

BEFORE THE
PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of Ohio)	
Edison Company, The Cleveland Electric)	
Illuminating Company, and The Toledo)	Case Nos. 09-1947-EL-POR
Edison Company For Approval of Their)	09-1948-EL-POR
Energy Efficiency and Peak Demand)	09-1949-EL-POR
Reduction Program Portfolio Plans for 2010)	
through 2012 and Associated Cost Recovery)	
Mechanism)	

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

MOTION OF OHIO EDISON COMPANY,
THE CLEVELAND ELECTRIC ILLUMINATING COMPANY,
AND THE TOLEDO EDISON COMPANY
TO EXTEND THEIR EXISTING ENERGY EFFICIENCY AND PEAK DEMAND
REDUCTION PROGRAM PORTFOLIO PLANS INTO 2013
AND
REQUEST FOR EXPEDITED RULING

Ohio Edison Company, The Cleveland Electric Illuminating Company and The Toledo Edison Company (collectively, “Companies”) respectfully ask that the Commission issue an order continuing the Companies’ existing Energy Efficiency (“EE”) and Peak Demand Reduction (“PDR”) Portfolio Plans with associated cost recovery approved in Case Nos. 09-1947-EL-POR et al. (the “Existing Plans”) for expenses committed or incurred consistent with Rider DSE provisions until such time as the Commission approves, or modifies and approves, the Companies’ proposed EE/PDR Portfolio Plans in Case Nos. 12-2190-EL-POR et al. (the “Proposed Plans”). In particular, the Companies seek authorization to commit and/or incur

EE/PDR expenses in 2013 that are incremental to the budgets authorized with the Existing Plans, up to the budget level designated as Program Year 2012 by customer sector as shown in the Existing Plans, Appendix C-3, PUCO Table 3 (Summary of Portfolio Costs).

For the reasons set forth in the attached Memorandum in Support, the Existing Plans should be authorized to continue in full force and operation until replaced by the Proposed Plans as approved by the Commission. Due to the fact that clarity is important for program administrators and customers regarding the continuation of the Existing Plans into 2013, the Companies request an expedited ruling prior to year-end on this Motion pursuant to O.A.C. 4901-1-12(C). No party has objected to this request.

Respectfully submitted,

/s/ Kathy J. Kolich

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THE TOLEDO EDISON COMPANY

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MEMORANDUM IN SUPPORT OF MOTION OF OHIO EDISON COMPANY,
THE CLEVELAND ELECTRIC ILLUMINATING COMPANY,
AND THE TOLEDO EDISON COMPANY
TO EXTEND THEIR EXISTING ENERGY EFFICIENCY AND PEAK DEMAND
REDUCTION PROGRAM PORTFOLIO PLANS INTO 2013
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The Commission approved the Companies' Existing Plans in Case No. 09-1947-EL-POR et al. (the "09-1947 Case") by Opinion and Order issued March 23, 2011.¹ On May 4, 2011, the Commission approved new tariffs to update the Companies' Rider DSE consistent with the March 23, 2011 Order. The Existing Plans were designed to meet the Companies' EE/PDR benchmarks for a three-year period – 2010 through 2012 – as required by O.A.C. 4901:1-39-04(A). On July 31, 2012, the Companies filed the Proposed Plans in Case No. 12-2190-EL-POR

¹ By Entry issued February 7, 2012, proceedings in the 09-1947 Case were stayed indefinitely pending further action of the Commission.

et al. (the “12-2190 Case”) to satisfy the EE/PDR benchmarks for the next three-year period – 2013 through 2015.² Given the scheduled increase in the cumulative benchmarks for 2013 (and additional increases in 2014 and 2015), the Companies have asked in the 12-2190 Case that the Commission issue a decision on the Proposed Plans by mid-December 2012.³ Approval of the Proposed Plans in an expeditious manner is imperative so that the Companies may begin implementation of the new programs proposed therein.

However, should the Commission not address the Proposed Plans before the end of this year, the Companies ask that the Commission issue an order continuing the Existing Plans with associated cost recovery for expenses committed or incurred consistent with Rider DSE provisions, including a true up to actual costs, until such time as the Commission issues an order approving the Proposed Plans.⁴ As stated in the Motion, budgets for this interim period in 2013 would be incremental to 2012 budgets, but constrained by the 2012 budget levels. For example, the 2012 Residential Portfolio Annual Budget of \$4,323,228 for Toledo Edison would renew at the same level for 2013, pending approval of the Proposed Plans. Without such a short-term order, significant confusion in the market place is possible, as plan administrators and customers alike will be unsure of what programs and incentives are available to support EE/PDR projects. Moreover, if the Companies must suspend certain programs, this will create additional administrative costs both to suspend those programs and to re-start them once the Proposed Plans

² Although OAC 4901:1-39-04(A) established a deadline for filing the Proposed Plans of April 15, 2013, the Commission ordered the Companies to move up the date for filing the Proposed Plans to no later than July 31, 2012. *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, Entry at 3-4 (Feb. 9, 2012).

³ See Post-Hearing Brief of the Companies in the 12-2190 Case, p. 48 (filed Nov. 20, 2012).

⁴ The DSE2 charges that will become effective January 1, 2013, were filed on December 3, 2012 in Case No. 12-2978-EL-RDR. Nothing in the Motion is intended to modify those rider charges.

are approved and will make more difficult or impossible attainment of the 2013 benchmarks. Finally, any significant delay in the approval of the Proposed Plans could jeopardize contracts with existing and potential contractors and program administrators and could adversely affect the Companies' ability to prepare for participation in the PJM auctions to be held in February (Interim auction) and May 2013 (base residual auction), should the Commission modify the Companies' bidding strategy in its Order. As presented in the 12-2190 Case, the Proposed Plans include virtually all of the components reflected in the Existing Plans. Therefore, the Commission should approve continuation of existing EE/PDR programs and authorize recovery of expenses committed or incurred.⁵

Importantly, the Proposed Plans generally are an expansion of the successful elements currently included in the Existing Plans.⁶ Thus, continuing the Existing Plans for a short period of time while the Proposed Plans are under consideration will allow the Companies to start their 2013-15 compliance efforts using a material portion, albeit not all, of the programs that have been designed to achieve 2013-15 compliance.

Even with the granting of this Motion, the Companies would again ask that the Commission approve the Proposed Plans as soon as possible so that the concerns raised above can be avoided and the new programs and measures in the Proposed Plans also may be

⁵ Authorized expenses are recovered through the DSE2 charge in Rider DSE. As stated in Rider DSE, the DSE2 charges "shall be updated semi-annually. No later than December 1st and June 1st of each year, the Company shall file with the PUCO a request for approval of the [sic] these charges which, unless otherwise ordered by the PUCO, shall become effective on a service rendered basis on January 1st and July 1st of each year, beginning with the January 1, 2010 effective date. The deferred balance at April 30th and at October 31st of each year, utilizing a three year amortization schedule, will be used to calculate the semi-annual charges. This rider shall be in effect until all costs are fully recovered." The DSE2 charges that will become effective January 1, 2013, were filed on December 3, 2012 in Case No. 12-2978-EL-RDR .

⁶ See Proposed Plans, § 1.1 and Table 4 (showing existing and new program names).

implemented in a timely and effective manner. The Companies are highly desirous of avoiding the delays in implementation that occurred in 2010 and part of 2011. The Companies have discussed this motion with its Collaborative and no member objects to the request being made herein.

The Companies ask for expedited approval of this Motion pursuant to O.A.C. 4901-1-12(C) so that a decision is obtained on or before December 12, 2012. The Companies have asked all Intervenors and Staff whether they object to this request, and no party has objected.

Respectfully submitted,

/s/ Kathy J. Kolich

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Counsel of Record

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CERTIFICATE OF SERVICE

I hereby certify that this **Motion** was filed electronically this 7th day of December, 2012, with the Public Utilities Commission of Ohio Docketing Information System. Notice of this filing will be sent via e-mail to the list below.

/s/ James F. Lang
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Summary: Motion to Extend Existing Energy Efficiency and Peak Demand Reduction Program Portfolio Plans Into 2013 and Request for Expedited Ruling electronically filed by Mr. James F Lang on behalf of Ohio Edison Company and The Cleveland Electric Illuminating Company and The Toledo Edison Company