

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of Ohio	)	
Edison Company, The Cleveland	)	
Electric Illuminating Company, and The	)	Case No. 12-2190-EL-POR
Toledo Edison Company for Approval	)	Case No. 12-2191-EL-POR
of Their Energy Efficiency and Peak	)	Case No. 12-2192-EL-POR
Demand Reduction Program Portfolio	)	
Plans for 2013 through 2015.	)	

ENTRY

The attorney examiner finds:

- (1) Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company (collectively, FirstEnergy or Companies) are public utilities as defined in Section 4905.02, Revised Code, and, as such, are subject to the jurisdiction of this Commission.
- (2) On July 31, 2012, FirstEnergy filed an application for approval of the Companies' energy efficiency and peak demand reduction program portfolio plans for 2013 through 2015 pursuant to Section 4928.66, Revised Code, Rules 4901:1-39-04, 4901:1-39-05, 4901:1-39-06, and 4901:1-39-07, Ohio Administrative Code (O.A.C.), and the Commission's February 28, 2012, entry in Case No. 12-814-EL-UNC. In addition, FirstEnergy filed testimony in support of the application.
- (3) By entry issued on August 16, 2012, the attorney examiner issued a procedural schedule in this case requiring, *inter alia*, motions to intervene to be filed by September 17, 2012.
- (4) Motions to intervene in this proceeding were timely filed by the Natural Resources Defense Council (NRDC), the Sierra Club (Sierra Club), Ohio Partners for Affordable Energy (OPAE), Ohio Environmental Council (OEC), the Environmental Law and Policy Center (ELPC), Ohio Consumers' Counsel (OCC), the Ohio Energy Group (OEG), the Ohio Hospital Association (OHA), EnerNOC, Inc. (EnerNOC), Industrial Energy Users-Ohio (IEU-Ohio), Nucor Steel Marion, Inc. (Nucor), Advanced Energy

Economy Ohio (AEEO), Ohio Manufacturers' Association Energy Group (OMAEG), and Citizen Power, Inc. (Citizen Power). Additionally, a motion for leave to file out of time to intervene was filed by the Northeast Ohio Public Energy Council (NOPEC) on September 21, 2012. No memoranda contra the motions to intervene were filed in this proceeding. The attorney examiner finds that the motions to intervene as well as the motion for leave to file out of time are reasonable and should be granted.

- (5) Additionally, motions for admission *pro hac vice* were filed by Robert Kelter, Justin Vickers, and Nicholas McDaniel to appear on behalf of ELPC, Michael Lavanga to appear on behalf of Nucor, and Theodore Robinson to appear on behalf of Citizen Power. No party filed memoranda contra the motions for admission *pro hac vice*. The attorney examiner finds that the motions for admission *pro hac vice* are reasonable and should be granted.

It is, therefore,

ORDERED, That the motions to intervene filed by NRDC, Sierra Club, OPAC, OEC, ELPC, OCC, OEG, OHA, EnerNOC, IEU-Ohio, Nucor, AEEO, OMAEG, Citizen Power, and NOPEC are granted. It is, further,

ORDERED, That the motions for admission *pro hac vice* filed by Robert Kelter, Justin Vickers, Nicholas McDaniel, Michael Lavanga, and Theodore Robinson be granted. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/Mandy W. Chiles

By: Mandy Willey Chiles  
Attorney Examiner

JRJ/sc

**This foregoing document was electronically filed with the Public Utilities**

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**in**

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

Summary: Attorney Examiner Entry granting motions to intervene and motions for admission pro hac vice. - electronically filed by Sandra Coffey on behalf of Mandy Willey Chiles, Attorney Examiner, Public Utilities Commission of Ohio