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October 5, 2012

Public Utilities Commission of Ohio
PUCO Docketing
180 E. Broad Street, 10th Floor
Columbus, Ohio 43215

In re: Case No. 12-2190-EL-POR, 12-2191-EL-POR and 12-2192-EL-POR

Dear Sir/Madam:

Please find attached the DIRECT TESTIMONY OF DENNIS GOINS ON BEHALF OF THE OHIO ENERGY GROUP AND NUCOR STEEL MARION for filing in the above-referenced matter.

Copies have been served on all parties on the attached certificate of service. Please place this document of file.

Respectfully yours,

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MLKkew
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Cc: Certificate of Service

CERTIFICATE OF SERVICE

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STATE OF OHIO
BEFORE THE
PUBLIC UTILITIES COMMISSION

In the Matter of the Application of Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company for Approval of Their Energy Efficiency and Peak Demand Reduction Program Portfolio Plans for 2013 through 2015	**)** **)** **)** **)** **)** **)**	**Case Nos. 12-2190-EL-POR** **12-2191-EL-POR** **12-2192-EL-POR**

DIRECT TESTIMONY OF DR. DENNIS W. GOINS ON BEHALF OF THE OHIO ENERGY GROUP AND NUCOR STEEL MARION

October 5, 2012

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STATE OF OHIO
BEFORE THE
PUBLIC UTILITIES COMMISSION

In the Matter of the Application of Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company for Approval of Their Energy Efficiency and Peak Demand Reduction Program Portfolio Plans for 2013 through 2015	**)**	**Case Nos. 12-2190-EL-POR 12-2191-EL-POR 12-2192-EL-POR**

DIRECT TESTIMONY OF
DR. DENNIS W. GOINS
ON BEHALF OF THE OHIO ENERGY
GROUP AND NUCOR STEEL MARION

INTRODUCTION AND QUALIFICATIONS

Q. PLEASE STATE YOUR NAME, OCCUPATION, AND BUSINESS ADDRESS.

A. My name is Dennis W. Goins. I operate Potomac Management Group, an economics and management consulting firm. My business address is 5801 Westchester Street, Alexandria, Virginia 22310.

Q. PLEASE DESCRIBE YOUR EDUCATIONAL AND PROFESSIONAL BACKGROUND.

A. I received a Ph.D. degree in economics and a Master of Economics degree from North Carolina State University. I also earned a B.A. degree with honors in economics from Wake Forest University. Following graduate school I worked as a staff economist at the North Carolina Utilities Commission (NCUC). During my tenure at the NCUC, I testified in numerous cases involving electric, gas, and telephone utilities on such issues as cost of service, rate design, intercorporate transactions, and load

forecasting. While at the NCUC I also served as a member of the Ratemaking Task Force in the national Electric Utility Rate Design Study sponsored by the Electric Power Research Institute (EPRI) and the National Association of Regulatory Utility Commissioners (NARUC).

Since leaving the NCUC, I have worked as an economic and management consultant to firms and organizations in the private and public sectors. My assignments focus primarily on market structure, policy, planning, and pricing issues involving firms that operate in energy markets. For example, I have conducted detailed analyses of product pricing, cost of service, rate design, and interutility planning, operations, and pricing issues; prepared analyses related to utility mergers, transmission access and pricing, and the emergence of competitive markets; evaluated and developed regulatory incentive mechanisms applicable to utility operations; and assisted clients in analyzing and negotiating interchange agreements and power and fuel supply contracts. I have also assisted clients on electric power market restructuring issues in Arkansas, New Jersey, New York, South Carolina, Texas, and Virginia.

I have submitted testimony and affidavits and provided technical assistance in nearly 200 proceedings before state and federal agencies as an expert in competitive market issues, regulatory policy, utility planning and operating practices, cost of service, and rate design. These agencies include the Federal Energy Regulatory Commission (FERC), the Government Accountability Office, state courts in Iowa, Montana, and West Virginia, and regulatory agencies in Alabama, Arizona, Arkansas, Colorado, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Minnesota, Mississippi, Missouri, New Jersey, New York, North Carolina, Ohio, Oklahoma, South Carolina, Texas, Utah, Vermont, Virginia, West Virginia, Wyoming, and the District of Columbia. Additional details of

my educational and professional background are presented in the Appendix.

Q. ON WHOSE BEHALF ARE YOU APPEARING IN THIS PROCEEDING?

A. I am appearing on behalf of the Ohio Energy Group (OEG) and Nucor Steel Marion, Inc. (Nucor). OEG members and Nucor are large industrial consumers that purchase retail electric distribution service from one of the FirstEnergy operating companies—Ohio Edison Company, Cleveland Electric Illuminating Company (CEI), and Toledo Edison Company.

Q. WHAT ASSIGNMENT WERE YOU GIVEN WHEN YOU WERE RETAINED?

A. I was asked to undertake two primary tasks:

1. Review the 2013-15 energy efficiency (EE) and peak demand reduction (PDR) program portfolio plans filed by Ohio Edison, CEI, and Toledo Edison (collectively, FirstEnergy), focusing on issues related to rates and service for large general service transmission (GT) customers.
2. Evaluate the reasonableness of FirstEnergy's EE and PDR proposals, and recommend necessary changes.

Q. WHAT INFORMATION DID YOU REVIEW IN CONDUCTING YOUR EVALUATION?

A. I reviewed FirstEnergy's application, testimony, exhibits, and selected responses to requests for information. I also reviewed, as necessary, relevant statutes and Commission orders and rules. Finally, I reviewed publicly available information related to the issues in my testimony.

CONCLUSIONS

Q. WHAT CONCLUSIONS HAVE YOU REACHED?

A. On the basis of my review and evaluation, I have concluded the following:

1. FirstEnergy currently recovers the cost of its EE/PDR programs through its Demand Side Management and Energy Efficiency Rider (Rider DSE), a kWh charge applicable to each customer's total monthly energy consumption. Rider DSE has two components—a DSE1 charge that recovers PDR credits paid to interruptible customers served under Riders ELR and OLR, and a DSE2 charge that recovers the rest of FirstEnergy's EE/PDR program costs.
2. Since it was first implemented in May 2011, the DSE2 charge in Rider DSE has been extremely volatile and high. Moreover, the current approach FirstEnergy uses to develop the DSE2 charge:
   - Provides no direct linkage between benefits received and program costs paid within a class—thereby creating the potential for large intraclass subsidies.
   - Imposes significant rate impacts on large customers—particularly customers served under Rate GT—that not only are unrelated to EE/PDR benefits they receive, but also create major budget and planning problems for them.
3. FirstEnergy has proposed a shared-savings incentive mechanism that provides a financial incentive to its shareholders based on the annual cost of EE/PDR programs, and the percentage of the annual energy savings target (benchmark) that FirstEnergy achieves with these programs. Under its proposal, each FirstEnergy operating company can earn a tiered incentive on its EE/PDR programs up to 13 percent of the adjusted net lifetime benefits of the company's entire portfolio. FirstEnergy provided no empirical justification for

its proposed shared-savings incentive mechanism. Instead, FirstEnergy merely noted that it is allowed to request an EE/PDR portfolio incentive, other Ohio utilities have requested such incentives, and the Commission recently approved an incentive mechanism for AEP Ohio.

4. FirstEnergy counts peak demand reduction from its interruptible Riders ELR towards meeting the PDR benchmarks. However, FirstEnergy understates the level of Rider ELR demand reduction, which it defines as the planning year kW of demand resources registered for each ELR customer in PJM. A more reasonable measure of the peak demand reduction benefits provided by Rider ELR customers is the aggregate difference between their maximum demand and firm contract demand in the peak measurement period
5. FirstEnergy has not consistently bid Rider ELR interruptible load into the PJM capacity auctions.

RECOMMENDATIONS

Q. WHAT DO YOU RECOMMEND ON THE BASIS OF THESE CONCLUSIONS?

A. I recommend that the Commission:

1. Clarify and modify the method of allocating Mercantile Sector program costs, and limit the aggregate impact of DSE2 charges on FirstEnergy's GT customers. I recommend a monthly cap on DSE2 charges of $10,000 per GT customer ($120,000 per year) as a reasonable approach to achieve this objective.
2. Reject FirstEnergy's proposed shared-savings incentive mechanism. FirstEnergy has provided no persuasive evidence that its proposal is reasonable, necessary, or in the public interest.

3. Require FirstEnergy to use the definition of Curtailable Load in Rider ELR in determining the PDR value of its ELR interruptible load. That is, PDR values should reflect the difference between a customer's maximum demand and firm contract demand measured from 11 a.m.-5 p.m. on non-holiday weekdays.
4. Require FirstEnergy to bid ELR interruptible load into the annual PJM capacity auctions. By bidding in ELR load as a *price taker*, the ELR load can displace higher-priced generation resources and result in lower capacity clearing prices. In addition, payments that FirstEnergy receives from PJM for ELR load can be flowed back to customers to reduce Rider DSE charges.

ALLOCATION AND RECOVERY OF EE/PDR PROGRAM COSTS

Q. HOW DOES FIRSTENERGY CURRENTLY RECOVER ITS EE/PDR PROGRAM COSTS?

A. FirstEnergy currently recovers these costs through Rider DSE, which has two separate kWh charges—DSE1 and DSE2—that are applicable to service under each of FirstEnergy's rate schedules (RS, GS, GP, GSU, GT, STL, TRF, and POL). With respect to these two charges, the:

- DSE1 charge recovers credits paid to customers served under interruptible load Riders ELR (Economic Load Response) and OLR (Optional Load Response).
- DSE2 charge recovers all EE/PDR program costs other than those recovered through the DSE1 charge.

My testimony on cost recovery focuses on the cost allocation and rate design methodology used in developing DSE2 charges.

Q. HOW DOES FIRSTENERGY CURRENTLY DEVELOP THE DSE2 CHARGE?

A. FirstEnergy first assigns EE and PDR sector costs by company to related rate schedules. For example, Ohio Edison's Residential sector EE/PDR costs are assigned to Ohio Edison's Rate RS, and the Small Enterprise sector program costs are assigned to Rate GS. Mercantile-Utility (Large Enterprise) and Mercantile Self-Direct programs (collectively, Mercantile Sector Programs) are assigned to Rates GP, GSU, and GT.[1] After allocating EE/PDR program costs by rate schedule, FirstEnergy develops a per kWh DSE2 charge for each rate schedule that is updated semiannually.

Q. IN THIS CASE, DID FIRSTENERGY PROPOSE CHANGING HOW IT DEVELOPS THE DSE2 CHARGE?

A. No. FirstEnergy proposed no changes in the calculation and design of the DSE2 charge. However, FirstEnergy has proposed using Rider DSE to flow through any revenue it receives for EE and PDR resources bid into the PJM capacity auctions, as well as the incentives that FirstEnergy could get under its proposed shared savings mechanism.

Q. DO FIRSTENERGY'S COST ALLOCATION AND RATE DESIGN FOR DSE2 CHARGES CREATE PROBLEMS FOR GT CUSTOMERS?

A. Yes. Although I agree with FirstEnergy that EE/PDR program costs should be assigned to the sectors for which particular programs are designed,[2] FirstEnergy's cost allocation and rate design approach for Mercantile Sector programs is seriously flawed. As I explain later, the

[1] In developing the DSE2 charges that first went into effect in May 2011, FirstEnergy initially allocated Mercantile Sector Program costs to Rates GP, GSU, and GT based on forecasted kWh sales by rate schedule. My understanding is that the Mercantile Sector Program costs were subsequently reallocated among these rate schedules based on the actual usage of the sector programs by rate schedule.

approach FirstEnergy uses to allocate and recover Mercantile Sector program costs from GT customers results in DSE2 charges that are highly volatile, do not reflect cost causation, create potential intraclass subsidy problems, and may harm economic development.

Q. DO YOU HAVE EVIDENCE REGARDING THE VOLATILITY OF DSE2 CHARGES FOR GT CUSTOMERS?

A. Yes. DSE2 charges for FirstEnergy's Mercantile Sector programs have been inordinately high and volatile since May 2011 when they were first put in place for GT customers. For example, Ohio Edison's DSE2 charge for GT customers that went into effect in July 2011 was more than 450 percent higher than the DSE2 charge it replaced. (See Table 1 below.) When the DSE2 charge was reset six months later in January 2012, it fell nearly 85 percent relative to the July 2011 charge. The volatility continued when the DSE2 charge was reset in July 2012—rising 625 percent above the January 2012 charge. Similar volatility has occurred in DSE2 charges for GT customers served by CEI and Toledo Edison.

Table 1. FirstEnergy DSE2 Charges - Rate GT (cents per kwh)

	Ohio Edison		CEI		Toledo Edison	
Effective	Charge	Incr (Decr)	Charge	Incr (Decr)	Charge	Incr (Decr)
05/18/11	0.0460		0.0671		0.035	
07/01/11	0.2544	453%	0.0805	20%	0.1165	233%
01/01/12	0.0410	-84%	0.1205	50%	0.0874	-25%
07/01/12	0.2972	625%	0.4244	252%	0.3323	280%

In addition to their volatility, the magnitude of FirstEnergy's DSE2 charges for GT customers has been large enough to cause significant bill impacts. For example, since July of this year, an Ohio Edison GT customer using 10,000 MWh month would have paid nearly $30,000 a

[2] For example, assigning the cost of residential EE programs to Rate RS simply makes sense.

month in DSE2 charges, and a similar customer served by CEI or Toledo Edison would have paid an even higher DSE2 charge. For a very large GT customer, the bill impact would have been significantly greater.

Q. DO VOLATILE AND HIGH DSE2 CHARGES CAUSE PROBLEMS FOR LARGE GT CUSTOMERS?

A. Yes. The volatility impedes annual budget planning and cash flow management. Large commercial and industrial customers need some reasonable level of rate stability—particularly in a non-bypassable rate component that can unexpectedly increase by more than 600 percent.

The cost burden imposed by the DSE2 charge is even more important. The current magnitude of DSE2 charges eats into already stressed operating margins. The annualized DSE2 cost burden can potentially exceed $1 million annually for FirstEnergy's largest GT customers. Moreover, DSE2 costs will likely get even higher as the statutory EE/PDR benchmarks increase each year. Many large industrial customers operate in highly-competitive and low margin industries. Large annual DSE2 costs can have negative impacts on a company's competitiveness and profitability by directly competing with other investment projects for limited capital funds, reducing capital available for business expansion and hiring new workers, and directly reducing a company's profit.

Q SHOULD THE COMMISSION ADDRESS THE DSE2 VOLATILITY ISSUE AT THE CLASS COST ALLOCATION LEVEL?

A. Yes. The Commission should not allow FirstEnergy to allocate Mercantile Sector program costs based on energy because, in my opinion, this allocation method has contributed to volatility in DSE2 charges. In FirstEnergy's initial EE/PDR portfolio plan, Mercantile Sector programs were first allocated based on energy, but were supposed to be subsequently

trued-up based on actual program expenditures by rate schedule. FirstEnergy has provided no information or data regarding whether it allocated Mercantile Sector program costs based on energy in developing DSE2 charges subsequent to the initial charge. FirstEnergy also has not explained whether it intends to allocate Mercantile Sector program costs based on energy during the three-year portfolio plan proposed in this case.[3]

Given the ambiguity regarding how FirstEnergy plans to allocate Mercantile Sector program costs going forward, the Commission should direct FirstEnergy not to allocate these costs on the basis of energy, even if the costs are later trued-up based on actual energy use by rate schedule. Because energy use by rate schedule is unrelated to the actual or potential use of Mercantile Sector programs by rate schedule, there is no compelling reason to allocate Mercantile Sector program costs based on energy use by rate schedule, and then reallocate these costs based on actual program usage by rate schedule.

Q. HOW SHOULD MERCANTILE SECTOR PROGRAM COSTS BE ALLOCATED?

A. I recommend making the initial allocation based on projected program expenditures by rate schedule (that is, Rates GP, GSU, and GT). In addition, as an added protection against severe volatility in DSE2 charges, the Commission should require FirstEnergy to limit actual program costs to no more than 10 percent above projected expenditures. The DSE2 charge has been in effect more than two years. During this period, FirstEnergy should have developed reasonable methods to forecast program usage by rate schedule. As a result, I do not foresee any major

[3] At the time I prepared this testimony, FirstEnergy had not responded to numerous discovery requests asking for details on the cost allocation and rate design of the current and forecast DSE2 charges. *See* Exhibit DWG-1, FirstEnergy's responses to Nucor 1-3 through 1-8.

problem in changing how FirstEnergy allocates Mercantile Sector program costs among rates GP, GSU, and GT.[4]

Q. SHOULD THE COMMISSION ALSO ADDRESS THE BILL IMPACT ISSUE FOR RATE GT CUSTOMERS?

A. Yes. To mitigate severe and abrupt rate changes when DSE2 charges are reset and to ensure that the largest customers do not pay a disproportionate share of EE/PDR program costs, I recommend that the Commission require FirstEnergy to cap DSE2 monthly charges at a maximum of $10,000 per customer. This monthly cap would ensure that the largest GT customers continue to bear a significant share of FirstEnergy's EE/PDR program costs (up to $120,000 per customer per year), while also protecting those customers against DSE2 charges far in excess of potential benefits from the EE/PDR programs.

Q. DID YOU RECOMMEND A SIMILAR CAP IN FIRSTENERGY'S INITIAL EE/PDR PORTFOLIO PROCEEDING?

A. Yes. In my direct testimony in Case No. 09-1947-EL-POR, I recommended a monthly cap of $3,000 per customer. If a $3,000 per month cap were adopted in this current case, it would result in the largest customers paying a reasonable share of FirstEnergy's EE/PDR program costs. However, in this case I am recommending a $10,000 per month cap, in part based on experience gained under the current portfolio and the magnitude of projected program costs under FirstEnergy's proposed portfolio plan.

[4] Alternatively, FirstEnergy could allocate Mercantile Sector program costs among these three rate schedules based on distribution revenue. This allocation approach would also result in more stable, less volatile DSE2 charges.

Q. WHY IS A DSE2 CAP NECESSARY?

A. A cap is necessary because FirstEnergy uses a kWh rate design to recover DSE2-related program costs. Volumetric charges are generally used to recover costs that vary with energy use. However, FirstEnergy's EE/PDR program costs do not vary with changes in energy use. In fact, these program costs do not vary with changes in any indicator of customer consumption or load.[5] As a result, a kWh-based recovery of EE/PDR program costs imposes a disproportionate share of the costs on FirstEnergy's largest customers, and does not reflect program costs directly attributable to customers classified by load characteristics. Furthermore, the current kWh rate design simply creates the potential for intraclass rate subsidies. In discussing potential DSE2 bill impacts earlier, I noted how a very large GT customer could pay several times more than a smaller GT customer. There is no rational basis to assume (and FirstEnergy has provided no evidence) that FirstEnergy's EE/PDR programs benefit a very large GT customer several times more than a smaller GT customer. In my opinion, because smaller industrial customers are more likely than very large industrial customers to take advantage of FirstEnergy's Mercantile Sector programs (such as lighting or HVAC programs), it is reasonable to assume that smaller use customers get more benefit from the EE/PDR programs than large customers.

Fairness and the general ratemaking principle of linking prices to cost responsibility imply that a customer's share of FirstEnergy's EE/PDR program costs should correspond to the program-related system benefits the customer receives. FirstEnergy has not shown any direct linkage between a customer's energy use and benefits from EE/PDR programs. Consequently, a cap on monthly DSE2 charges is necessary to ensure that

[5] The EE/PDR programs are put in place to meet benchmarks prescribed by statute, and are intended to provide broad public and societal benefits.

the largest GT customers do not pay EE/PDR program costs far in excess of program-related benefits they receive.

Q. HOW WOULD THE CAP WORK?

A. Under my proposal, FirstEnergy would continue to apply DSE2 charges to each customer's total monthly kWh use. However, if a customer's calculated monthly DSE2 charge exceeds $10,000, the customer's billed DSE2 charge would be reduced to $10,000. The excess above the cap (calculated DSE2 charge less $10,000) would be deferred until the next DSE2 reset, and added to projected EE/PDR program costs for the mercantile sector (that is, Rates GP, GSU, and GT). Spreading the deferred DSE2 charges among these three rate groups should minimize potential bill impacts on individual customers.

As a complement to a cap on monthly DSE2 charges, the Commission might also consider limiting annual EE/PDR program spending for a single customer to $120,000. This is an annual spending cap per customer—not a cap on spending for a particular project. For example, under this annual spending cap, a mercantile self-direct customer could still qualify for an EE project rebate that exceeded $120,000—but the rebate would be spread over two or more years to keep from exceeding the $120,000 annual spending cap.

Q ARE THERE ALTERNATIVES TO A CAP ON DSE2 CHARGES?

A. Yes. For example, FirstEnergy could use a declining block DSE2 rate to mitigate potential DSE2 bill impacts on large customers. This approach is comparable to the declining block rate in the Universal Service Fund rider that Ohio utilities currently use to collect the costs of low-income customer assistance programs. Other rate design approaches include capping the monthly kWh per customer to which the DSE2 charge is applied, or making the DSE2 charge a monthly customer charge.

Although these alternatives could be used to address the DSE2 bill impact problem, I do not consider them superior to my recommended $10,000 cap on monthly DSE2 charges. The monthly DSE2 cap would provide large customers reasonable protection against excessive DSE2 bill impacts without the need for major changes in the rate design of DSE2 charges.

SHARED SAVINGS

Q. HAS FIRSTENERGY PROPOSED INCENTIVE PAYMENTS RELATED TO EACH OPERATING COMPANY'S EE/PDR PROGRAMS?

A. Yes. FirstEnergy has proposed allowing each operating company to earn an incentive on its EE/PDR programs for exceeding its statutory benchmarks. These incentive payments will be treated as EE/PDR program costs and recovered through Rider DSE.

Q. DID FIRSTENERGY PROVIDE ANY EMPIRICAL SUPPORT FOR ITS SHARED SAVINGS INCENTIVE?

A. No. FirstEnergy offered no empirical analysis or justification to support its proposed shared-savings incentive mechanism. FirstEnergy simply noted that other Ohio utilities have requested incentives linked to their EE/PDR portfolios, and that the Commission recently approved a shared savings EE/PDR incentive mechanism for AEP Ohio.[6] In addition, FirstEnergy did not explain why a shared savings mechanism is necessary to achieve performance above the benchmarks.

[6] *See* Erin G. DeMiray, direct testimony at 6:21-7:4.

Q. IN YOUR VIEW, IS A SHARED SAVINGS MECHANISM JUSTIFIED FOR FIRSTENERGY IN THIS CASE?

A. No. As noted above, FirstEnergy has provided no clear explanation of or empirical support for its proposed shared savings mechanism. Shared savings is not mentioned in the statute establishing EE/PDR requirements for Ohio utilities, nor is an incentive mechanism required under the Commission's rules. In other words, FirstEnergy should not be allowed to implement a shared savings mechanism simply because it asked. Because its EE/PDR program costs are passed directly through to customers, FirstEnergy assumes no real financial risk for EE/PDR program costs that produce benefits exceeding the statutory performance benchmarks. Moreover, FirstEnergy already is compensated for lost distribution revenues associated with its EE/PDR programs. Finally, FirstEnergy's past performance indicates that its proposed shared savings mechanism is unnecessary to beat the benchmarks. For example, both CEI and Toledo Edison far exceeded their cumulative EE and PDR benchmarks in 2011, even though no shared savings mechanism was in place.

Q. COULD A SHARED SAVINGS MECHANISM HAVE NEGATIVE IMPACTS ON FIRSTENERGY'S CUSTOMERS?

A. Yes. FirstEnergy's proposed shared savings mechanism has the potential to increase EE/PDR-related costs significantly for customers. More specifically, FirstEnergy's proposed incentive mechanism puts no cap on the level of potential annual incentive payments. As a result, FirstEnergy would have an incentive to spend as much as possible to exceed the statutory benchmarks—even if the excess spending created significant financial hardship for customers. Although the cost of achieving additional EE/PDR savings might be *cost effective* based on a measure of lifetime benefits, the incremental cost imposed on individual customers

could far exceed the incremental benefit—if any--that they get. As FirstEnergy witness George Fitzpatrick observed, customers that do not participate in EE/PDR programs will incur EE/PDR program costs even if they have no program-related reduction in electricity costs.[7] Moreover, witness Fitzpatrick seemed to acknowledge that incremental DSE2 charges may exceed savings even for program participants. The likelihood of such adverse cost consequences for FirstEnergy's customers will increase if FirstEnergy has a financial incentive to exceed its statutory benchmarks.

Q. DO YOU HAVE SPECIFIC CONCERNS ABOUT THE PROPOSED SHARED SAVINGS MECHANISM?

A. Yes**.** FirstEnergy's proposal raises several serious concerns. For example, it:

- Includes no cap on annual incentive payments FirstEnergy can earn.
- Includes tiered incentive levels that appear arbitrary and lack any empirical justification—including the 13 percent incentive applicable to costs incurred in achieving savings that exceed the benchmark by at least 115 percent.
- Allows a company to earn an incentive simply for meeting (not just exceeding) the statutory benchmarks. Moreover, the incentive is calculated based on the adjusted net lifetime benefits of a company's *entire* portfolio—not just the portion of savings above the benchmarks.
- Appears to apply to mercantile self-direct projects installed after March 23, 2011, even though savings produced by these projects result from the customer's own efforts—not from a program operated by FirstEnergy.

[7] *See* George L. Fitzpatrick, direct testimony at 13-14.

- Lacks details regarding how incentive payments earned by a FirstEnergy company would be allocated and recovered from customers.

Q. SHOULD FIRSTENERGY'S SHARED SAVINGS INCENTIVE BE APPROVED?

A. No. FirstEnergy has provided no evidence that a shared savings incentive is necessary, or that such an incentive would provide material benefits to retail customers if it were approved and implemented. The Commission should reject FirstEnergy's proposed shared savings incentive mechanism.

Q. IF THE COMMISSION DECIDES TO APPROVE A SHARED SAVINGS MECHANISM, WHAT MODIFICATIONS SHOULD BE MADE TO FIRSTENERGY'S PROPOSAL?

A. If the Commission decides to approve a shared savings mechanism, I recommend at least four major changes to FirstEnergy's proposal that would mitigate potential cost risk to customers. In particular, the Commission should:

- Cap the annual incentive payment at no more than 8 percent of prudent program spending per FirstEnergy company.[8]
- Reduce FirstEnergy's proposed percentage incentive levels.
- Apply incentives only to EE/PDR expenses incurred in exceeding the statutory savings benchmarks.
- Remove the effects of mercantile self direct projects, transmission and distribution projects, and behavioral programs from the shared savings calculation.

[8] This recommendation was included in the objections filed in this case by the Ohio Consumers Counsel.

Q. WHAT LEVEL OF TIERED INCENTIVES WOULD BE REASONABLE IF THE COMMISSION APPROVES A SHARED SAVINGS MECHANISM?

A. As I noted, the tiered incentives proposed by FirstEnergy should be reduced. In addition, in my opinion, incentives should apply only if the statutory benchmarks are exceeded. The incentives shown in Table 2 reflect what I consider a reasonable alternative to the tiered incentive structure proposed by FirstEnergy.

Table 2. Alternative Incentive Mechanisms

Tier	Compliance (%)	Incentive (%)	
		FirstEnergy	Modified
1	<100	0	0
2	100 - 105	5	0
3	106 - 110	7.5	2
4	111 - 115	10	4
5	>115	13	6

PEAK DEMAND REDUCTIONS ATTRIBUTABLE TO INTERRUPTIBLE RATES

Q. IN ITS EE/PDR PLAN, DID FIRSTENERGY ESTIMATE PDR SAVINGS ATTRIBUTABLE TO INTERRUPTIBLE LOAD SERVED UNDER RIDER ELR?

A. Yes. According to FirstEnergy, in 2013 Rider ELR interruptible load will provide the following PDR savings: approximately 32 MW for CEI, 42 MW for Ohio Edison, and 126 MW for Toledo Edison.[9] FirstEnergy currently does not have a forecast estimate of ELR resources for 2014-15.[10]

[9] Application at Attachment A, Ohio Edison Company Energy Efficiency & Peak Demand Reduction Portfolio Plan, Appendix C-1: EE&C/DR Program Measure Assumptions; also see FirstEnergy's response to Nucor 1-19(a) in Exhibit DWG-1.
[10] *See* FirstEnergy's response to Nucor 1-19(a) in Exhibit DWG-1.

Q. HOW DID FIRSTENERGY CALCULATE PDR SAVINGS PROVIDED BY ELR LOAD?

A. FirstEnergy set the PDR value for each Rider ELR customer equal to the planning year kW of demand resources registered for each customer in PJM.[11]

Q. IS FIRSTENERGY'S CALCULATION REASONABLE?

A. No. FirstEnergy's use of ELR load registered in PJM appears to understate substantially the PDR value of Rider ELR interruptible load, and is inconsistent with the period used to determine Curtailable Load under Rider ELR. Under Rider ELR, each customer's Curtailable Load is the difference between the customer's maximum demand and firm contract demand in the peak measurement period of 11 a.m.-5 p.m. EST (12 p.m.-6 p.m. EDST) on non-holiday weekdays. In my opinion, FirstEnergy should use the Curtailable Load measurement provided in Rider ELR to calculate PDR savings provided by ELR customers. The Curtailable Load measurement in Rider ELR recognizes that during a curtailment, ELR customers must reduce demand down to or below contract firm demand, and may not increase load above contract firm demand at any time during the curtailment event. Regardless of the amount of ELR interruptible load registered in PJM, the level of Rider ELR interruptible load available for curtailment equals maximum demand less firm contract demand. FirstEnergy's use of registered PJM interruptible load significantly understates the full benefit that Rider ELR customers provide.

[11] *See* FirstEnergy's response to Nucor 1-20(a) in Exhibit DWG-1.

Q. HOW CAN FIRSTENERGY'S ESTIMATION TECHNIQUE BE IMPROVED?

A. I recommend that the Commission require FirstEnergy to use the definition of Curtailable Load in Rider ELR in estimating the PDR value of its ELR interruptible load. That is, available PDR interruptible load should reflect the difference between an interruptible customer's maximum demand and firm contract demand in the peak measurement period of 11 a.m.-5 p.m. EST (12 p.m.-6 p.m. EDST) on non-holiday weekdays. To implement this change, I recommend calculating the PDR value for Rider ELR interruptible load for a given year as follows:

- Sum the Curtailable Load for each Rider ELR customer to produce a total monthly Rider ELR Curtailable Load.
- Average the monthly Curtailable Load for the summer months (June, July, and August).
- Set the PDR value equal to the average monthly summer Curtailable Load.

Calculating PDR value in this way more accurately reflects the level of PDR benefit Rider ELR actually provides, and likely will reduce FirstEnergy's need to acquire additional demand response resources to meet its benchmarks.

BIDDING RIDER ELR LOAD IN PJM CAPACITY AUCTIONS

Q. DOES FIRSTENERGY INTEND TO BID ITS EE AND PDR PROGRAMS INTO PJM'S CAPACITY AUCTIONS?

A. Yes. According to FirstEnergy, it intends to bid eligible installed energy efficiency credits for which it has ownership rights into the PJM

auctions.[12] However, FirstEnergy is silent regarding its plans to bid Rider ELR interruptible load into the capacity auctions.

Q. SHOULD INTERRUPTIBLE LOAD UNDER RIDER ELR BE BID INTO THE PJM CAPACITY MARKETS?

A. Yes. In addition to the other benefits it provides, Rider ELR interruptible load is an ideal capacity resource. By bidding in the ELR load as a "price taker," the ELR load can displace higher-priced generation resources and result in lower capacity clearing prices. In addition, payments that FirstEnergy receives from PJM for the ELR load can be flowed back to customers to reduce the Rider DSE charges. FirstEnergy has experience bidding ELR interruptible load into the PJM capacity auctions. For example, it bid its Rider ELR load into the PJM capacity auction for the 2011-12 delivery year.[13]

Q. WHY DOES FIRSTENERGY ONLY OCCASIONALLY BID RIDER ELR LOAD INTO THE PJM CAPACITY AUCTIONS?

A. My understanding is that FirstEnergy's occasional participation in the PJM demand response auctions is largely a timing issue. PJM holds its annual base residual auction (BRA) each spring for capacity delivered three years ahead. For example, capacity bought or sold during the May 2012 BRA will be delivered during the June 2015-May 2016 capacity year. However, the term of Rider ELR is currently tied to the term of FirstEnergy's three-year ESPs. As a result, FirstEnergy has been unwilling to bid Rider ELR load into capacity auctions for delivery years extending beyond the term of

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[12] *See* John C. Dargie, direct testimony at 15.

[13] *In the Matter of the Commission's Review of the Participation of The Cleveland Electric Illuminating Company, the Ohio Edison Company, and The Toledo Edison Company in the May 2012 PJM Reliability Pricing Model Auction*, Case No. 12-814-EL-UNC, Report of Ohio Edison Company, The Cleveland Electric Illuminating Company and The Toledo Edison Company at 3-4 (March 29, 2012) (explaining that FirstEnergy offered ELR load into PJM's capacity auction for the 2011-12 delivery year).

its then-current ESP since it could not know with certainty whether the ELR load would be available in the delivery year.[14] Earlier this year, FirstEnergy proposed to extend its existing ESP through May 2016, in part so that it could bid Rider ELR load into PJM's May 2012 capacity auction for the 2015-16 capacity year.[15] However, the Commission did not approve the ESP extension until well after the May capacity auction. Since FirstEnergy did not know whether it would have the Rider ELR load available in 2015-16, FirstEnergy did not bid the ELR load into the May 2012 BRA.

Q. HAS RIDER ELR PROVIDED FIRSTENERGY WITH A SOURCE OF STABLE, LONG-TERM INTERRUPTIBLE LOAD?

A. Yes. FirstEnergy has sold interruptible service to most ELR customers for many years. Rider ELR customers provide FirstEnergy with a long-term, stable supply of interruptible load. As long as the basic terms and conditions of Rider ELR remain unchanged (or ideally, are improved), FirstEnergy should continue to have a stable supply of interruptible load—even beyond the term of the current ESP.

Q. SHOULD THE COMMISSION DO ANYTHING IN THIS PROCEEDING TO ENSURE THAT FIRSTENERGY BIDS RIDER ELR LOAD INTO THE 2013 BRA AND FUTURE AUCTIONS?

A. Yes. The Commission should require FirstEnergy to bid ELR interruptible load into the BRA notwithstanding the timing issue related to the termination of a particular ESP. Because of its longstanding customer-supplier relationship with ELR customers, FirstEnergy can be reasonably assured that most ELR customers will continue to take interruptible

[14] *Id*. at 4.
[15] *See In the Matter of the Application of the Ohio Edison Company, The Cleveland Electric Illuminating Company and The Toledo Edison Company for Authority to Provide for a Standard*

service under Rider ELR or a similar rate offered by FirstEnergy. Moreover, the Commission can allay part of FirstEnergy's concern that some ELR interruptible load may not be available three years hence by finding in this case that FirstEnergy has acted prudently in bidding ELR load into PJM's capacity auctions based on a reasonable and prudent forecast of interruptible load that will be available on its system. The Commission should also consider explicitly finding that FirstEnergy may recover reasonable costs associated with PJM penalties or shortfalls incurred if interruptible load is not available in a particular capacity delivery year. This latter finding would minimize the financial risk to both FirstEnergy and ELR customers.

Q. DOES THIS COMPLETE YOUR DIRECT TESTIMONY?

A. Yes.

Service Offer Pursuant to R.C. § 4928.143 in the Form of an Electric Security Plan, Case No. 12-1230-EL-SSO, Stipulation and Recommendation at 2-3 (April 13, 2012).

STATE OF OHIO
BEFORE THE
PUBLIC UTILITIES COMMISSION

In the Matter of the Application of Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company for Approval of Their Energy Efficiency and Peak Demand Reduction Program Portfolio Plans for 2013 through 2015	**)** **)** **)** **)** **)** **)**	**Case Nos. 12-2190-EL-POR** **12-2191-EL-POR** **12-2192-EL-POR**

EXHIBIT TO THE DIRECT TESTIMONY OF DR. DENNIS W. GOINS ON BEHALF OF THE OHIO ENERGY GROUP AND NUCOR STEEL MARION

October 5, 2012

EXHIBIT DWG-1

FIRSTENERGY'S RESPONSES TO SELECTED DISCOVERY REQUESTS

Nucor Set 1

Case No. 12-2190-EL-POR, Case No. 12-2191-EL-POR, Case No. 2192-EL-POR

In the Matter of the Application of Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company For Approval of Their Energy Efficiency and Peak Demand Reduction Program Portfolio Plans for 2013 through 2015.

RESPONSES TO REQUEST

Nucor Set 1 – INT-3 Please provide workpapers showing the derivation of each Rider DSE2 charge, by Company and rate schedule ("rate schedule" means rate RS, GS, GP, GSU, GT, STL, TRF and POL), from the inception of the Rider DSE2 charge to date. The workpapers should identify:

(a) The portion of Mercantile-Utility (Large Enterprise) and Mercantile Self-Direct costs initially allocated to rate schedules GP, GSU, and GT based on forecasted MWh usage;

(b) The portion of each Rider DSE2 charge reflecting the re-allocation of Mercantile-Utility (Large Enterprise) and Mercantile Self-Direct program costs based on actual expenditures on these programs for rate schedules GP, GSU, and GT;

(c) The portion of each Rider DSE2 charge attributable to EE/PDR program costs;

(d) The portion of each Rider DSE2 charge attributable to "common costs" associated with administering programs;

(e) The portion of each Rider DSE2 charge attributable to lost distribution revenue;

(f) The portion of each Rider DSE2 charge attributable to the commercial activity tax, or any other taxes; and

(g) The MWhs used to calculate the charges.

Response: Objection. This request seeks information that is neither relevant nor likely to lead to the discovery of admissible of evidence as it is outside the scope of this proceeding.

Nucor Set 1

Case No. 12-2190-EL-POR, Case No. 12-2191-EL-POR, Case No. 2192-EL-POR

In the Matter of the Application of Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company For Approval of Their Energy Efficiency and Peak Demand Reduction Program Portfolio Plans for 2013 through 2015.

RESPONSES TO REQUEST

Nucor Set 1 – INT-4 Regarding Mercantile Utility (Large Enterprise) and Mercantile Self-Direct program costs (either actual or projected):

(a) How many times under the current portfolio plan have these program costs been allocated among rate schedules GP, GSU, and GT based on energy? Indicate when such allocations were made and provide workpapers showing such allocations.

(b) How many times under the current portfolio plan have these program costs been allocated among rate schedules GP, GSU, and GT on some basis other than on energy? Indicate when such allocations were made and provide workpapers showing such allocations.

(c) Do the Companies intend to allocate Mercantile Utility (Large Enterprise) and Mercantile Self-Direct program costs among rate schedules GP, GSU, and GT based on energy in the proposed portfolio plan? Explain in detail the method Companies intend to use to allocate these costs in the proposed portfolio plan.

Under the current portfolio plan, when the Companies have reallocated Mercantile Utility (Large Enterprise) and Mercantile Self-Direct program costs based on the expenditures for such programs for rate schedules GP, GSU, and GT, have other costs recovered under DSE2 (such as lost distribution revenue and common costs) been reallocated in the same way? If not, explain how these costs are reallocated.

Response: Objection. This request seeks information that is neither relevant nor likely to lead to the discovery of admissible of evidence as it is outside the scope of this proceeding.

Nucor Set 1

Case No. 12-2190-EL-POR, Case No. 12-2191-EL-POR, Case No. 2192-EL-POR

In the Matter of the Application of Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company For Approval of Their Energy Efficiency and Peak Demand Reduction Program Portfolio Plans for 2013 through 2015.

RESPONSES TO REQUEST

Nucor Set 1 – INT-5 Please provide workpapers showing projected Rider DSE2 charges and their derivation, by Company and rate schedule, for 2013-15. In addition to the same details requested for the DSE2 charges from 2011-current in question 3 above, please provide estimates of the portion of the projected DSE2 charges attributed to shared savings.

Response: Objection. Rider DSE 2 has already been approved by the Commission. Therefore, this request seeks information that is neither relevant nor likely to lead to the discovery of admissible evidence as it is outside the scope of this proceeding.

Nucor Set 1

Case No. 12-2190-EL-POR, Case No. 12-2191-EL-POR, Case No. 2192-EL-POR

In the Matter of the Application of Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company For Approval of Their Energy Efficiency and Peak Demand Reduction Program Portfolio Plans for 2013 through 2015.

RESPONSES TO REQUEST

Nucor Set 1 – INT-6 Please provide workpapers showing the actual revenues recovered each month through Rider DSE2 from its inception to date, by Company and rate schedule.

Response: Objection. Rider DSE 2 has already been approved by the Commission. Therefore, this request seeks information that is neither relevant nor likely to lead to the discovery of admissible of evidence as it is outside the scope of this proceeding.

Nucor Set 1

Case No. 12-2190-EL-POR, Case No. 12-2191-EL-POR, Case No. 2192-EL-POR

In the Matter of the Application of Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company For Approval of Their Energy Efficiency and Peak Demand Reduction Program Portfolio Plans for 2013 through 2015.

RESPONSES TO REQUEST

Nucor Set 1 – INT-7 Please provide workpapers showing the actual EE/PDR program expenditures (on both a total portfolio basis and for each EE/PDR program and measure) each month from 2009 to date subject to recovery under DSE2 by Company and rate schedule.

Response: Objection. This request seeks information that is neither relevant nor likely to lead to the discovery of admissible of evidence as it is outside the scope of this proceeding.

Nucor Set 1

Case No. 12-2190-EL-POR, Case No. 12-2191-EL-POR, Case No. 2192-EL-POR

In the Matter of the Application of Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company For Approval of Their Energy Efficiency and Peak Demand Reduction Program Portfolio Plans for 2013 through 2015.

RESPONSES TO REQUEST

Nucor Set 1 – INT-8 Please provide projected DSE2 charges by Company and rate schedule for the period 2013-15.

Response: Objection. Rider DSE 2 has already been approved by the Commission. Therefore, this request seeks information that is neither relevant nor likely to lead to the discovery of admissible of evidence as it is outside the scope of this proceeding.

Nucor Set 1
Witness: Miller

Case No. 12-2190-EL-POR, Case No. 12-2191-EL-POR, Case No. 2192-EL-POR

In the Matter of the Application of Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company For Approval of Their Energy Efficiency and Peak Demand Reduction Program Portfolio Plans for 2013 through 2015.

RESPONSES TO REQUEST

Nucor Set 1 – INT-9 Please provide projected EE/PDR program expenditures (on both a total portfolio basis and for each EE/PDR program and measure) by Company and rate schedule for the period 2013-15.

Response: Projected EE/PDR expenditures for each EE/PDR program and each measure can be found in Appendices B1 through B4 of the Companies' filings. The Companies' projections are not done by rate schedule, but by customer sector.

As described on page 5 of Section 1.1 of the Companies' Plans:

For purposes of this plan, the Small Enterprise group consists of small commercial and industrial ("C&I") customers who are taking service on the General Service Secondary Rate schedule ("GS"). The Mercantile-Utility group consists of large C&I customers taking service on the General Service Primary ("GP"), General Service Sub-transmission ("GSU"), and General Service Transmission ("GT") rate schedules. The Governmental group consists of customers on the Street Lighting ("STL") and Traffic Lighting ("TRF") rate schedules.

Nucor Set 1
Witness: Eberts

Case No. 12-2190-EL-POR, Case No. 12-2191-EL-POR, Case No. 2192-EL-POR

In the Matter of the Application of Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company For Approval of Their Energy Efficiency and Peak Demand Reduction Program Portfolio Plans for 2013 through 2015.

RESPONSES TO REQUEST

Nucor Set 1 – INT-10 For each Company on a total system basis from 2009 to date and projected through 2015, please provide the following information:

(a) Total kWh sales by month and year;

(b) Coincident peak demand by month and year; and

(c) Distribution revenues by month and year.

Response:

(a) Objection. This request seeks information that is neither relevant nor likely to lead to the discovery of admissible evidence as it is outside the scope of this proceeding. Without waiving this objection, for calendar sales by month and year, see attached file Nucor Set 1-INT-10 Attachment 1.

(b) Objection. This request seeks information that is neither relevant nor likely to lead to the discovery of admissible evidence as it is outside the scope of this proceeding. Without waiving this objection, see attached file Nucor Set 1-INT-10 Attachment 1

(c) Objection. This request seeks information that is neither relevant nor likely to lead to the discovery of admissible evidence as it is outside the scope of this proceeding. Moreover, this request is vague and ambiguous.

Case No. 12-2190-EL_POR, Case No. 12-2191-EL_POR, Case No. 12-2192-EL_POR
Nucor Set 1 INT-10

INT-10: For Company on a total system basis from 2009 to date and projected through 2015, please provide the following information:
(a) Total Calendar kWh sales by month and year;
(b) Coincident peak demand by month and year: and

			Cleveland Electric Illuminating Company		Ohio Edison Company		Toledo Edison Company	
	2012	Sep	kWh Sales	Coincident Peak	kWh Sales	Coincident Peak	kWh Sales	Coincident Peak
2009 Jan	Actual		1,694,916,115	3,065	2,285,562,995	4,054	905,780,453	1,689
2009 Feb	Actual		1,453,831,884	2,957	1,956,493,868	3,818	696,581,389	1,818
2009 Mar	Actual		1,463,187,308	2,922	1,878,296,946	3,465	793,184,931	1,964
2009 Apr	Actual		1,327,940,580	2,704	1,727,321,217	3,221	746,238,305	1,374
2009 May	Actual		1,366,484,601	2,838	1,704,355,521	3,153	699,704,144	1,578
2009 Jun	Actual		1,453,366,009	3,574	1,839,281,021	4,582	814,061,500	1,838
2009 Jul	Actual		1,434,505,076	3,130	1,943,839,535	3,995	768,277,629	1,559
2009 Aug	Actual		1,615,014,327	3,790	2,065,930,025	4,682	889,091,784	1,841
2009 Sep	Actual		1,374,864,079	2,815	1,798,337,349	3,467	750,326,254	1,501
2009 Oct	Actual		1,470,337,812	2,522	1,860,403,436	3,000	818,806,409	1,414
2009 Nov	Actual		1,342,616,429	2,699	1,698,243,826	3,438	744,036,834	1,391
2009 Dec	Actual		1,642,352,517	3,236	2,098,580,751	4,089	876,619,927	1,568
2010 Jan	Actual		1,673,505,359	3,040	2,138,229,752	3,862	868,491,152	1,600
2010 Feb	Actual		1,507,487,465	2,967	1,961,151,451	3,770	815,004,126	1,473
2010 Mar	Actual		1,550,195,640	2,740	1,963,285,165	3,510	823,998,331	1,433
2010 Apr	Actual		1,369,842,393	2,600	1,734,467,662	3,100	756,307,875	1,330
2010 May	Actual		1,471,096,891	3,266	1,838,835,925	4,068	812,090,137	1,727
2010 Jun	Actual		1,633,635,072	3,666	2,202,080,239	4,596	866,770,885	1,841
2010 Jul	Actual		1,829,972,767	4,083	2,146,943,829	5,135	1,037,644,352	1,980
2010 Aug	Actual		1,833,274,320	3,890	2,398,129,587	4,960	982,785,094	1,912
2010 Sep	Actual		1,475,907,341	3,849	1,877,042,958	4,829	828,058,029	1,799
2010 Oct	Actual		1,443,247,944	2,469	1,878,619,278	3,222	820,605,081	1,338
2010 Nov	Actual		1,436,401,441	2,604	1,824,865,763	3,420	779,215,744	1,415
2010 Dec	Actual		1,645,891,391	3,062	2,191,717,893	4,182	942,786,124	1,609
2011 Jan	Actual		1,711,891,921	2,928	2,260,934,570	3,896	925,049,293	1,554

Case No. 12-2190-EL_POR, Case No. 12-2191-EL_POR, Case No. 12-2192-EL_POR
Nucor Set 1 INT-10

INT-10: For Company on a total system basis from 2009 to date and projected through 2015, please provide the following information:
(a) Total Calendar kWh sales by month and year;
(b) Coincident peak demand by month and year: and

			Cleveland Electric Illuminating Company		Ohio Edison Company		Toledo Edison Company	
	2012	Sep	kWh Sales	Coincident Peak	kWh Sales	Coincident Peak	kWh Sales	Coincident Peak
2011 Feb	Actual		1,500,191,861	3,059	1,968,019,126	3,928	870,851,633	1,586
2011 Mar	Actual		1,617,912,954	2,760	2,064,031,458	3,660	793,166,389	1,470
2011 Apr	Actual		1,400,195,252	2,651	1,818,771,886	3,381	764,045,535	1,391
2011 May	Actual		1,493,498,966	3,806	1,962,945,634	4,887	806,472,652	1,835
2011 Jun	Actual		1,537,144,978	3,910	2,039,177,411	5,252	911,252,425	1,849
2011 Jul	Actual		1,877,750,513	4,307	2,492,385,970	5,679	1,028,355,255	2,138
2011 Aug	Actual		1,806,061,512	3,611	2,262,322,290	4,884	967,504,673	1,811
2011 Sep	Actual		1,512,388,924	3,942	2,077,990,462	4,986	885,426,145	1,932
2011 Oct	Actual		1,461,651,360	2,583	1,818,590,770	3,378	812,705,228	1,415
2011 Nov	Actual		1,445,699,456	2,821	1,837,054,186	3,671	801,928,322	1,482
2011 Dec	Actual		1,551,758,694	2,848	2,054,122,927	3,795	870,215,291	1,564
2012 Jan	Actual		1,633,285,807	2,942	2,206,723,048	4,134	911,280,571	1,641
2012 Feb	Actual		1,535,572,538	2,746	2,065,124,474	3,937	849,999,833	1,470
2012 Mar	Actual		1,484,466,712	2,710	1,913,015,103	3,818	814,679,814	1,462
2012 Apr	Actual		1,462,888,654	2,436	1,927,488,892	3,530	798,260,238	1,340
2012 May	Actual		1,547,622,499	3,178	1,958,195,168	4,325	836,326,440	1,844
2012 Jun	Actual		1,623,016,039	3,902	2,125,074,222	5,267	904,553,115	2,136
2012 Jul	Forecast		1,695,811,597	4,021	2,115,043,574	5,366	1,006,553,606	2,004
2012 Aug	Forecast		1,731,260,983	3,985	2,249,968,913	5,314	1,007,542,746	1,983
2012 Sep	Forecast		1,493,332,623	3,355	1,949,096,534	4,336	900,916,502	1,786
2012 Oct	Forecast		1,494,466,126	2,892	1,891,147,484	3,412	870,778,464	1,493
2012 Nov	Forecast		1,479,733,529	2,798	1,875,427,377	3,685	838,555,562	1,446
2012 Dec	Forecast		1,619,215,455	3,035	2,121,543,975	4,193	951,113,968	1,569
2013 Jan	Forecast		1,751,113,109	2,993	2,180,230,779	4,122	965,178,660	1,591
2013 Feb	Forecast		1,536,876,052	2,952	1,960,380,856	3,879	899,224,098	1,567

Case No. 12-2190-EL_POR, Case No. 12-2191-EL_POR, Case No. 12-2192-EL_POR
Nucor Set 1 INT-10

INT-10: For Company on a total system basis from 2009 to date and projected through 2015, please provide the following information:
(a) Total Calendar kWh sales by month and year;
(b) Coincident peak demand by month and year: and

			Cleveland Electric Illuminating Company		Ohio Edison Company		Toledo Edison Company	
	2012	Sep	kWh Sales	Coincident Peak	kWh Sales	Coincident Peak	kWh Sales	Coincident Peak
2013 Mar	Forecast		1,631,471,705	2,835	2,054,056,572	3,664	880,707,870	1,499
2013 Apr	Forecast		1,416,146,348	2,736	1,822,830,027	3,286	834,291,549	1,387
2013 May	Forecast		1,452,007,704	3,094	1,878,892,400	4,018	866,995,405	1,658
2013 Jun	Forecast		1,573,274,517	3,736	2,110,431,827	5,007	942,424,724	1,939
2013 Jul	Forecast		1,712,640,678	4,013	2,130,060,685	5,355	1,036,355,144	2,016
2013 Aug	Forecast		1,748,198,661	3,977	2,267,752,937	5,311	1,036,315,050	1,995
2013 Sep	Forecast		1,506,172,086	3,347	1,964,226,012	4,388	925,911,524	1,798
2013 Oct	Forecast		1,506,909,032	2,884	1,907,508,956	3,465	895,685,511	1,505
2013 Nov	Forecast		1,490,276,068	2,773	1,893,273,076	3,649	862,671,053	1,437
2013 Dec	Forecast		1,639,108,033	3,009	2,145,414,673	4,157	978,409,819	1,561
2014 Jan	Forecast		1,772,861,358	2,968	2,213,036,256	4,087	995,705,632	1,583
2014 Feb	Forecast		1,549,973,618	2,927	1,993,704,678	3,844	927,485,134	1,560
2014 Mar	Forecast		1,644,023,561	2,810	2,093,678,034	3,630	909,078,419	1,493
2014 Apr	Forecast		1,426,724,840	2,729	1,861,974,461	3,307	859,584,279	1,400
2014 May	Forecast		1,461,507,578	3,088	1,923,582,502	4,032	892,223,819	1,671
2014 Jun	Forecast		1,582,900,467	3,730	2,161,260,566	5,015	967,871,429	1,953
2014 Jul	Forecast		1,720,384,721	4,008	2,182,920,112	5,358	1,061,769,483	2,030
2014 Aug	Forecast		1,754,455,274	3,973	2,327,066,047	5,311	1,059,781,281	2,009
2014 Sep	Forecast		1,509,614,154	3,344	2,016,720,080	4,386	945,262,438	1,813
2014 Oct	Forecast		1,508,971,823	2,882	1,958,904,931	3,462	913,401,690	1,521
2014 Nov	Forecast		1,491,273,190	2,753	1,942,269,931	3,624	878,403,456	1,434
2014 Dec	Forecast		1,642,644,167	2,990	2,194,143,495	4,133	994,463,432	1,557
2015 Jan	Forecast		1,775,799,226	2,949	2,263,656,811	4,065	1,011,876,007	1,580
2015 Feb	Forecast		1,549,929,254	2,909	2,040,928,349	3,823	941,959,851	1,556
2015 Mar	Forecast		1,642,989,887	2,792	2,144,936,808	3,609	922,785,784	1,489

Case No. 12-2190-EL_POR, Case No. 12-2191-EL_POR, Case No. 12-2192-EL_POR
Nucor Set 1 INT-10

INT-10: For Company on a total system basis from 2009 to date and projected through 2015, please provide the following information:
(a) Total Calendar kWh sales by month and year;
(b) Coincident peak demand by month and year: and

			Cleveland Electric Illuminating Company		Ohio Edison Company		Toledo Edison Company	
	2012	Sep	kWh Sales	Coincident Peak	kWh Sales	Coincident Peak	kWh Sales	Coincident Peak
2015 Apr	Forecast		1,425,236,053	2,729	1,907,361,765	3,312	871,729,388	1,417
2015 May	Forecast		1,459,560,697	3,088	1,969,259,146	4,039	904,193,118	1,688
2015 Jun	Forecast		1,581,252,128	3,730	2,207,267,222	5,024	979,998,378	1,970
2015 Jul	Forecast		1,717,493,669	4,008	2,225,290,808	5,370	1,074,233,166	2,047
2015 Aug	Forecast		1,750,137,970	3,973	2,369,824,580	5,324	1,071,862,875	2,026
2015 Sep	Forecast		1,504,179,747	3,343	2,051,380,664	4,401	955,839,177	1,830
2015 Oct	Forecast		1,501,822,876	2,881	1,990,045,271	3,479	923,573,477	1,537
2015 Nov	Forecast		1,483,423,572	2,734	1,970,257,435	3,601	887,378,314	1,431
2015 Dec	Forecast		1,637,105,330	2,970	2,223,705,437	4,109	1,003,522,215	1,555

Nucor Set 1
Witness: Eberts

Case No. 12-2190-EL-POR, Case No. 12-2191-EL-POR, Case No. 2192-EL-POR

In the Matter of the Application of Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company For Approval of Their Energy Efficiency and Peak Demand Reduction Program Portfolio Plans for 2013 through 2015.

RESPONSES TO REQUEST

Nucor Set 1 – INT-11

For each Company and each rate schedule from 2009 to date and projected through 2015, please provide the following information:

(a) Total kWh sales by month and year;

(b) Coincident peak demand by month and year; and

(c) Distribution revenues by month and year.

Response:

(a) Objection. This request seeks information that is neither relevant nor likely to lead to the discovery of admissible evidence as it is outside the scope of this proceeding. Without waiving this objection, see NUCOR Set 1 INT-11 Attachment 1.
(b) Objection. This request seeks information that is neither relevant nor likely to lead to the discovery of admissible evidence as it is outside the scope of this proceeding. Without waiving this objection, hourly loads by customer class for January 2007 through present can be found on the FirstEnergy website: https://www.firstenergycorp.com/content/fecorp/upp/oh/oh_load_data.html. The Companies peaks, date of the peaks, and time of the peaks are available in the Companies' FERC FORM 1, page 400.

(c) Objection. This request seeks information that is neither relevant nor likely to lead to the discovery of admissible evidence as it is outside the scope of this proceeding. Moreover, this request is vague and ambiguous.

Case № 12-2190-EL-POR
Set 1-INT-011 —Cycle kWh sales - CEI

Company	Year	Rateid Month	RS kWh Sales	GS kWh Sales	GP kWh Sales	GSU kWh Sales	GT kWh Sales	POL kWh Sales	STLT kWh Sales	TFLT kWh Sales	Total kWh sales
CE01	2009	7	430,266,803	569,932,234	13,182,099	259,520,382	12,835,638	5,100,644	11,255,072	3,718,899	1,305,811,771
CE01	2009	8	479,516,567	584,510,808	33,628,194	270,697,487	46,728,448	5,148,253	10,571,144	2,159,271	1,432,960,172
CE01	2009	9	414,872,485	567,589,855	32,497,713	278,233,813	102,608,297	5,001,901	10,466,014	369,322	1,411,639,400
CE01	2009	10	381,909,309	527,309,211	32,809,462	293,602,199	125,767,382	5,031,269	10,623,942	3,248,065	1,380,300,839
CE01	2009	11	392,972,205	497,486,383	28,835,944	284,376,766	150,644,077	4,883,204	10,624,905	2,049,428	1,371,872,912
CE01	2009	12	451,215,455	522,385,341	31,301,146	299,815,972	154,469,600	5,001,651	699,958	163,938	1,465,053,061
CE01	2010	1	596,744,007	575,085,196	31,498,116	305,821,467	165,267,317	5,005,525	20,520,340	3,672,809	1,703,614,777
CE01	2010	2	550,421,432	553,989,585	29,433,906	296,037,143	165,031,265	5,020,982	10,636,178	1,951,099	1,612,521,590
CE01	2010	3	471,056,163	552,055,720	30,247,967	309,877,801	154,567,717	4,990,714	9,345,741	1,873,320	1,534,015,143
CE01	2010	4	391,630,918	504,251,650	31,399,314	310,324,041	168,046,894	4,961,757	11,880,831	2,015,283	1,424,510,688
CE01	2010	5	352,104,361	501,236,529	31,049,186	299,097,638	165,956,162	4,951,176	10,627,098	1,937,845	1,366,959,995
CE01	2010	6	396,597,291	557,956,493	33,146,752	322,967,834	168,817,674	4,946,055	10,608,501	1,788,935	1,496,829,535
CE01	2010	7	538,926,540	633,730,059	33,589,712	345,818,094	162,002,746	4,967,016	10,608,954	1,903,558	1,731,546,679
CE01	2010	8	604,369,625	615,614,521	34,486,762	339,644,493	161,968,332	4,904,122	10,621,150	1,914,345	1,773,523,350
CE01	2010	9	558,834,667	616,167,522	34,952,094	345,514,701	178,518,016	4,923,921	10,609,402	723,230	1,750,243,553
CE01	2010	10	384,967,870	541,880,964	33,009,172	304,476,650	161,549,582	4,886,477	10,605,100	1,805,024	1,443,180,839
CE01	2010	11	364,584,761	509,120,899	30,916,451	308,604,793	165,041,900	4,896,364	10,593,570	1,821,590	1,395,580,328
CE01	2010	12	467,922,713	534,722,607	32,869,555	313,535,231	156,459,137	4,911,148	10,598,296	1,821,021	1,522,839,708
CE01	2011	1	570,906,650	573,096,841	31,574,045	315,625,175	157,560,760	4,897,776	718,632	-96,995	1,654,282,884
CE01	2011	2	572,756,886	564,885,631	33,300,036	314,551,651	162,421,534	4,755,368	20,409,776	3,180,171	1,676,261,053
CE01	2011	3	506,262,744	575,454,350	33,047,028	329,135,805	154,835,192	4,926,150	10,617,556	1,780,565	1,616,059,390
CE01	2011	4	439,295,643	536,039,538	34,544,300	315,568,192	180,183,771	4,808,966	10,547,781	1,728,246	1,522,716,437
CE01	2011	5	390,742,924	510,041,913	33,262,988	309,151,503	168,790,700	4,846,303	10,559,181	1,567,557	1,428,963,069
CE01	2011	6	416,352,539	561,408,275	34,970,096	328,699,792	169,593,929	4,836,453	10,566,445	1,742,302	1,528,169,831
CE01	2011	7	506,074,655	595,373,075	35,231,441	317,292,140	180,264,373	4,732,302	10,538,943	1,732,885	1,651,239,814
CE01	2011	8	627,708,431	648,941,692	35,707,668	374,420,255	159,676,005	4,848,112	10,557,223	1,739,002	1,863,598,388
CE01	2011	9	518,282,850	589,045,292	36,114,164	344,007,525	168,449,017	4,791,486	10,552,920	1,741,340	1,672,984,594
CE01	2011	10	379,772,703	537,417,696	34,449,830	318,690,302	167,052,375	4,802,449	10,540,050	1,728,796	1,454,454,201
CE01	2011	11	367,788,286	503,350,795	34,540,998	296,111,966	170,316,833	4,757,390	10,543,175	1,733,418	1,389,142,861
CE01	2011	12	431,868,480	514,314,793	32,815,990	307,133,558	164,691,362	4,744,511	10,547,331	711,929	1,466,827,954
CE01	2012	1	519,164,110	537,106,741	35,287,083	298,036,304	168,107,876	4,724,583	10,536,321	1,206,303	1,574,169,321
CE01	2012	2	537,774,021	580,420,567	35,347,253	325,683,944	170,798,927	4,733,454	10,534,095	403,311	1,665,695,572
CE01	2012	3	476,422,270	536,295,994	33,264,737	315,581,549	166,139,938	4,688,353	747,898	709,962	1,533,850,701
CE01	2012	4	401,540,065	535,739,576	35,759,179	318,501,854	182,596,384	4,733,670	20,052,586	2,952,298	1,501,875,612
CE01	2012	5	368,758,272	522,800,251	33,379,939	310,227,112	172,847,518	4,730,008	10,285,279	1,429,462	1,424,457,841
CE01	2012	6	430,952,768	580,592,943	33,607,052	340,372,508	180,366,788	4,721,570	10,291,030	1,519,325	1,582,423,984

Case № 12-2190-EL-POR
Set 1-INT-011 —Cycle kWh sales - OE

Company	Year	Rateid Month	RS kWh Sales	GS kWh Sales	GP kWh Sales	GSU kWh Sales	GT kWh Sales	OL kWh Sales	STLT kWh Sales	TFLT kWh Sales	Total kWh sales
OE01	2009	7	718,840,809	568,775,334	210,396,120	83,525,510	271,612,640	3,097,642	10,555,707	1,498,580	1,868,302,342
OE01	2009	8	733,019,356	563,244,599	211,968,747	77,848,618	274,324,301	3,050,630	10,754,920	1,727,173	1,875,938,344
OE01	2009	9	734,217,234	574,290,630	224,693,154	82,018,522	304,333,730	3,002,454	10,530,696	1,606,119	1,934,692,539
OE01	2009	10	620,072,630	522,174,683	212,481,437	73,610,877	332,222,249	3,032,224	10,580,543	1,603,602	1,775,778,245
OE01	2009	11	648,374,722	495,530,021	207,029,126	81,508,804	303,386,707	3,019,926	10,371,996	1,506,140	1,750,727,442
OE01	2009	12	766,592,439	519,431,608	201,931,468	77,854,780	306,581,765	3,038,453	11,335,500	1,728,770	1,888,494,783
OE01	2010	1	974,725,088	567,713,539	190,969,387	75,292,848	296,852,349	3,056,166	10,963,631	1,653,695	2,121,226,703
OE01	2010	2	915,876,093	544,959,300	207,260,184	76,250,578	332,544,595	3,030,632	10,472,140	1,479,610	2,091,873,132
OE01	2010	3	825,612,972	534,126,091	202,231,396	74,432,014	325,049,920	3,017,309	11,235,365	1,683,178	1,977,388,245
OE01	2010	4	656,863,953	491,639,955	219,266,486	78,873,887	356,131,329	3,015,957	10,642,803	1,582,390	1,818,016,760
OE01	2010	5	576,073,673	480,015,111	215,755,249	76,947,666	351,419,355	2,961,191	10,642,081	1,584,356	1,715,398,682
OE01	2010	6	664,568,499	544,953,286	230,337,121	84,044,136	353,556,605	2,994,416	10,308,599	1,572,256	1,892,334,918
OE01	2010	7	855,750,922	602,009,475	238,930,033	91,278,776	352,175,046	2,975,722	10,438,377	1,577,817	2,155,136,168
OE01	2010	8	997,429,185	634,456,034	238,309,809	87,277,129	357,877,020	2,992,947	10,458,675	1,581,814	2,330,382,613
OE01	2010	9	882,105,195	603,688,502	249,461,653	91,022,975	384,299,657	2,960,404	10,547,449	1,568,219	2,225,654,054
OE01	2010	10	640,459,340	539,614,259	222,586,976	82,038,389	349,551,413	2,984,145	10,731,308	1,585,793	1,849,551,623
OE01	2010	11	594,044,933	487,827,189	209,227,890	78,479,593	363,253,169	2,933,313	10,719,445	1,576,188	1,748,061,720
OE01	2010	12	782,660,906	523,958,420	211,717,039	79,740,227	359,574,476	2,974,200	10,898,814	1,582,138	1,973,106,220
OE01	2011	1	1,001,906,502	568,582,161	210,241,599	77,667,865	344,256,556	2,950,399	11,042,431	1,612,548	2,218,260,061
OE01	2011	2	964,520,806	563,440,743	214,472,924	80,217,651	390,147,944	2,941,075	10,426,553	1,479,064	2,227,646,760
OE01	2011	3	807,191,470	542,359,279	210,241,248	78,785,006	375,949,327	2,978,239	11,276,681	1,686,628	2,030,467,878
OE01	2011	4	760,422,597	531,829,657	219,336,743	80,875,198	407,869,037	2,954,952	10,598,820	1,541,217	2,015,428,221
OE01	2011	5	656,465,165	508,347,176	216,547,489	81,696,878	387,103,737	2,956,554	10,639,230	1,527,081	1,865,283,310
OE01	2011	6	709,047,380	553,413,659	223,293,602	85,690,097	396,190,045	2,954,740	10,435,333	1,518,801	1,982,543,657
OE01	2011	7	827,209,861	587,727,487	234,733,605	85,587,893	385,000,964	2,930,455	10,353,585	1,511,657	2,135,055,507
OE01	2011	8	1,005,938,615	648,443,063	235,253,716	86,410,885	405,557,052	2,954,060	10,379,216	1,504,139	2,396,440,746
OE01	2011	9	849,660,923	596,686,520	238,736,347	87,352,127	403,438,992	2,938,737	10,472,279	1,519,875	2,190,805,800
OE01	2011	10	626,582,506	526,782,930	221,244,770	81,061,202	393,283,521	2,949,692	10,622,459	1,498,960	1,864,026,040
OE01	2011	11	611,954,766	492,461,806	213,555,508	75,512,048	392,906,214	2,954,486	10,705,884	1,399,061	1,801,449,773
OE01	2011	12	731,387,177	513,926,222	211,543,043	83,777,105	371,862,438	2,923,364	10,930,145	1,504,807	1,927,854,301
OE01	2012	1	903,901,522	547,029,371	200,740,335	75,856,511	356,402,250	2,936,415	11,004,255	1,544,720	2,099,415,379
OE01	2012	2	926,832,914	558,624,338	222,180,050	83,887,385	421,720,064	2,917,228	10,815,339	1,485,592	2,228,462,910
OE01	2012	3	801,023,151	547,243,226	220,686,204	82,347,814	403,885,949	2,950,521	10,672,545	1,439,567	2,070,248,977
OE01	2012	4	665,397,721	532,473,140	225,100,810	85,416,901	421,514,751	2,945,212	10,616,436	1,450,754	1,944,915,725
OE01	2012	5	626,828,682	507,894,206	214,667,265	79,302,839	405,954,849	2,946,213	10,454,906	1,412,613	1,849,461,573
OE01	2012	6	716,841,052	584,473,037	238,630,090	87,935,237	421,186,436	2,951,956	10,440,395	1,402,480	2,063,860,683

Case № 12-2190-EL-POR

Nucor Set 1-INT-011 — Cycle kWh sales - TE

Company	Year	Rateid Month	RS kWh Sales	GS kWh Sales	GP kWh Sales	GSU kWh Sales	GT kWh Sales	POL kWh Sales	STLT kWh Sales	TFLT kWh Sales	Total kWh sales
TE01	2009	7	203,053,470	179,874,481	77,035,226	6,123,881	201,589,635	879,375	4,507,595	113,535	673,177,198
TE01	2009	8	212,935,956	182,328,700	77,716,924	5,989,636	229,135,406	891,628	1,771,346	389,629	711,159,225
TE01	2009	9	198,037,870	176,646,315	85,110,925	8,109,740	325,994,082	885,218	6,593,060	407,993	801,785,203
TE01	2009	10	158,613,016	159,751,916	76,838,717	7,069,709	339,936,060	857,114	4,182,557	390,126	747,639,215
TE01	2009	11	170,222,414	151,103,396	73,812,610	7,804,668	365,338,113	869,725	4,199,020	392,385	773,742,331
TE01	2009	12	213,117,748	168,945,767	73,347,839	6,460,400	322,629,796	873,894	2,695,806	409,450	788,480,700
TE01	2010	1	258,616,402	174,790,421	70,437,873	7,698,965	336,293,634	873,923	5,626,992	413,109	854,751,319
TE01	2010	2	236,293,661	168,845,668	73,796,331	7,951,832	367,524,819	871,687	4,163,192	394,503	859,841,693
TE01	2010	3	213,744,846	164,025,606	74,329,039	7,682,198	335,383,338	878,578	4,188,973	385,382	800,617,960
TE01	2010	4	174,137,323	156,355,197	72,655,290	8,699,793	362,298,718	868,195	4,102,913	365,214	779,482,643
TE01	2010	5	158,411,418	154,928,514	73,756,936	8,219,589	343,811,872	876,385	4,242,781	349,974	744,597,469
TE01	2010	6	186,715,629	170,845,789	78,613,149	8,549,740	380,374,802	874,548	4,172,292	335,198	830,481,147
TE01	2010	7	251,656,799	191,972,563	85,874,010	8,867,698	407,904,324	866,611	4,132,866	336,736	951,611,607
TE01	2010	8	283,102,887	196,927,023	90,014,334	8,217,399	392,491,466	868,849	4,298,615	327,628	976,248,201
TE01	2010	9	250,570,661	188,287,242	86,988,240	8,719,988	399,906,705	864,830	4,179,057	323,624	939,840,347
TE01	2010	10	173,556,073	168,404,589	79,484,213	7,735,426	370,053,285	864,196	4,181,998	315,680	804,595,460
TE01	2010	11	158,407,154	151,470,661	76,099,195	8,426,004	370,035,662	857,498	4,182,013	321,038	769,799,225
TE01	2010	12	213,563,215	161,642,015	76,568,244	8,485,583	355,616,362	882,986	4,181,993	336,784	821,277,182
TE01	2011	1	257,683,602	169,164,267	83,034,712	8,880,104	375,837,882	839,138	2,676,253	346,853	898,462,811
TE01	2011	2	255,104,019	172,989,624	74,335,335	8,757,305	391,910,152	836,325	5,422,448	330,538	909,685,746
TE01	2011	3	219,522,850	166,551,188	75,690,854	7,459,060	369,855,810	852,884	4,446,303	323,177	844,702,126
TE01	2011	4	193,220,115	157,869,884	79,725,976	8,285,067	404,074,400	836,282	4,063,339	305,309	848,380,372
TE01	2011	5	182,740,236	158,685,791	79,525,125	8,660,408	380,446,669	836,868	4,179,379	285,943	815,360,419
TE01	2011	6	191,202,953	169,586,237	80,085,046	8,809,473	398,602,987	834,198	4,297,995	274,297	853,693,186
TE01	2011	7	240,013,301	186,512,548	84,420,750	8,704,212	389,621,992	828,348	4,058,114	263,007	914,422,272
TE01	2011	8	297,986,006	199,127,647	92,410,186	9,329,151	394,898,548	834,742	4,199,654	110,404	998,896,338
TE01	2011	9	246,168,745	184,604,238	88,941,850	9,054,414	409,317,642	826,092	4,276,661	393,381	943,583,023
TE01	2011	10	161,149,038	162,528,705	81,926,239	8,566,807	400,242,873	824,636	4,080,192	243,615	819,562,105
TE01	2011	11	157,681,089	149,802,718	76,761,908	8,965,679	398,045,432	822,494	4,178,373	236,555	796,494,248
TE01	2011	12	199,961,228	158,164,172	78,032,965	7,647,655	375,726,138	823,448	4,176,084	241,000	824,772,690
TE01	2012	1	241,561,075	163,241,628	77,284,513	8,988,932	386,195,162	831,213	4,178,884	242,752	882,524,159
TE01	2012	2	234,988,194	166,123,362	81,400,240	8,738,804	405,821,404	822,659	4,274,503	217,903	902,387,069
TE01	2012	3	219,279,641	169,545,441	80,564,262	8,211,011	376,802,092	821,785	2,675,147	216,642	858,116,021
TE01	2012	4	175,599,566	162,615,554	81,039,095	8,686,991	377,709,295	825,656	5,569,375	124,666	812,170,198
TE01	2012	5	159,309,277	150,605,629	79,674,882	8,315,991	371,003,857	826,551	4,171,705	260,479	774,168,371
TE01	2012	6	197,137,287	174,189,707	88,399,034	8,790,872	417,815,330	817,606	4,175,110	183,810	891,508,756

Nucor Set 1
Witness: Miller

Case No. 12-2190-EL-POR, Case No. 12-2191-EL-POR, Case No. 2192-EL-POR

In the Matter of the Application of Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company For Approval of Their Energy Efficiency and Peak Demand Reduction Program Portfolio Plans for 2013 through 2015.

RESPONSES TO REQUEST

Nucor Set 1 – INT-13

Referring to the statement at page 4 of the Application that "[m]any of the programs included in the Existing Plans have also been reorganized in the Proposed Plans so as to make the Proposed Plans similar in design and format to FirstEnergy's other utilities outside of Ohio."

(a) Please describe the specific changes that were made to make the program plans similar in design and format to FirstEnergy's other utilities outside of Ohio.

(b) Please provide a detailed explanation of how EE/PDR program cost allocation and rate design for other FirstEnergy utilities outside of Ohio differ from those used by the FirstEnergy Ohio utilities.

(c) Do any of FirstEnergy's other utilities outside of Ohio have a shared savings mechanism? If so, explain in detail any differences between those shared savings mechanisms and the one being proposed in this proceeding.

Response:

a) The Companies made numerous changes to their Plans to incorporate the design structure and practices of Company affiliates in other jurisdictions, including realigned program structure for administrative purposes, coordinated measure offerings to make measures more uniform throughout the FirstEnergy footprint, and aligned incentive and rebate strategies to avoid market confusion in areas that border other FirstEnergy affiliates.

Please see Table 4 of the Companies' Plans which details program adjustments which were made in part to align the Companies' program offerings with those offered by Companies' affiliates in other jurisdictions.

Please see Tables 8, 10, 12, and 14 of the Companies' Plans which details the measures proposed in the Companies' program offerings, which includes many measures offered by Companies affiliates in other jurisdictions.

Please see Appendix C-4 of the Companies' Plans which details the proposed incentive and rebate strategy, which was designed with consideration of the offerings of Company affiliates in other jurisdictions.

b) Objection. The request seeks information that is neither relevant nor likely to lead to the discovery of admissible evidence as it outside the scope of this proceeding.

c) Objection. The request seeks information that is neither relevant nor likely to lead to the discovery of admissible evidence as it is outside the scope of this proceeding.

Nucor Set 1
Witness:

Case No. 12-2190-EL-POR, Case No. 12-2191-EL-POR, Case No. 2192-EL-POR

In the Matter of the Application of Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company For Approval of Their Energy Efficiency and Peak Demand Reduction Program Portfolio Plans for 2013 through 2015.

RESPONSES TO REQUEST

Nucor Set 1 – INT-15

Referring to the Direct Testimony of Bradley D. Eberts, page 9, lines 12-15:

(a) Explain in detail what is meant by the "peak demand reduction capability which is available to the Companies for compliance purposes."

(b) Please quantify for each Company the "peak demand reduction capability which is available to the Companies for compliance purposes" that Mr. Eberts asserts is imbedded in the peak demand reported in the LTFR.

Response:

(a) The peak demand capability which is available to the Companies for compliance purposes is referring to the forecasted demand reduction from Riders ELR and OLR customers' in an Emergency Curtailment Event.

(b) The amount reported in the LTFR is 42 MW for Ohio Edison, 32 MW for CEI, and 126 MW for Toledo Edison for the summer of 2013.

Nucor Set 1
Witness: Miller

Case No. 12-2190-EL-POR, Case No. 12-2191-EL-POR, Case No. 2192-EL-POR

In the Matter of the Application of Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company For Approval of Their Energy Efficiency and Peak Demand Reduction Program Portfolio Plans for 2013 through 2015.

RESPONSES TO REQUEST

Nucor Set 1 – INT-17

Referring to the statement at page 15, lines 6-9, of the Direct Testimony of Edward C. Miller that the Demand Reduction Program is revised to "permit the Companies to count for purposes of PDR compliance, demand response resources participating in the PJM market for the applicable delivery year, without the need to contract for these resources separately":

(a) Explain in detail the types of demand response resources the Companies expect would meet these qualifications.

(b) Would these demand resources have to agree to be used by the Companies for these purposes, even though there would not be a "need to contract for these resources separately"?

(c) Would these demand response resources have to be located in the Companies' service territories?

(d) How would the Companies identify these resources?

(e) How much additional PDR do the Companies expect to obtain as a result of this proposed change?

Response:

a) The Companies expect that demand response resources would meet both PJM tariff obligations and any requirements of the Public Utilities Commission of Ohio.
b) No
c) Yes
d) These resources would be identified by their registration with PJM.
e) The Companies do not expect to obtain additional PDR resulting from this proposed change. Rather, the Companies expect that this will capture the demand attributes of those resources in the Companies' service territories already participating in the PJM Emergency demand response program without the need to separately contract or pay incentives to those resources. The Companies would only seek such resources up to the amount that would meet Company obligations as set in forth 4928.66 (A)(1)(b), Revised Code.

Nucor Set 1
Witness: Miller

Case No. 12-2190-EL-POR, Case No. 12-2191-EL-POR, Case No. 2192-EL-POR

In the Matter of the Application of Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company For Approval of Their Energy Efficiency and Peak Demand Reduction Program Portfolio Plans for 2013 through 2015.

RESPONSES TO REQUEST

Nucor Set 1 – INT-19

For each Company, please provide a projection of:

(a) The amount of PDR in MWs and the percentage of each utility's PDR benchmark projected to be achieved through Riders ELR and OLR for the years 2013-15 assuming all current Rider ELR customers extend their participation on Rider ELR through May 2016;

(b) The amount of PDR in MWs and the percentage of each utility's PDR benchmark projected to be achieved through contracted demand resources for the years 2013-15; and

(c) The amount of PDR in MWs and the percentage of each utility's PDR benchmark projected to be achieved through "demand response resources participating in the PJM market for the applicable delivery year" as discussed at page 15, lines 6-9 of Mr. Miller's testimony for the years 2013-15.

(d) Identify and provide all related documents.

Response:

a) The Companies projected the following MWs to be delivered from customer on their interruptible tariffs in 2013.

Company	MW
CEI	32
OE	42
TE	126

As part of the 2014-2015 forecast, the Companies did not include ELR resources in their forecasts because the Companies are in the process of signing up customers for the June 2014 – May 2016 time period. Therefore, it is not currently know how many MWs will be available from the Rider ELR program in 2014-2015 The Companies expect to count all ELR resources registered in PJM's RPM for purposes of SB 221.

The Companies' benchmark projections per year are located in each Company's filing in Company Table 3.

b) The Companies' projections for PDR resources do not distinguish between those originating from contracted demand resources and those originating through

participation in the PJM demand response market. Total projections covering both categories are as follows:

	2013	2014	2015
Ohio Edison:	22 MW	66 MW	62 MW
Cleveland Electric Illuminating Company:	7 MW	45 MW	46 MW
Toledo Edison:	0 MW	5 MW	5 MW

The Companies' benchmarks projections per year are located in each Company's filing in Company Table 3.

c) Please see the response to item (b)
d) No additional related documents are available regarding the Companies' estimates for the contracted demand resources in the 2013-15 period specific to this program. Relevant information can be found in Appendices B-1 through B-4, and C-1 through C-3 of each Companies 2013-15 EEPDR plan..

Nucor Set 1
Witness: Miller

Case No. 12-2190-EL-POR, Case No. 12-2191-EL-POR, Case No. 2192-EL-POR

In the Matter of the Application of Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company For Approval of Their Energy Efficiency and Peak Demand Reduction Program Portfolio Plans for 2013 through 2015.

RESPONSES TO REQUEST

Nucor Set 1 – INT-20 Regarding the calculation of the PDR value for interruptible load:

(a) Explain in detail how the Companies determine the PDR value for Riders ELR and OLR.

(b) If the Companies do not use the Curtailable Load value as defined in Riders ELR and OLR in determining the relevant PDR value, explain why. Please provide cites to any statutes, regulations, or case law that the Companies believe might preclude them from using the Curtailable Load value in determining the PDR value of the interruptible riders.

(c) For each Ohio utility, provide the total Curtailable Load (the sum of the Curtailable Loads of all customers on Rider ELR) for each month from 2009 through 2012.

(d) Explain in detail how the Companies determine the PDR value for contracted demand resources and for "demand response resources participating in the PJM market for the applicable delivery year" as discussed at page 15, lines 6-9 of Mr. Miller's testimony.

(e) Identify and provide all related documents.

Response: a. The Companies set the value of PDR for each customer on Riders ELR and OLR equal to the number of kW of Demand Resources that the Companies register for each such customer in PJM on a PJM Planning Year basis (June - May). The Companies follow all PJM tariffs and manuals in setting the PJM approved registrations.

b. Commission Order dated 3/10/2010 in Cases 09-535-EL-EEC, 09-536-EL-EEC, 09-537-EL-EEC starting on page 5 states in part: "Thus, the Commission will clarify that FirstEnergy's ELR and OLR tariffs meet the requirements for a peak demand response program, under Rule 4901:I-39-05(E), O.A.C., because the ELR and OLR tariffs provide FirstEnergy with the capability to reduce peak demand and the ELR and OLR tariffs are

recognized as a capacity resource by its regional transmission organization....".

c. Objection: The request seeks information that neither relevant nor likely to lead to the discovery of admissible evidence as it is beyond the scope of this proceeding.

d. The PDR value for the contracted demand response resource is determined in accordance with registration processes for resource in the PJM "Emergency" program and the results of any load curtailment events initiated by PJM for emergencies or tests.
e. Objection. The request is vague and overly broad. Without waiving the objection, no additional documents related to items (a) – (d) are available beyond the publically available documents on the PUCO Docketing Information System (http://dis.puc.state.oh.us/) and PJM Documents site (http://www.pjm.com/documents.aspx).

Nucor Set 1
Witness: Eberts

Case No. 12-2190-EL-POR, Case No. 12-2191-EL-POR, Case No. 2192-EL-POR

In the Matter of the Application of Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company For Approval of Their Energy Efficiency and Peak Demand Reduction Program Portfolio Plans for 2013 through 2015.

RESPONSES TO REQUEST

Nucor Set 1 – INT-21 Explain in detail how interruptible load is taken into account in the calculation of the peak demand reduction baselines and benchmarks for the Companies.

Response: The peak demand reduction baselines and benchmarks for the Companies were not changed (reduced) for interruptible load. Interruptible load in this request is assumed to be the curtailable load from customers served under Riders ELR or OLR.

Nucor Set 1
Witness: Demiray

Case No. 12-2190-EL-POR, Case No. 12-2191-EL-POR, Case No. 2192-EL-POR

In the Matter of the Application of Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company For Approval of Their Energy Efficiency and Peak Demand Reduction Program Portfolio Plans for 2013 through 2015.

RESPONSES TO REQUEST

Nucor Set 1 – INT-22 Regarding the Companies' shared savings proposal:

(a) What is the basis and justification for the 13% maximum incentive level?

(b) What is the basis and justification for the five-tier incentive level, and the percentage incentive levels at each tier?

(c) What level of energy efficiency compliance over and above the statutory requirements from 2013-15 do the Companies project will result from the shared savings mechanism?

(d) What level of peak demand reduction over and above the statutory requirements from 2013-15 do the Companies project will result from the shared savings mechanism?

(e) Identify and provide all reports, studies, and analyses performed by or for the Companies regarding the design of the proposed shared savings mechanism.

(f) Identify and provide all reports, studies, and analyses performed by or for the Companies regarding the rate impacts of the proposed shared savings mechanism.

(g) Describe in detail any other shared savings mechanisms the Companies considered in developing the EE/PDR portfolio plans at issue in this proceeding.

(h) Please explain in detail what the Companies will do differently in managing their EE/PDR portfolios and operating the proposed programs and measures if the proposed shared savings mechanism is approved compared to what the Companies would

do if no shared savings mechanism is approved.

(i) Why are only mercantile customer projects installed prior to March 23, 2011 excluded in the Adjusted Net Benefits calculation? Why are mercantile customer projects installed after this date not excluded as well?

(j) Referring to the shared savings calculation example contained in Mr. Demiray's testimony at Exhibit EGD-1 through Exhibit EGD-4, please show how these calculations would be different if FirstEnergy used partial year energy savings rather than annualized energy savings.

(k) If the proposed shared savings mechanism had been in place under the Companies' current EE/PDR portfolio plans, would any of the Companies have qualified for shared savings? If so, please provide a workpaper showing the magnitude of and the calculation of the shared savings incentive.

(l) Under its proposal, would FirstEnergy be allowed to claim a shared savings incentive on peak demand reduction achieved through "demand response resources participating in the PJM market for the applicable delivery year" as discussed at page 15, lines 6-9 of Mr. Miller's testimony?

(m) Identify and provide all other related documents.

Response:

a) The Incentive Mechanism included in the Proposed Plans was influenced by Staff recommendations, AEP Ohio's recently approved mechanism, and the result of negotiations with interested parties. The 13% maximum incentive level is identical to the maximum incentive level in AEP Ohio's recently approved shared savings mechanism in Case Nos. 11-5568-EL-POR et. al.

b) The Incentive Mechanism included in the Proposed Plans was influenced by Staff recommendations, AEP Ohio's recently approved mechanism, and the result of negotiations with interested parties. The five tiered design and specific incentive levels per tier are identical to the design and levels in AEP Ohio's recently approved shared savings mechanism in Case Nos. 11-5568-EL-POR et. al.

c) The Companies did not make this calculation.

d) The Incentive Mechanism proposed in the Companies' Plan only relates to energy savings targets as set forth in Section 4928.66 (A)(1)(a), Revised Code, not Peak Demand Reduction targets in Section 4928.66 (A)(1)(b) , Revised Code.

e) The Incentive Mechanism included in the Proposed Plans was influenced by Staff recommendations, AEP Ohio's recently approved mechanism, and the result of negotiations with interested parties. The Companies general design was also influenced by the National Action Plan for Energy Efficiency's publication, *Aligning Utility Incentives with Investment in Energy Efficiency*[1]. No reports, studies, or analyses were performed by or for the Companies regarding the design of the proposed shared savings mechanism.

f) No reports, studies, or analyses were performed by or for the Companies regarding the rate impacts of the proposed shared savings mechanism.

g) The Staff Proposal for Incentivizing Utility Energy Efficiency Performance and approved plans of AEP was the predominant model used to design the Companies' shared savings mechanism. They are publically available in the dockets for Case Nos. 09-1947-EL-POR and 11-5568-EL-POR, respectively. Portions of other shared savings mechanisms were considered in developing the Incentive Mechanism included in this plan as described in the National Action Plan for Energy Efficiency's publication, *Aligning Utility Incentives with Investment in Energy Efficiency, referenced in response (e) above.*

h) Objection. This request is irrelevant and is not designed to lead to the discovery of admissible evidence.

i) The Companies' proposed Incentive Mechanism excludes the impacts of Mercantile customer-sited projects that were installed prior to March 23, 2011, the approval date of the Companies' Existing Plans, when calculating Adjusted Net Benefits. After that date, Mercantile customers have the choice of applying for project incentives through the Companies' other Small and Large enterprise rebate programs, or through the Companies' Mercantile Customer-Sited program. Both sets of programs are offered by the Companies for the purposes of compliance with Section 4926.66 (A)(1)(a), Ohio Revised Code. As such, the Companies will include for Adjusted Net Benefits calculation, those Mercantile customer-sited projects that were installed after March 23, 2011 as part of the Incentive Mechanism.

j) The values in Exhibit EGD-1 through EGD-4 are illustrative only and do not contain assumptions regarding measure level installation timing that would be required for such an analysis. As such, these numbers are illustrative whether the values are on a partial year or annualized basis.

k) Objection. The request seeks information that is neither relevant not likely to lead to the discovery of admissible evidence as it is outside the scope of this proceeding.

l) No.

m) Objection. The request is overly broad and vague. Without waiving this objection, related documents were provided in testimony as exhibits and in the response to item "e" and "g".

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[1] *See* http://www.epa.gov/cleanenergy/documents/suca/incentives.pdf

APPENDIX

QUALIFICATIONS OF

DENNIS W. GOINS

DENNIS W. GOINS

PRESENT POSITION

Economic Consultant, Potomac Management Group, Alexandria, VA

PREVIOUS POSITIONS

- Vice President, Hagler, Bailly & Company, Washington, DC
- Principal, Resource Consulting Group, Inc., Cambridge, MA
- Senior Associate, Resource Planning Associates, Inc., Cambridge, MA
- Economist, North Carolina Utilities Commission, Raleigh, NC

EDUCATION

College	Major	Degree
Wake Forest University	Economics	BA
North Carolina State University	Economics	ME
North Carolina State University	Economics	PhD

RELEVANT EXPERIENCE

Dr. Goins specializes in pricing, planning, and market structure issues affecting firms that buy and sell products in electricity and natural gas markets. He has extensive experience in evaluating competitive market conditions, analyzing power and fuel requirements, prices, market operations, and transactions, developing product pricing strategies, setting rates for energy-related products and services, and negotiating power supply and natural gas contracts for private and public entities. He has participated in nearly 200 cases as an expert on competitive market issues, utility restructuring, power market planning and operations, utility mergers, rate design, cost of service, and management prudence before the Federal Energy Regulatory Commission, the General Accounting Office (now the Government Accountability Office), the First Judicial District Court of Montana, the Circuit Court of Kanawha County, West Virginia, the Linn County District Court of Iowa, and regulatory commissions in Alabama, Arizona, Arkansas, Colorado, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Minnesota, Mississippi, Missouri, New Jersey, New York, North Carolina, Ohio, Oklahoma, South Carolina, Texas, Utah, Vermont, Virginia, West Virginia, Wyoming, and the District of Columbia. He has also prepared an expert report on behalf of the United States regarding pricing and contract issues in a case before the United States Court of Federal Claims.

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Case No(s). 12-2190-EL-POR, 12-2191-EL-POR, 12-2192-EL-POR

Summary: Testimony Direct Testimony of Dennis Goins on behalf of the Ohio Energy Group (OEG) and Nucor Steel Marion electronically filed by Mr. Michael L. Kurtz on behalf of Ohio Energy Group and Nucor Steel Marion