

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of General)
Mills for Integration of Mercantile) Case No. 13-1192-EL-EEC
Customer Energy Efficiency or Peak-)
Demand Reduction Programs.)

ENTRY

The Commission finds:

- (1) R.C. 4928.01(A)(19) defines a mercantile customer as a commercial or industrial customer that consumes more than 700,000 kilowatt hours of electricity per year or that is part of a national account involving multiple facilities in one or more states. R.C. 4928.66 imposes certain energy efficiency and peak demand reduction (EEDR) requirements upon Ohio's electric distribution utilities, but allows mercantile customers to commit their EEDR programs for integration with an electric utility's programs in order to meet the statutory requirements.
- (2) Ohio Admin.Code 4901:1-39-05(G) permits a mercantile customer to file, either individually or jointly with an electric utility, an energy efficiency commitment (EEC) application to commit the customer's EEDR programs for integration with the electric utility's programs, pursuant to R.C. 4928.66, in order to meet the utility's statutory requirements.
- (3) On September 15, 2010, the Commission issued an entry in Case No. 10-834-EL-EEC, *In re Mercantile Customer Pilot Program*, instituting a pilot program (EEC Pilot Program) to expedite the approval process for applications filed by mercantile customers under Ohio Admin.Code 4901:1-39-05(G). The EEC Pilot Program developed a standardized application template that is deemed to be approved 60 days after filing, unless suspended or otherwise ordered by the Commission or an attorney examiner. In subsequent entries in Case No. 10-834-EL-EEC, the Commission adopted certain modifications to the template, and expanded the automatic approval process to include applications requesting a cash rebate or commitment payment, or an exemption, subject to periodic review, from the electric utility's EEDR rider. On July 17, 2013, the Commission issued an order in Case No. 10-834-EL-EEC to permanently

adopt the EEC Pilot Program and incorporate its provisions into Ohio Adm.Code Chapter 4901:1-39 in Case No. 13-651-EL-ORD.

- (4) On May 14, 2013, this application was filed by Robert Rogan, Project Engineer, on behalf of General Mills (Customer) pursuant to Ohio Adm.Code 4901:1-39-05(G), and the EEC Pilot Program. This application appears to have been filed solely by the Customer without the involvement of General Mills' distribution utility, Duke Energy Ohio, Inc. (Duke). The application seeks an exemption from Duke's EEDR rider for upgrades to the chilled water system controls and HVAC equipment installed within the past two years at the General Mills facility in Cincinnati, Ohio. An amended application was filed on June 4, 2013.
- (5) On June 25, 2013, the attorney examiner issued an entry suspending the 60-day automatic approval process under the EEC Pilot Program at Staff's request to further review this application.
- (6) On November 5, 2013, Staff filed a case status report that listed the timing of various case related activities and established an additional 60-day time period for General Mills to provide Staff with information that it needed to proceed with its review.
- (7) On November 12, 2013, the Customer again filed the amended application without any apparent modification.
- (8) On December 23, 2013, Staff filed a recommendation that this application be dismissed as the Customer has failed to comply with Staff's requests to provide additional information.
- (9) Upon review of the application, as amended, and supporting documentation, and Staff's recommendations, the Commission finds that this application should be dismissed without prejudice.

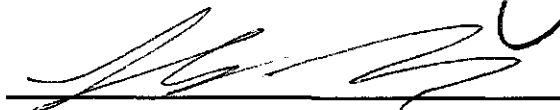
It is, therefore,

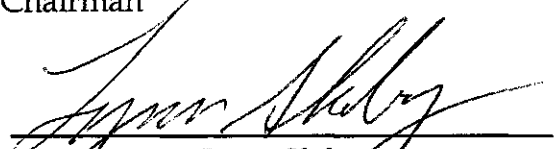
ORDERED, That the application be dismissed. It is, further,

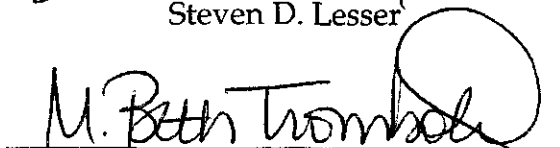
ORDERED, That a copy of this entry be served upon all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO


Todd A. Snitchler, Chairman


Steven D. Lesser


Lynn Slaby


M. Beth Trombold


Asim Z. Haque

RMB/vrm

Entered in the Journal
JAN 22 2014



Barcy F. McNeal
Secretary