

**FirstEnergy**

FILE

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*Via Federal Express*

PUCO

June 2, 2010

Ms. Renee J. Jenkins  
Director, Administration Department  
Secretary to the Commission  
Docketing Division  
The Public Utilities Commission of Ohio  
180 East Broad Street  
Columbus, OH 43215-3793

Dear Ms. Jenkins:

***Re: Letter Of Concern Of Ohio Edison Company, The Cleveland Electric Illuminating Company, And The Toledo Edison Company In Support Of Their Energy Efficiency And Peak Demand Reduction Program Portfolio Plans For 2010 Through 2012  
Case No. 09-1947-EL-POR***

Enclosed for filing, please find the original and twelve (12) copies of Ohio Edison Company, The Cleveland Electric Illuminating Company and The Toledo Edison Company *Letter of Concern* regarding the above-referenced case. Please file the enclosed documents, time-stamping the two extras and returning them to the undersigned in the enclosed envelope.

Thank you for your assistance in this matter. Please contact me if you have any questions.

Very truly yours,

*Kathy Kolich*

kag

Enclosures  
cc: Parties of Record

Anthony J. Alexander  
President and Chief Executive Officer

June 2, 2010

330-384-5793  
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Chairman Alan Schriber  
Public Utilities Commission of Ohio  
180 East Broad Street  
Columbus, OH 43215

Re: Ohio Edison Company, The Cleveland Electric Illuminating Company,  
The Toledo Edison Company (the "Companies"), Case Nos. 09-1947-EL-  
POR, et.al., Case Nos. 09-1942-EL-EEC, et. al., and Case Nos. 09-580-  
EL-EEC, et. al.

Dear Chairman Schriber:

I am writing to express my growing concern with the Commission's delay in issuing an Opinion and Order in the Companies' Energy Efficiency and Peak Demand Reduction Program Portfolio Plan proceedings for 2010-2012 (the "EE&PDR Portfolio Plan"). Specifically, I am concerned that absent prompt action, and quite frankly even with prompt action, in this docket approving the Companies' Application, the Companies will have no meaningful opportunity to meet their energy efficiency and peak demand requirements for 2010 as required by Senate Bill 221.

The Companies filed their EE&PDR Portfolio Plan on December 15, 2009. This filing was made five days after the energy efficiency and peak demand rules went into effect<sup>1</sup>, and approximately 15 days before the December 31, 2009 required filing date. In their Application, the Companies requested Commission approval on or before March 10, 2010. Moreover, the Companies notified the Commission that it was critical that certain programs be implemented no later than April 1, 2010, in order to achieve the projected savings and help ensure compliance with the 2010 benchmarks. We are now approaching June 1, 2010 and still no decision has been rendered by the Commission.

As valuable time slips away, it is becoming increasingly evident that the Companies again will be required to file an application seeking a waiver or amendment of their 2010 energy efficiency and peak demand reduction benchmarks. This is not the Companies' preferred path – but may be the only path remaining available to the Companies.

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<sup>1</sup> The Commission's rules, which are set forth in Section 4901:1-1-39-01 et seq. of the Ohio Administrative Code, went into effect on December 10, 2009 and are still subject to applications for rehearing.

Although it may no longer be possible for the Companies to meet their 2010 energy efficiency and peak demand reduction benchmarks, the Companies, with prompt Commission-approval of this EE&PDR Portfolio Plan, can nevertheless begin implementing a cost-effective portfolio of programs that will provide significant opportunities for energy and cost savings for all of the Companies' customers. I therefore urge the Commission to promptly approve the Companies' EE&PDR Portfolio Plan.

Sincerely,

A handwritten signature in black ink, appearing to read "Terry Alexander", written in a cursive style.

AJA:cjd

## CERTIFICATE OF SERVICE

Copies of the foregoing *Letter of Concern of Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company* were served by first class United States Mail, postage prepaid to the persons on the Service List on this 2<sup>nd</sup> day of June, 2010.

  
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