

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of a Mercantile)
Application Pilot Program Regarding)
Special Arrangements with Electric) Case No. 10-834-EL-POR
Utilities and Exemptions from Energy)
Efficiency and Peak Demand Reduction)
Riders.)

In the Matter of the Application of the)
University of Toledo and The Toledo) Case No. 11-3966-EL-EEC
Edison Company for Approval of a)
Special Arrangement Agreement with a)
Mercantile Customer.)

ENTRY

The Commission finds:

- (1) Pursuant to Section 4928.66, Revised Code, mercantile customers may commit their peak demand reduction, demand response, and energy efficiency programs for integration with an electric utility's programs. Rule 4901:1-39-05(G), Ohio Administrative Code (O.A.C.), permits a mercantile customer to file, either individually or jointly with an electric utility, an application to commit the customer's demand reduction, demand response, and energy efficiency programs for integration with the electric utility's programs.
- (2) On September 15, 2010, the Commission issued an entry in Case No. 10-834-EL-POR adopting an 18-month pilot program which establishes an automatic approval process for applications filed by mercantile customers under Rule 4901:1-39-05(G), O.A.C. The pilot program is intended to simplify the Energy Efficiency Credits (EEC) application process through the development of a standard application template posted on the Commission's website for use by mercantile customers. The automatic approval process was limited to mercantile customers who agree to a cash rebate arrangement, rather than an exemption from the electric utility's energy efficiency and demand reduction (EEDR) rider.
- (3) By entry issued November 10, 2010, the Commission granted applications for rehearing filed by Ohio Environmental Council, Industrial Energy Users-Ohio, Ohio Edison Company,

The Cleveland Electric Illuminating Company, The Toledo Edison Company, Columbus Southern Power Company, Ohio Power Company, and the Dayton Power and Light Company, in order to allow further consideration of the matters specified therein.

- (4) By second entry on rehearing issued on May 25, 2011, the Commission clarified that all valid EEDR mercantile customer programs implemented during 2006 or 2007 would be eligible for counting and incentives if the complete application was currently pending or was filed within 30 days after the issuance of the entry. Further, the Commission noted that it would consider granting an additional 30 days if warranted due to special circumstances.
- (5) On June 24, 2011, in Case No. 10-834-EL-POR, Plug Smart filed motions to extend the filing deadline on behalf of Winton Woods City School District, The Ohio State University, Lakota Local Schools, Cincinnati Public Schools, and Ashtabula City Schools. In its motions, Plug Smart argues that these named entities implemented EEDR projects in 2006 or 2007 but that it is not possible for applications to be submitted by the filing deadline due to the required information being unavailable for various reasons or because administrative approval cannot be obtained prior to the filing deadline. Plug Smart proffers that these reasons constitute special circumstances warranting a 30-day extension.
- (6) Additionally, on June 24, 2011, in Case No. 11-3966-EL-EEC, The University of Toledo (UT) filed a motion to extend the filing deadline on the basis that UT implemented EEDR projects in 2006 and 2007 but that the filing deadline provided insufficient time for UT, as a public institution, to obtain the necessary internal authorization for the application required to file it with the Commission. UT contends that this special circumstance warrants a 30-day extension.
- (7) The Commission finds that the reasons offered by Plug Smart and UT in their motions to extend the filing deadline constitute special circumstances and should be granted. Consequently, the Commission finds that, solely as to the movants, a 30-day extension is warranted. Therefore, EEDR Mercantile program applications for programs implemented during 2006 and/or 2007 may be filed by the above-named movants on or before July 25, 2011.

It is, therefore,

ORDERED, That the motions to extend the filing deadline filed by Plug Smart and UT be granted. It is, further,

ORDERED, That EEDR Mercantile program applications for programs implemented during 2006 or 2007 may be filed by the above-named movants on or before July 25, 2011. It is, further,

ORDERED, That a copy of this Entry be served upon all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO


Todd A. Snitchler, Chairman


Paul A. Centolella


Steven D. Lesser

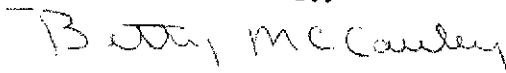

Andre T. Porter


Cheryl L. Roberto

MLW/sc

Entered in the Journal

JUL 06 2011


Betty McCauley

Betty McCauley
Secretary