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January 21, 2013

ATTN: IAD
Public Utilities Commission of Ohio
180 East Broad Street
Columbus, Ohio 43215-3793

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PUCO

**Re: In the Matter of the Commission's Review of Chapter 4901:1-41, Ohio
Adm.Code Regarding Greenhouse Gas Reporting and Carbon Dioxide
Control Planning, Case No. 12-3160-EL-ORD
Our File No. 043590**

To Whom It May Concern:

The Ohio Utility Group, which includes Buckeye Power, Inc., The Dayton Power and Light Company, Duke Energy Ohio, FirstEnergy, Ohio Power Company (a unit of AEP), and Ohio Valley Electric Corporation (the "Utilities"), recommend that this Commission RESCIND Ohio Administrative Code Chapter 4901:1-41 for the following reasons.

First, the rules require the Utilities to join The Climate Registry. The Climate Registry is a organization with declining membership. A review of its website also reveals that many members have not reported consistently since the inception of the program.

Second, the Utilities report Greenhouse Gases to U.S. EPA—U.S. EPA has robust reporting requirements and reporting to the Climate Registry and this Commission is duplicative and creates unnecessary paperwork.

Third, the rules require the Utilities to submit a control plan for resource planning to this Commission. Again, this requires duplicative and unnecessary paperwork because the Utilities

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already submit a resource plan as part of its long-term forecast report. Two of the requirements in this report address (1) research and development of alternative energy resources and (2) "the impact of environmental regulations on generating capacity, cost, and reliability." Ohio Adm.Code 4901:5-5-06. Thus, the Ohio Utility Group questions the necessity of this requirement.

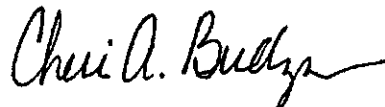
Finally, the Ohio Utility Group questions whether this Commission uses or analyzes the greenhouse gas reports. If the Commission does not have any use for these data, then these reports are unnecessary.

Given that U.S. EPA already requires emissions reporting and given that the Utilities already submit a resource planning report to this Commission, the Ohio Utility Group finds these rules unnecessary.

In the alternative, the Ohio Utility Group understands that this Commission is required by statute to promulgate rules regarding greenhouse gas reporting. If this Commission feels bound to promulgate rules, the Ohio Utility Group recommends that this Commission AMEND the rules. The amended rules should recognize that the reporting requirements are satisfied by the Utilities' reports on greenhouse gas emission submitted to U.S. EPA. Further, the amended rules should recognize that the resource plan that is part of the long-term forecast report satisfies the requirement for the submission of a control plan for resource planning.

If you have any questions, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in black ink, reading "Cheri A. Budzynski". The signature is fluid and cursive, with a long horizontal stroke at the end.

Cheri A. Budzynski

CAB\bd