and Recommendation, as I discuss below.

Q24: Once a measure is implemented, for how long may the Company collect lost revenues.

A24: Section E.6.n. of the Stipulation and Recommendation states that lost revenues associated with energy efficiency programs can be collected for six years from the effective date of the Stipulated ESP, or until the effective date of the Company's next base distribution case.⁸ NRDC did not support collecting lost revenues for six years after a measure is installed, as stated in a footnote at the end of Section E.6.n., added in the Supplemental Stipulation. However, for the purposes of settling the ESP case, NRDC agreed not to challenge the six-year provision.

Q25: Related to lost revenues, for what program years did the Stipulation and Recommendation cover?

A25: The Stipulation and Recommendation's Energy Efficiency Collaborative Section, E.6, which contains the lost revenue section E.6.n., covers program years 2009, 2010, and 2011.

Q26: How does this affect the Company's collection of lost revenues?

A26: The ESP Stipulation and Recommendation does not allow the Company to collect lost revenues for incremental energy savings occurring in 2012; the "six year"

⁷ Application, Page 8. Case No. 09-1947-EL-POR, et al.

⁸ Stipulation and Recommendation, Section E6a, Case No. 08-935-EL-SSO.

agreement in Section E.6.n., only applies for program years 2009, 2010, and 2011. However, the plan being litigated in this case is for the period January 1, 2010 through December 31, 2012.

Q27: Does the Plan or its supporting testimony address the Company's collection of lost revenues for incremental energy savings in 2012?

A27: Yes. Rider DSE⁹ as proposed will contain the DSE2 charge that collects levelized Program Costs, including lost revenues, for the years 2010, 2011, and 2012.

Q28: How should the Commission address the Company's collection of lost revenues for incremental energy savings in 2012?

A28: No lost revenue collection should be allowed for incremental energy savings in 2012. Such collection would extend the terms of the ESP beyond the timeframe parties negotiated. In addition, lost revenue recovery is costly, restores revenues that might not be "lost," and creates perverse incentives for the utility.

Q29: How is lost revenue collection costly?

A29: Lost revenue collection is costly because it accumulates. For example, the Company plans on collecting lost revenues from measures implemented in 2010 until 6 years from the effective date of the ESP. Customers will be charged \$4,483,372 in 2010 for energy efficiency measures implemented in 2010, as mentioned above. In 2011, customers will be charged for the lost revenues of the

⁹ EE & PDR Program Plan, The Cleveland Electric Illuminating Company, Appendix F, Case No. 09-1947-EL-POR.

energy efficiency measures implemented in 2011, as well as those implemented in 2010. In the Company's proposal, in 2012, customers will be charged for the lost revenues of energy efficiency measures implemented in 2012, 2011, and 2010. As mentioned above, the estimated 2012 lost revenue recovery from the residential sector will be approximately \$20.5 million. By comparison the Company's Residential and Residential Low-Income Portfolio Annual Budget in 2012 will be approximately \$28 million.¹⁰

Q30: How might lost revenue collection restore revenue to the Company that was never lost?

A30: The negative effects of energy efficiency programs on the Company's collection of its fixed costs could be "washed out" by other factors that influence the Company's collection of fixed costs. For example, the energy saving impacts of the Company's Appliance Recycling Program might be offset by an abnormally warm summer. In that case, "lost" revenue would be restored to the Company, even though it is in no danger of under-collecting its Commission-approved fixed costs of service.

Q31: How does lost revenue recovery create perverse incentives for the utility?

A31: Lost revenue recovery is calculated by multiplying energy savings by the variable distribution rate. Because lost revenue collection leaves the throughput incentive intact – utilities still have an incentive to increase sales of electricity between rate cases – utilities collecting lost revenues have an incentive to create programs that

¹⁰ Exhibit FE-GLF-3, Direct Testimony of George Fitzpatrick

appear to save energy while engaging in load building activities to increase sales of electricity between rate cases.

Q32: How should the Commission address the need of the Company to collect its fixed costs of service while implementing energy efficiency programs, given that lost revenue collection is not authorized for incremental energy savings created by 2012 programs?

A32: The Commission should adopt revenue decoupling for the RS rate class in 2012.

Q33: What is revenue decoupling?

A33: Revenue decoupling is a modest, regular true-up in rates to ensure that a utility collects no more and no less than its Commission-authorized fixed costs of distribution service, regardless of fluctuations in sales. A revenue decoupling mechanism can be structured to meet a variety of jurisdiction-specific needs, such as preserving the utility's incentives to promote economic growth in its service territory and maintain or enhance system reliability

Q34: Why is it preferable to other alternatives?

A34: Decoupling is preferable to lost revenue collection because it removes the throughput incentive: between rate cases, a utility no longer has incentives to increase sales of electricity beyond the amount assumed in the last rate case. It also won't restore revenue to the utility that was never "lost," as described above.

Decoupling is preferable to straight fixed-variable rate design because it leaves intact customers' incentives to conserve and does not punish those who have already implemented energy efficiency or conservation in their homes.

Q35: How have other decoupling mechanisms in the region been structured?

A35: The Michigan Public Service Commission recently approved revenue decoupling "pilots" for Consumers Energy and Detroit Edison that only continue if the companies exceed statutory energy efficiency benchmarks, implement enhanced energy efficiency programs, and surpass minimum reliability standards.¹¹

Q36: How would adoption of revenue decoupling for the Company affect rates?

A36: The effect on rates would depend on the mechanism actually implemented. However, in a comprehensive examination of the rate impacts of decoupling mechanisms currently operating, NRDC has found that decoupling adjustments have most often been less than 2 percent of base rates, positive or negative, and the majority of rate adjustments have been less than 1 percent of base rates.

Q37: How would the Company's residential customers benefit from the adoption of revenue decoupling in 2012?

A37: The Company would be free to support all efforts to deploy cost effective energy efficiency in its service territory, such as enhanced building codes and State appliance standards, without fearing recovery of its fixed costs of distribution service. While customers' rates might be adjusted higher because of energy

¹¹ See Opinion and Orders, Michigan Public Service Commission Case Nos. U-15768 and U-15645.

efficiency activities, customers also have an opportunity to get a refund if the Company over-collects its Commission-authorized fixed costs of distribution service. Revenue decoupling could transform FirstEnergy from a Company that attempts to increase sales of a commodity to one that works to provide efficient energy services to its Customers.

Part 4: Energy Efficiency Programs

Q38: Do you have any concerns with the Company's proposed commercial lighting programs?

A38: Yes. The Company's proposed commercial lighting programs are not cost-effective as measured by the Company's TRC test. For example, in the Plan of The Cleveland Electric Illuminating Company the Small Enterprise C/I Equipment Program (Commercial Lighting) has a TRC of .66 in 2010¹² and the Mercantile Utility C/I Equipment Program (Commercial Lighting) has a TRC of .64 in 2010.¹³ Other FirstEnergy operating companies' TRC results are similar.

Q39: Is this result expected?

A39: No. Commercial lighting programs are generally the largest and most cost effective portion of a utility's energy efficiency portfolio.

¹² EE & PDR Program Plan, The Cleveland Electric Illuminating Company, PUCO Table 7C, Page 144.

¹³ EE & PDR Program Plan, The Cleveland Electric Illuminating Company, PUCO Table 7E, Page 145.

Q40: How did the Company get this result?

A40: It appears that the Company's consultant modeled installation costs for commercial lighting measures very conservatively. The modeling did not recognize that customers upgrading to efficient lighting systems will be trading up from an inefficient lighting system that has already exhausted a portion of its useful life. The consultant assumed a full labor cost for each installation, when, in reality, some percentage of those labor costs would have occurred anyway when the inefficient lighting system failed at the end of its useful life.

Q41: How should the Commission address the unexpectedly low TRC result?

A41: I recommend that the Commission allow the program to launch, recognizing its conventional design and the large and cost effective opportunity for commercial lighting upgrades found in other utilities' service territories and regional/national studies of efficiency potential. However, the Commission should require the Company to model the program's cost effectiveness using industry standard methodological practices similar to the ones mentioned above, and reserve the right to modify the program based on the test results.

Q42: Do you support the joint home performance program described in the Direct Testimony of Daniel J. Sawmiller?

A42: Yes. A joint program without BTU conversion would offer a "one-stop shop" for customers interested in increasing their home's efficiency, and it would conserve valuable auditor time.

Part 5: Energy Efficiency Portfolio

Q43: Do you have a general opinion about the Program Portfolio Plans proposed by the Company?

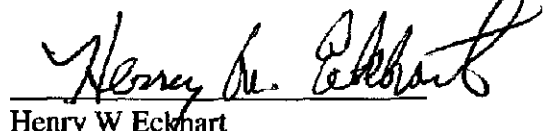
A43: Yes. The plans include most of the “bread and butter” programs that we would expect to be included in a 3-year energy efficiency plan of a utility just starting its program roll-out. However, the Company’s plans are only accessing a fraction of the cost effective energy efficiency opportunity available. For example, Table E1 of the Company’s Assessment of Potential indicates that even under the conservative “base case” assumptions, meeting the 2012 goals in O.R.C. Section 4928.66 in the Ohio Edison service territory taps just one third of the achievable energy efficiency opportunity. The Company’s focus now is rightly on getting energy efficiency programs started. But over the life of this plan, the Company needs to have the flexibility, working with its collaborative, to dramatically ramp-up program activity to better capture the opportunity available.

Q44: Does this conclude your testimony?

A44: Yes it does.

CERTIFICATE OF SERVICE

It is hereby certified that a true copy of the foregoing DIRECT TESTIMONY OF DYLAN SULLIVAN, was served upon the persons listed below via electronic mail on this 17th day of February, 2010.



Henry W Eckhart
Attorney for the Natural Resources Defense
Council

SERVICE LIST

Gregory J. Poulos
Christopher J. Allwein
Jeffrey L. Small
Assistant Consumers' Counsel
10 West Broad Street, Suite 1800
Columbus, OH 43215-3485
small@occ.state.oh.us
poulos@occ.state.oh.us
allwein@occ.state.oh.us

Duane Luckey
Attorney General's Office
Public Utilities Commission of Ohio
180 E. Broad St., 6th Fl.
Columbus, OH 43216
duane.luckey@puc.state.oh.us

James F. Lang
Laura C. McBride
N. Tervor Alexander
Kevin P. Shannon
Calfee, Halter & Griswold LLP
1400 KeyBank Center
800 Superior Ave.
Cleveland, OH 44114
jl原因@calfee.com
lmcbride@calfee.com
tallexander@calfee.com

Thomas Lindgren
Attorney General's Office
Public Utilities Section
180 East Broad Street 6th Floor
Columbus, OH 43215
Thomas.lindgren@puc.state.oh.us

Attorneys for Ohio Edison Company, The
Cleveland Electric Illuminating Company
and The Toledo Edison Company

Will Reisinger
Trent Dougherty
Nolan Moser
1207 Grandview Avenue, Ste. 201
Columbus, OH 43212-3449
will@theOEC.org
trent@theOEC.org
nolan@theOEC.org

Attorneys for Staff the Ohio Environmental
Council

David C. Rinebolt
Colleen L. Mooney
Ohio Partners for Affordable Energy
231 West Lima Street
Findlay, OH 45839-1793
cmooney2@columbus.rr.com
drinebolt@ohiopartners.org

Samuel C. Randazzo
Lisa G. McAlister
Joseph M. Clark
McNees Wallace & Nurick LLC
21 East State Street, 17th Floor
Columbus, OH 43215
sam@mwncmh.com
lmcalister@mwncmh.com
jclark@mwncmh.com

Attorneys for Industrial Users Energy-Ohio

Joseph P. Meissner
Matthew D. Vincel
The Legal Aid Society of Cleveland
1223 West 6th St.
Cleveland, OH 44113
jpmessn@lasclev.org
mvincel@lasclev.org

Attorney for: Neighborhood
Environmental Coalition, Consumers for
Fair Utility Rates, The Empowerment
Center of Greater Cleveland and Cleveland
Housing Network

Todd Jones
Christopher Miller
Andre Porter
Gregory Dunn
Schottenstein Zox & Dunn Co., LPA
250 West Street
Columbus, OH 43215
cmiller@szd.com
aporter@szd.com
gdunn@szd.com

Attorneys for the AICUO

Michael E. Heintz
1207 Grandview Ave., Ste. 201
Columbus, OH 43204
mheintz@elpc.org

Attorney for Environmental Law and
Policy Center

David F. Boehm, Esq.
Michael L. Kurtz, Esq.
Boehm, Kurtz & Lowry
36 East Seventh St., Ste. 1510
Cincinnati, OH 45202
dboehm@BKLawfirm.com
mikurtz@BKLawfirm.com

Attorneys for the Ohio Energy Group

Theodore Robinson
Staff Attorney and Counsel
Citizen Power
2121 Murray Ave.
Pittsburgh, PA 15217
robinson@citizenpower.com

Richard L. Sites
General Counsel & Senior Director of
Health Policy
155 East Broad St., 15th Fl.
Columbus, OH 43215-3620
ricks@ohanet.org

Attorney for the Ohio Hospital Association

Matthew W. Warnock
Bricker & Eckler LLP
100 South Third Street
Columbus, OH 43215
mwarnock@bricker.com

Attorney for Ohio Schools Council

Jacqueline Lake Roberts
101 Federal Street, Suite 1100
Boston, MA 02110
jroberts@enernoc.com

Attorney for EnerNOC, Inc.

Kathy J. Kolich
Ebony L. Miller
FirstEnergy Service Company
76 South Main Street
Akron, OH 44308
kjkolich@firstenergycorp.com
elmiller@firstenergycorp.com

Thomas J. O'Brien
Bricker & Eckler LLP
100 South Third Street
tobrien@bricker.com

Attorney for the Ohio Manufacturers'
Association and the Ohio Hospital
Association

Glenn S. Krassen
Bricker & Eckler LLP
1375 East Ninth St., Ste. 1500
Cleveland, OH 44114
gkrassen@bricker.com

Attorney for Ohio Schools Council

Michael K. Lavanga
Garrett A. Stone
Brickfield, Burchette, Ritts & Stone, P.C.
1025 Thomas Jefferson Street, N.W.
8th Floor, West Tower
Washington, D.C. 20007
mkl@bbrslaw.com
gas@bbrslaw.com

Attorneys for Nucor Steel Marion, Inc.

Robert J. Triozzi (0016532)
Steven L. Beeler (0078076)
City of Cleveland
Cleveland City Hall
601 Lakeside Avenue, Room 106
Cleveland, Ohio 44114-1077
RTriozzi@city.cleveland.oh.us
SBeeler@city.cleveland.oh.us

Attorneys for the City of Cleveland