

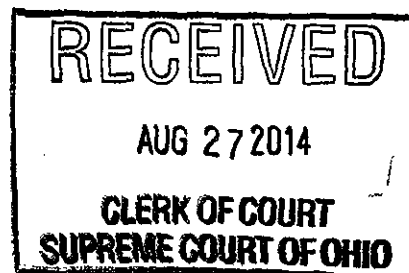
Appellee.

**Supreme Court No. 14-1290**

**Being Before**  
**THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the matter of the Commission's  
Review of Chapter 4901:1-10, Ohio  
Administrative Code regarding  
Electric companies.

**Case No. 12-2050-EL-ORD**



## INDEX AND DOCKET ENTRIES

## ICN

<u>7/11/2012</u>	In the Matter of the Commission's Review of Chapter 4901:1-10, Ohio Administrative Code, Regarding Electric Companies.	1
<u>7/16/2012</u>	Entry ordering in accordance with Finding (6), a workshop be scheduled for August 17, 2012, at 10:00 a.m., at the offices of the Commission, 180 East Broad Street, Hearing Room 11-B, Columbus, Ohio 43215. (BAM)	2
<u>8/1/2012</u>	Attorney Examiner Entry scheduling a workshop for August 31, 2012 at 10:00 a.m. at the offices of the Commission, 180 East Broad Street, Hearing Room 11-B, Columbus, Ohio. - electronically filed by Ms. Sandra M. Coffey on behalf of Bryce McKenney, Attorney Examiner, Public Utilities Commission of Ohio.	3
<u>9/26/2012</u>	Public comments suggesting net metering to engage and engage a much greater number of community commercial and residential consumers in renewable energy filed by J. Nice.	Corres.
<u>11/7/2012</u>	Entry ordering that all interested persons shall have until January 7, 2013, to file comments to the proposed rule changes and until February 6, 2013, to file reply comments in accordance with finding (14).	4
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<u>1/7/2013</u>	Joint comments of the Environmental Law & Policy Center, Sierra Club, Ohio Environmental Council, Solar Energy Industries Association, and Vote Solar Initiative electronically filed by Mr. Nicholas A. McDaniel on behalf of Environmental Law and Policy Center and Ohio Environmental Council and Sierra Club and Vote Solar Initiative and Solar Energy Industries Association.	10
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<u>1/7/2013</u>	Initial Comments of Duke Energy Retail Sales, LLC electronically filed by Carys Cochern on behalf of Kingery, Jeanne W Ms.	12
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<u>1/7/2013</u>	Comments of The Dayton Power and Light Company electronically filed by Mr. Robert J Adams on behalf of The Dayton Power and Light Company.	14
<u>1/7/2013</u>	Comments Regarding Environmental Disclosure, Section 4901:1-10-31 electronically filed by Mr. Nathan G. Johnson on behalf of Buckeye Forest Council and The Ohio Environmental Council.	15
<u>1/7/2013</u>	Comments filed by Metro CD Engineering electronically filed by Mr. Scotte Elliott on behalf of Metro CD Engineering, LLC.	16

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<u>1/7/2013</u>	Comments of the OMA Energy Group electronically filed by Teresa Orahod on behalf of OMA Energy Group.	22
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<u>1/7/2013</u>	Comments of The Ohio Hospital Association electronically filed by Teresa Orahod on behalf of Ohio Hospital Association.	24
<u>1/7/2013</u>	Comments of Interstate Gas Supply, Inc and Hull & Associates, Inc. electronically filed by Mr. Matthew White on behalf of Hull & Associates & IGS Energy.	25
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<u>1/9/2013</u>	Public comment in support of the educational initiative of Conserve First LLC filed by J. Scudder.	Corres.
<u>1/9/2013</u>	Public comment in support of the wind turbine project filed by A. Godwin.	Corres.
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<u>2/6/2013</u>	Reply Comments electronically filed by M HOWARD PETRICOFF on behalf of Retail Energy Supply Association.	28
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<u>2/6/2013</u>	Reply Comments of the Environmental Law & Policy Center, Sierra Club, Ohio Environmental Council, Solar Energy Industries Association, and Vote Solar Initiative electronically filed by Mr. Nicholas A. McDaniel on behalf of Environmental Law and Policy Center and Sierra Club and Ohio Environmental Council and Solar Energy Industries Association and Vote Solar Initiative.	34
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<u>7/10/2013</u>	Entry ordered that all interested persons shall have until August 6, 2013, to file supplemental comments on the proposed additional amendments and revised BIA and until August 16, 2013, to file reply comments in accordance with Finding (4).	42
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<u>8/6/2013</u>	Initial Supplemental Comments of Ohio Power Company electronically filed by Mr. Steven T Nourse on behalf of Ohio Power Company.	43
<u>8/6/2013</u>	Supplemental Comments of the Dayton Power and Light Company electronically filed by Mr. Robert J Adams on behalf of The Dayton Power and Light Company.	44
<u>8/6/2013</u>	Comments of Interstate Gas Supply, Inc electronically filed by Mr. Matthew White on behalf of IGS Energy.	45
<u>8/6/2013</u>	Public comments in opposed to the smart meters filed by concern consumers.	Corres.
<u>8/6/2013</u>	Comments to proposed amendments to Rules 4901:1-10-01 and 4901:1-10-05, O.A.C. electronically filed by Ms. Carrie M Dunn on behalf of Ohio Edison Company and The Toledo Edison Company and The Cleveland Electric Illuminating Company.	46
<u>8/6/2013</u>	Comments of Duke Energy Ohio, Inc. electronically filed by Carys Cochern on behalf of Watts, Elizabeth H. Ms.	47
<u>8/6/2013</u>	Supplemental Comments by the Office of the Ohio Consumers' Counsel electronically filed by Ms. Deb J. Bingham on behalf of Yost, Melissa R. Ms.	48

<u>8/6/2013</u>	Comments of Ohio Partners for Affordable Energy electronically filed by Colleen L Mooney on behalf of Ohio Partners for Affordable Energy.	49
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<u>8/9/2013</u>	Public comment in opposed to the Proposed Smart Meter filed by Wayne Herrod.	Corres.
<u>8/12/2013</u>	Public comment in opposition to "Smart Meters" filed by consumer, Susan Gates.	Corres.
<u>8/13/2013</u>	Public comments in opposition to smart meters filed by various consumers. (total 5)	Corres.
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<u>8/16/2013</u>	Reply comments electronically filed by Mr. Matthew J. Satterwhite on behalf of Ohio Power Company.	51
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<u>8/16/2013</u>	Supplemental reply comments of the Dayton Power and Light Company electronically filed by Mr. Robert J. Adams on behalf of The Dayton Power and Light Company.	56
<u>8/20/2013</u>	Public comment concerning the allowance of customers to opt-out for smart metering filed on behalf of concerned consumer, S. Payson.	Corres.
<u>9/19/2013</u>	Public comment in opposition to the proposed "Smart Meter" filed by John Roller.	Corres.
<u>10/7/2013</u>	Notice of withdrawal of Counsel electronically filed by Ms. Cathryn N. Loucas on behalf of The Ohio Environmental Council.	57
<u>10/7/2013</u>	Public comment in opposition to the proposed "Smart Meter" filed by Carlos Jordan.	Corres.
<u>10/15/2013</u>	Notice of substitution of Counsel electronically filed by Mrs. Kimberly W. Bojko on behalf of Ohio Manufacturers' Association.	58
<u>10/15/2013</u>	Notice of withdrawal electronically filed by Teresa Orahod on behalf of J. Thomas Siwo, Bricker & Eckler LLP.	59
<u>10/16/2013</u>	Finding and order stating that Rules 4901:1-10-01 and 4901:1-10-05, O.A.C, as modified herein, are adopted; Rules 4901:1-10-01 and 4901:10-05, O.A.C, be filed with the Joint Committee on Agency Rule Review, the Secretary of State, and the Legislative Service Commission; that the rules be effective on the earliest date permitted by law.	60
<u>11/14/2013</u>	Application for Rehearing of Duke Energy Ohio, Inc filed by Elizabeth H. Watts on behalf of Duke Energy Ohio, Inc.	61

<u>11/15/2013</u>	Application For Rehearing electronically filed by Ms. Kathy J Kolich on behalf of Ohio Edison Company and The Cleveland Electric Illuminating Company and The Toledo Edison Company.	62
<u>11/18/2013</u>	Application for Rehearing and memorandum in support of the Dayton Power and Light Company electronically filed by Mr. Robert J Adams on behalf of The Dayton Power and Light Company.	63
<u>11/25/2013</u>	Memorandum Contra Application for Rehearing of Duke Energy electronically filed by Ms. Kathy J Kolich on behalf of Ohio Edison Company and The Cleveland Electric Illuminating Company and The Toledo Edison Company.	64
<u>11/25/2013</u>	Memorandum Contra Applications for Rehearing of FirstEnergy and Duke Energy Ohio by the Office of the Ohio Consumers' Counsel electronically filed by Ms. Deb J. Bingham on behalf of Yost, Melissa R. Ms.	65
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<u>12/11/2013</u>	Entry on rehearing granting the applications filed by Duke, FirstEnergy, and DP&L.	67
<u>12/11/2013</u>	Public comment in opposition to the proposed "Smart Meter" filed by Mr. Marc Sanzotta.	68
<u>12/18/2013</u>	Entry on rehearing stating that the applications for rehearing filed by Duke, FirstEnergy, and DP&L be granted, in part, and denied, in part, as set forth above.	70
<u>1/2/2014</u>	Public comment in opposition to the proposed "Smart Meter" filed by Ms. Barbara Downey.	Corres.

<u>1/8/2014</u>	Public comment in opposition to the proposed "Smart Meter" filed by Joe Blow.	Corres.
<u>1/15/2014</u>	Finding and order that attached amended Ohio Adm.Code 4901:1-10-01, 4901:1-10-04 through 4901:1-10-07, 4901:1-10-09 through 4901:1-10-12, 4901:1-10-14, 4901:1-10-17, 4901:1-10-19,4901:1-10-20, 4901:1-10-22 through 4901:1-10-29,4901:1-10-31, 4901:1-10-33, and 4901:1-10-34 be adopted. It is, further ORDERED, That existing Ohio Adm.Code 4901:1-10-02, 4901:1-10-03, 4901:1-10-08,4901:1-10-13, 4901:1-10-15, 4901:1-10-16, 4901:1-10-18, 4901:1-10-21, 4901:1-10-30, and 4901:1-10-32 be adopted with no changes. It is, further ORDERED, That the adopted rules be filed with the Joint Committee on Agency Rule Review, the Secretary of State, and the Legislative Service Commission, in accordance with Divisions (D) and (E) of R.C. 111.15. It is, further.ORDERED, the final rules be effective on the earliest date permitted.	69
<u>1/21/2014</u>	Public comment regarding smart meters filed by consumer, Alan Blaha.	Corres.
<u>2/14/2014</u>	Application for Rehearing and memorandum in support electronically filed by Mr. Matthew White on behalf of IGS Energy.	70
<u>2/14/2014</u>	Application for Rehearing and memorandum in support electronically filed by Ms. Carrie M Dunn on behalf of Ohio Edison Company and The Toledo Edison Company and The Cleveland Electric Illuminating Company.	71
<u>2/14/2014</u>	Application for Rehearing and memorandum in support electronically filed by Mr. Steven T Nourse on behalf of Ohio Power Company.	72
<u>2/14/2014</u>	Application for Rehearing and memorandum in support of Duke Energy Ohio, Inc. electronically filed by Dianne Kuhnell on behalf of Duke Energy Ohio, Inc. and Watts, Elizabeth H. and Spiller, Amy B.	73

<u>2/14/2014</u>	Application for Rehearing and Memorandum in Support electronically filed by Eric R Brown on behalf of The Dayton Power and Light Company.	74
<u>2/14/2014</u>	Application for Rehearing of The Ohio Hospital Association electronically filed by Teresa Orahood on behalf of Thomas O'Brien.	75
<u>2/14/2014</u>	Application for Rehearing and Memorandum in Support electronically filed by JOSEPH CLARK on behalf of Direct Energy Services, LLC and Direct Energy Business, LLC.	76
<u>2/19/2014</u>	Motion for an Extension of Time to File Memorandum Contra Applications for Rehearing and Request for Expedited Ruling by the Office of the Ohio Consumers' Counsel and memorandum in support electronically filed by Ms. Deb J. Bingham on behalf of Yost, Melissa R. Ms.	77
<u>2/19/2014</u>	Letter supporting application for rehearing filed by T. Drake on behalf of WW Williams.	78
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<u>2/24/2014</u>	Memorandum Contra Applications for Rehearing filed by The Ohio Hospital Association, Interstate Gas Services, Inc., Ohio Power Company and The Dayton Power and Light Company electronically filed by Ms. Carrie M Dunn on behalf of The Cleveland Electric Illuminating Company and The Toledo Edison Company and Ohio Edison Company.	80
<u>2/24/2014</u>	Memorandum contra application for Rehearing electronically filed by Mr. Matthew White on behalf of IGS Energy.	81

<u>2/24/2014</u>	Memorandum Contra of Direct Energy electronically filed by Ms. Marissa J. Bach on behalf of Clark, Joseph Mr.	82
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<u>3/12/2014</u>	Public comment in opposition of H.R. 2685 filed on behalf of concerned consumer, Beverly Pennington.	Corres.
<u>3/12/2014</u>	Entry that the applications for rehearing be granted for further consideration of the matters specified in the applications for rehearing.	85
<u>4/1/2014</u>	Public comment regarding smart meter installation filed by K. Beeson.	Corres.
<u>5/28/2014</u>	Entry ordering the applications for rehearing filed by DP&L, FirstEnergy, Duke, Ohio Power, Direct Energy, and IGS are granted in part and denied in part; the application for rehearing filed by OHA is denied; the attached amended Ohio Adm.Code be adopted.	86
<u>6/3/2014</u>	Motion for a Waiver of Rules 4901:1-10-05(J)(1), (J)(5)(a) and (J)(5)(b) electronically filed by Ms. Kathy J Kolich on behalf of Ohio Edison Company and The Cleveland Electric Illuminating Company and The Toledo Edison Company.	87
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<u>6/27/2014</u>	Notice of Intent to file tariff upon implementation of an Advanced Metering Infrastructure Plan electronically filed by Mr. Robert J. Adams on behalf of The Dayton Power and Light Company.	89
<u>6/27/2014</u>	Application for Rehearing of Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company electronically filed by Mr. Robert M. Endris on behalf of Burk, James W. Mr.	90
<u>7/7/2014</u>	Memorandum Contra Application for Rehearing Ohio Edison Company, The Cleveland Electric Illuminating Company, and the Toledo Edison Company electronically filed by Mr. Joseph E. Olier on behalf of IGS Energy.	91
<u>7/23/2014</u>	Notice of Withdrawal of Counsel electronically filed by Mr. Nicholas A. McDaniel on behalf of Environmental Law and Policy Center.	92
<u>7/23/2014</u>	Third Entry on Rehearing stating that the application for rehearing filed by FirstEnergy is denied, in accordance with findings (8) and (19).	93
<u>7/28/2014</u>	Notice of Appeal of Ohio Power Company, Supreme Court Case # 14-1290, filed by S. Nourse.	94

**Before  
THE SUPREME COURT OF OHIO**

# Ohio Power Company

Appellant,

VS

Ohio Power Siting Board

Appellee.

**Supreme Court No. 14-1290**

**Being Before**  
**THE PUBLIC UTILITIES COMMISSION OF OHIO**

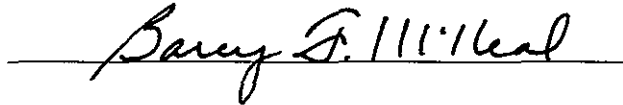
In the matter of the Commission's  
Review of Chapter 4901:1-10, Ohio  
Administrative Code regarding  
Electric companies.

**Case No. 12-2050-EL-ORD**

## C E R T I F I C A T I O N

I, Barcy F. McNeal, the duly appointed and qualified Secretary of The Public Utilities Commission of Ohio, in whose custody the books, records, and files of said Commission are kept, do hereby certify there is transmitted herewith the docket entries of the Commission, ICN No. 1-94, the **Finding and Order dated 1/15/2013** and the **Entry on Rehearing dated 3/12/2014, Second Entry on Rehearing dated 5/28/2014 and Third Entry on Rehearing dated 7/23/2014** inclusive; and the Certification of the record in Case No. 12-2050-EL-ORD.

IN WITNESS THEREOF, I have thereunto set my hand  
and affixed the official seal of The Public Utilities Commission  
of Ohio this 27<sup>th</sup> day of AUGUST, 2014.

A handwritten signature in cursive script, reading "Barcy F. McNeal", is written over a horizontal line.

Barcy F. McNeal, Secretary  
Tanowa Troupe, Acting Secretary  
Felecia D. Burdett, Acting Secretary

THE PUBLIC UTILITIES COMMISSION OF OHIO