

**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 of)	Case No. 12-2191-EL-POR
Their Energy Efficiency and Peak Demand)	Case No. 12-2192-EL-POR
Reduction Program Portfolio Plans for)	
2013 through 2015)	

REPLY BRIEF OF INDUSTRIAL ENERGY USERS-OHIO

Samuel C. Randazzo (Counsel of Record)
Frank P. Darr
Joseph E. Olikier
Matthew R. Pritchard
McNEES WALLACE & NURICK LLC
21 East State Street, 17TH Floor
Columbus, OH 43215
Telephone: (614) 469-8000
Telecopier: (614) 469-4653
sam@mwncmh.com
fdarr@mwncmh.com
joliker@mwncmh.com
mpritchard@mwncmh.com

November 30, 2012

Attorneys for Industrial Energy Users-Ohio

**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 of)	Case No. 12-2191-EL-POR
Their Energy Efficiency and Peak Demand)	Case No. 12-2192-EL-POR
Reduction Program Portfolio Plans for)	
2013 through 2015)	

REPLY BRIEF OF INDUSTRIAL ENERGY USERS-OHIO

I. INTRODUCTION

On July 31, 2012, Ohio Edison Company, The Toledo Edison Company, and The Cleveland Electric Illuminating Company (collectively, “FirstEnergy”) filed an Application for Approval of their Energy Efficiency and Peak Demand Reduction (“EE/PDR”) Program Portfolio Plans for 2013 to 2015 (“Application” or “Portfolio Plan”). After a week of hearings, parties submitted post-hearing briefs proposing certain modifications to FirstEnergy’s Portfolio Plan.

Although Industrial Energy-Users of Ohio (“IEU-Ohio”) does not support every aspect of the Portfolio Plan, it does appear¹ to be designed to achieve the statutory EE/PDR benchmarks contained in Section 4928.66, Revised Code. Thus, IEU-Ohio’s

¹ Compliance with the portfolio requirements benchmarks depends on how results are measured. Compliance measurement also directly affects the cost incurred by utilities to achieve compliance and the amount of compliance cost that is passed on to consumers in their electric bills. The Commission has before it various proceedings which have been open for several years and in which the Commission has been asked to address fundamental issues related to measuring compliance. The open cases include Case Nos. 10-834-EL-POR, 09-512-GE-UNC, and 08-888-EL-ORD. As the annual compliance requirements escalate, the penalty inflicted on the public interest by leaving these fundamental questions unresolved is growing. Some of these unresolved measurement issues have been placed before the Commission in these proceedings. For the reasons which IEU-Ohio and other parties have expressed in these open cases, IEU-Ohio continues to urge the Commission to address and resolve these fundamental issues.

Post-Hearing Brief was narrowly focused on one issue: FirstEnergy's overly broad modification of the Mercantile Customer Commitment Agreement ("Commitment Agreement") through which mercantile customers commit their customer-sited capabilities for integration into FirstEnergy's Portfolio Plan in return for an exemption from the demand-side energy ("DSE2") Rider.² The Initial Post-Hearing Brief filed by Advanced Energy Economy Ohio ("AEE Ohio") similarly contests FirstEnergy's modification of the Commitment Agreement.³

The Environmental Law and Policy Center ("ELPC") and the Ohio Environmental Council ("OEC") submitted an Initial Brief objecting to, among other things, contesting the use of the "as-found" method of compliance measurement which identifies actual (not hypothetical) energy efficiency results. ELPC and OEC have extended their attack on the as-found method to FirstEnergy's proposed lighting programs.

IEU-Ohio's response to each of these positions is discussed below. IEU-Ohio's failure to address all of the arguments raised by parties in their Briefs should not be construed as an agreement with the positions advocated by the parties.

II. ARGUMENT

1. Ownership of Attributes

FirstEnergy has improperly interpreted the Opinion and Order approving FirstEnergy's third electric security plan ("ESP") as requiring FirstEnergy to modify the Commitment Agreement through which mercantile customers commit their customer-sited capabilities for integration with FirstEnergy's Portfolio Plan in return for an exemption from

² See FirstEnergy Ex.1 at 15-16 (*citing In the Matter of Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company for Authority to Provide for a Standard Service Offer Pursuant to Section 4928.143, Revised Code, in the Form of an Electric Security Plan, Case No. 12-1230-EL-SSO, Opinion and Order at 38 (Jul. 18, 2012)*) (hereinafter "ESP III Order").

³ Initial Post-Hearing Brief by the Advanced Energy Economy Ohio at 3 (Nov. 20, 2012).

the DSE2 Rider.⁴ More specifically, FirstEnergy's proposed Commitment Agreement requires mercantile customers requesting an exemption from the DSE2 Rider to transfer to FirstEnergy ownership of the energy efficiency capacity rights associated with their self-funded projects so that FirstEnergy can bid the customer funded capacity rights into future PJM Interconnection LLC ("PJM") capacity auctions.⁵

Section 4928.66(C), Revised Code, states (emphasis added):

Compliance with divisions (A)(1)(a) and (b) of this section **shall** be measured by including the effects of all demand-response programs for mercantile customers of the subject electric distribution utility, all waste energy recovery systems and all combined heat and power systems, and all such mercantile customer-sited energy efficiency, including waste energy recovery and combined heat and power, and peak demand reduction programs, adjusted upward by the appropriate loss factors.

Section 4928.66, Revised Code, does not require that a mercantile customer commit eligible capability so that it can be included for purposes of measuring compliance; it plainly states that mercantile customers' capabilities must be counted by the Commission for purposes of measuring compliance. Thus, it is important to note that the question about FirstEnergy's proposed Commitment Agreement has nothing to do with how compliance with Section 4928.66, Revised Code, must be measured.

⁴ See Post-Hearing Brief of IEU-Ohio (Nov. 20, 2012).

⁵ See FirstEnergy Ex. 1 at 15-16. The specific language FirstEnergy has added to the Commitment Agreement is as follows:

By committing the Customer Energy Project(s), Customer further acknowledges and agrees that the Company shall take ownership of the energy efficiency capacity rights associated with said Project(s) and shall, at its sole discretion, aggregate said capacity into the PJM market through an auction. Any proceeds from any such bids accepted by PJM will be used to offset the costs charged to the Customer and other of the Company's customers for compliance with state mandated energy efficiency and/or peak demand requirements.

[https://www.firstenergycorp.com/content/dam/customer/Saving%20Energy/Files/OH/Mercantile%20Customer%20Project%20Commitment%20Agreement%20\(Exemption\).doc](https://www.firstenergycorp.com/content/dam/customer/Saving%20Energy/Files/OH/Mercantile%20Customer%20Project%20Commitment%20Agreement%20(Exemption).doc) (last viewed Nov. 15, 2012).

The commitment process that is identified in Section 4928.66, Revised Code, relates to circumstances where the mercantile customer is requesting an exemption from the cost recovery mechanism such as the DSE2 Rider. In this context, Section 4928.66, Revised Code, does not condition the exemption opportunity on the mercantile customer transferring ownership of any rights⁶ that may be associated with the mercantile customer's capability. Section 4928.66, Revised Code, authorizes the Commission to grant an exemption from the cost recovery mechanism if the Commission determines that it will encourage the mercantile customer to so commit such capability.

As discussed in IEU-Ohio's Post-Hearing Brief, FirstEnergy's interpretation of the ESP III Order is incorrect and the Commission should direct FirstEnergy to remove the language in their proposed Commitment Agreement that requires mercantile customers that complete customer funded self-directed energy efficiency projects to automatically assign to FirstEnergy any RTO-related capacity resource that may be associated with such projects. The ESP III Order directed FirstEnergy to require customers to transfer ownership of their capacity resources as a condition for participation in FirstEnergy programs. But mercantile customers undertaking self-funded energy efficiency projects that may have a capacity resource status as a result of RTO programs and seek an exemption from the DSE2 Rider are not participating in FirstEnergy programs. Self-funded projects are customer initiated projects that do not rely upon any funding from FirstEnergy.

⁶ The use of the word "rights" here refers to the status that the customers' peak demand response and energy efficiency capabilities may have as a result of reliability-related programs that are available from regional transmission organizations ("RTO") such as PJM. These RTO programs are subject to the exclusive jurisdiction of the Federal Energy Regulatory Commission ("FERC") and the Commission may not regulate, directly or indirectly, these RTO programs. These RTO programs do not establish assignable rights or obligations; they operate to make the functional capability of an ultimate customer available to the RTO with the voluntary consent of the ultimate customer (and only with such consent) so that the RTO can "dispatch" the capability to satisfy reliability objectives. For these reasons, it is IEU-Ohio's view that FirstEnergy's proposed Commitment Agreement invites the Commission to exercise authority it does not have and impose an economic penalty upon a customer seeking an exemption from the cost recovery mechanism by confiscating the value that the customer might otherwise derive from the status conferred in its capability by the RTO program approved by FERC.

Because the ESP III Order directive was limited to customers participating in FirstEnergy programs, there is no reasonable or lawful reason for FirstEnergy to extend the condition so that it also attaches to mercantile customers that have established a capacity resource capability that is recognized by an RTO and have done so at their own cost.⁷

During his cross examination, Commission Staff (“Staff”) witness Scheck agreed that FirstEnergy’s interpretation of the Commission’s ESP III Order was incorrect.⁸ For these reasons and those previously expressed, IEU-Ohio urges the Commission to approve FirstEnergy’s use of its proposed Commitment Agreement provided that FirstEnergy removes any language requiring mercantile customers that have established a capacity resource capability that is recognized by an RTO—and have done so at their own cost—to involuntarily transfer the value of such capability to FirstEnergy.

2. The Commission Should Reject the Recommendation of ELPC and OEC to Disallow Measurement of the Energy Savings Associated with Self-directed Mercantile Customer Projects Based on the As-found Measurement Method

In their Initial Brief, ELPC and OEC state the Commission should not allow FirstEnergy to rely on the use of the as-found method to measure the amount of compliance available from the contribution of mercantile customers’ energy efficiency improvements.⁹ Their position, however, is not supported by the applicable law or Commission precedent and, if adopted, would result in consumers paying unreasonable and excessive compliance costs.

⁷ FirstEnergy’s Post-Hearing Brief identified that mercantile customers have historically negotiated their own terms when seeking an exemption. FirstEnergy, moreover, indicated that it did not believe its proposed modification of the Commitment Agreement would prevent mercantile customers from further altering the Commitment Agreement. FirstEnergy Post-Hearing Brief at footnote 152 (Nov. 20, 2012).

⁸ Tr. Vol. IV at 769-771, 824-825.

⁹ ELPC/OEC Initial Brief at 33 (Nov. 20, 2012).

The ELPC and OEC attack on the as-found method of measuring compliance is without merit as a matter of law. Section 4928.66(A)(2)(c), Revised Code, directs the Commission to measure *compliance* with divisions (A)(1)(a) and (b) by including the effects of all demand response capabilities of mercantile customers of the subject electric distribution utility (“EDU”) and all such mercantile customer-sited energy efficiency and peak demand reduction capabilities adjusted upward by the appropriate loss factors.

To assure that all energy efficiency improvements are counted toward compliance, this Section requires that compliance with energy efficiency requirements of the EDU shall be measured by the “as-found” method. Under the as-found method, the baseline for measuring savings is based on existing equipment and thus all energy efficiency improvements are captured for compliance purposes.¹⁰ Based on the applicable law, FirstEnergy’s reliance on the as-found method for purposes of measuring the compliance associated with mercantile customer capabilities is lawful and reasonable.

The Initial Brief of ELPC and OEC nonetheless urges the Commission to ignore Ohio law and reject the “as-found” method of measuring compliance based on three claims. All three are without merit.

First, ELPC and OEC state that FirstEnergy should not be permitted to use the as-found method of measuring compliance that the Commission has adopted in the *Pilot Program* because the Commission’s decision was “erroneous.”¹¹ ELPC and OEC do not explain what they mean when they say the Commission’s ruling was erroneous. But the lawfulness and reasonableness of the use of the as-found method in the *Pilot Program* has

¹⁰ “Under the ‘as found’ method, the baseline for energy savings is the efficiency rating of existing equipment at the time of replacement.” *In the Matter of a Mercantile Application Pilot Program Regarding Special Arrangements with Electric Utilities and Exemptions from Energy Efficiency and Peak Demand Reduction Riders*, Case No. 10-834-EL-POR, Entry at 4 (Sept. 15, 2010) (“*Pilot Program*”).

¹¹ ELPC/OEC Initial Brief at 33 (Nov. 20, 2012).

been challenged on at least two occasions. In each instance, the Commission rejected the challenge finding that the as-found method is lawful and supports policy goals.¹² The Commission did not err when it approved the use of the as-found method.

Second, the Initial Brief of ELPC and OEC also claim that the Commission Rules support rejection of the as-found method. The Initial Brief references a statement the Commission made in proceedings involving a **proposed** Technical Reference Manual (“TRM”) to urge that the Commission modify the FirstEnergy Portfolio Plan by requiring that compliance be measured by a method that understates the actual amount of energy efficiency and peak demand reduction available from mercantile customers¹³ As discussed above and in numerous other pleadings that are presently before the Commission, use of the as-found method is required by and complies with the applicable statutory requirements.¹⁴ To the extent that the Commission’s Rules or any proposed TRM say otherwise they do so in conflict with controlling statutory language.

Third, the Initial Brief of EPLC and OEC urge the Commission to block use of the as-found method of measuring compliance based on the claim that “rejection of the as

¹² *Pilot Program*, Second Entry on Rehearing at 4 (May 25, 2011); *id.*, Sixth Entry on Rehearing (Oct. 31, 2012).

¹³ ELPC/OEC Initial Brief at 33 & 34 (Nov. 20, 2012).

¹⁴ *Pilot Program*, Finding and Order at 4 (Sept. 5, 2012). The legality of the rules cited by ELPC and OEC, to the extent they would preclude counting all energy efficiency improvements, and the Technical Reference Manual remain subject to outstanding grants of rehearing on their lawfulness and reasonableness. See *In the Matter of the Adoption of Rules for Alternative and Renewable Energy Technology, Resources, and Climate Regulations, and Review of Chapters 4901:5-1, 4901:5-3, 4901:5-5, and 4901:5-7 of the Ohio Administrative Code, Pursuant to Amended Substitute Senate Bill No. 221*, Case No. 08-888-EL-ORD, Entry on Rehearing at 2 (Dec. 9, 2009); *In the Matter of Protocols for the Measurement and Verification of Energy Efficiency and Peak Demand Reduction Measures*, Case No. 09-512-GE-UNC, Entry on Rehearing (July 29, 2010). As the Commission is a creation of statute, it has no authority to increase FirstEnergy’s energy efficiency compliance requirements, and thereby its cost, based on a rule that does not comport with the statutory requirement on which the rule is purportedly based. *Central Ohio Joint Vocational School District Board of Education v. Ohio Bureau of Employment Services*, 21 Ohio St. 3d 5 (1986); *Franklin Iron and Metal Corp. v. Ohio Petroleum Underground Storage Tank Release Compensation Board*, 117 Ohio App. 3d 509 (1996). Further the Commission has determined that the use of the as-found method is lawful. *Pilot Program*, Second Entry on Rehearing at 4 (May 25, 2011).

found method would result in significantly less savings than what FirstEnergy has projected” which “can be made up by requiring FirstEnergy to implement ... lighting and data center programs.”¹⁵ As they make clear elsewhere, the programs ELPC and OEC are pushing to fill the gap created by their unwillingness to apply actual energy efficiency and peak demand reduction results to measure compliance raises the cost of compliance that will be passed on to consumers.¹⁶ Their proposal is as unreasonable as it is unlawful.

3. The Commission Should Reject Recommendations Regarding T-8 Lighting

ELPC and OEC’s Initial Brief argues that incentives should not be provided for standard T-8 fixtures and light bulbs because the Energy Independence and Security Act prohibits the manufacture or importation of T-12 or standard T-8 lighting after July 14, 2012. ELPC and OEC claim that “[w]hile a limited number of T-12 fixtures may still be available for purchase today, within a few months the least efficient fixture on the market will be the Standard T-8. Thus, the Standard T-8 becomes the new baseline.”¹⁷ ELPC and OEC argue that incentives should not be provided to purchase T-8 fixtures and bulbs, because customers will purchase these bulbs and fixtures when no other option is available.¹⁸ The Sierra Club, Natural Resources Defense Council (“NRDC”), Citizen Power,¹⁹ and Ohio Partners for Affordable Energy (“OPAE”)²⁰ also argue that incentives should not be provided to purchase standard T-8 bulbs and fixtures.

¹⁵ ELPC/OEC Initial Brief at 35 (Nov. 20, 2012).

¹⁶ *Id.* at 31 (urging the Commission to increase the total cost of the Portfolio Plan to accommodate data center programs).

¹⁷ *Id.* at 23.

¹⁸ *Id.* at 23-25.

¹⁹ Sierra Club/NRDC/Citizen Power Initial Hearing Brief at 55 (Nov. 20, 2012).

²⁰ OPAE Post-Hearing Brief at 9 (Nov. 20, 2012).

Prohibiting incentives for upgrading lighting as recommended by these parties would ignore for compliance purposes the actual energy savings that result from upgrading to higher efficiency light bulbs and fixtures. The statutory baseline is measured by a historical three-year average of energy sold by the EDU and the peak demand on the EDU. Improvements in lighting efficiency will assist the EDU in meeting the compliance requirement that is based on the historical average. But the ELPC and OEC Initial Brief urges the Commission to deny incentives based upon the argument that a “new baseline,”²¹ (based upon the assumed use of Standard T-8 fixtures) rather than the statutorily defined baseline should apply. Their recommendation is another attack on the as-found method for measuring energy efficiency.

Eliminating incentives associated with T-8 lighting will fail to capture the energy savings opportunities that presently exist at a point in time when these types of projects are low hanging fruit. Moreover, ignoring the savings associated with these measures will drive up the total cost of compliance. For these reasons, the Commission should reject the recommendations to limit incentives for T-8 lighting.

III. CONCLUSION

For the reasons stated herein, the Commission should modify and approve FirstEnergy’s Portfolio Plan subject to granting the relief requested in IEU-Ohio’s Post-Hearing Brief.

²¹ None of the parties urging that the Commission deny the use of incentives propose to adjust the historical averages, yet they would deny incentives on the assumption that the lighting is the “new baseline.”

Respectfully submitted,

/s/ Joseph E. Olikier

Samuel C. Randazzo (Counsel of Record)

Frank P. Darr

Joseph E. Olikier

Matthew R. Pritchard

MCNEES WALLACE & NURICK LLC

21 East State Street, 17TH Floor

Columbus, OH 43215

Telephone: (614) 469-8000

Telecopier: (614) 469-4653

sam@mwncmh.com

fdarr@mwncmh.com

joliker@mwncmh.com

mpritchard@mwncmh.com

Attorneys for Industrial Energy Users-Ohio

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing *Reply Brief of Industrial Energy Users-Ohio*, was served upon the following parties of record this 30th day of November, 2012 via hand-delivery, electronic transmission, or first class mail, U.S. postage prepaid.

/s/ Joseph E. Olier

Joseph E. Olier

Kathy J. Kolich (Counsel of Record)
Carrie M. Dunn
First Energy Service Company
76 South Main Street
Akron, OH 44308
kjkolich@firstenergycorp.com
edunn@firstenergycorp.com

Richard L. Sites
General Counsel & Senior Director of
Health Policy
Ohio Hospital Association
155 East Broad Street, 15th Floor
Columbus, OH 43215-3620
ricks@ohanet.org

James F. Lang
Calfee, Halter & Griswold LLP
The Calfee Building
1405 East 6th Street
Cleveland, OH 44114
jlang@calfee.com

ON BEHALF OF THE OHIO HOSPITAL ASSOCIATION

J. Thomas Siwo
Thomas J. O'Brien
Bricker & Eckler, LLP
100 South Third Street
Columbus, OH 43215-4291
tobrien@bricker.com
tsiwo@bricker.com

ATTORNEYS FOR OHIO EDISON COMPANY, THE CLEVELAND ELECTRIC COMPANY, AND THE TOLEDO EDISON COMPANY

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

ON BEHALF OF OHIO PARTNERS FOR AFFORDABLE ENERGY

ON BEHALF OF THE OHIO HOSPITAL ASSOCIATION AND THE OMA ENERGY GROUP

Todd M. Williams (Counsel of Record)
Williams Allwein and Moser, LLC
Two Maritime Plaza, Third Floor
Toledo, OH 43604
toddm@wamenergylaw.com

ON BEHALF OF ADVANCED ENERGY ECONOMY OHIO

Christopher J. Allwein
Williams Allwein and Moser, LLC
1371 Grandview Ave., Suite 212
Columbus, OH 43212
callwein@wamenergylaw.com

Manuel Somoza
Sierra Club
Environmental Law Program
85 Second Street, Second Floor
San Francisco, CA 94105-3459
manuel.somoza@sierraclub.org

Rebecca J. Riley
Natural Resources Defense Council
2 N. Riverside Plaza, Suite 2250
Chicago, IL 60606
rriley@nrdc.org

**ON BEHALF OF THE SIERRA CLUB AND THE
NATURAL RESOURCES DEFENSE COUNCIL**

Michael L. Kurtz
Kurt J. Boehm
Jody M. Kyler
Boehm, Kurtz & Lowry
36 East Seventh Street, Suite 1510
Cincinnati, OH 45202
mkurtz@BKLawfirm.com
kboehm@BKLawfirm.com
jkyler@BKLawfirm.com

ON BEHALF OF THE OHIO ENERGY GROUP

Gregory J. Poulos
EnerNOC, Inc.
471 East Broad Street, Suite 1520
Columbus, OH 43215
gpoulos@enernoc.com

ON BEHALF OF ENERNOC, INC.

Justin Vickers
Robert Kelter
Environmental Law & Policy Center
35 East Wacker Drive, Suite 1600
Chicago, IL 60601-2110
jvickers@elpc.org
rkelter@elpc.org

Nicholas McDaniel
Trent A. Dougherty
Environmental Law & Policy Center
1207 Grandview Avenue, Suite 201
Columbus, OH 43212
nmcDaniel@elpc.org
trent@theoec.org

**ON BEHALF OF THE ENVIRONMENTAL LAW
& POLICY CENTER AND OHIO
ENVIRONMENTAL COUNCIL**

Bruce J. Weston
Ohio Consumers' Counsel

Kyle L. Kern
Assistant Consumers' Counsel
10 West Broad Street, Suite 1800
Columbus, OH 43215-3485
kern@occ.state.oh.us

**ON BEHALF OF THE OFFICE OF THE OHIO
CONSUMERS' COUNSEL**

Theodore S. Robinson
Citizen Power
2121 Murray Ave.
Pittsburgh, PA 15217
robinson@citizenpower.com

ON BEHALF OF CITIZEN POWER

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

**ON BEHALF OF NUCOR STEEL MARION,
INC.**

Glenn S. Krassen
Bricker & Eckler LLP
1001 Lakeside Avenue East, Suite 1350
Cleveland, OH 44114
gkrassen@bricker.com

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

**ON BEHALF OF NORTHEAST OHIO PUBLIC
ENERGY COUNCIL**

William Wright
Devin Parram
Attorney General's Office
Public Utilities Commission of Ohio
180 East Broad St., 6th Floor
Columbus, OH 43215
william.wright@puc.state.oh.us
devin.parram@puc.state.oh.us

**ON BEHALF OF THE PUBLIC UTILITIES
COMMISSION OF OHIO**

Gregory Price
Mandy Willey Chiles
Attorney Examiners
Public Utilities Commission of Ohio
180 East Broad Street
Columbus, OH 43215
gregory.price@puc.state.oh.us
mandy.willey@puc.state.oh.us

ATTORNEY EXAMINERS

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

11/30/2012 4:54:09 PM

in

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

Summary: Reply Brief of Industrial Energy Users-Ohio electronically filed by Mr. Joseph E. Oliker on behalf of Industrial Energy Users-Ohio