

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of Notice of Compliance by : Case No. 14-1286-EL-ACP
Ohio Edison Company, The Cleveland :
Electric Illuminating Company and The :
Toledo Edison Company with the :
Electric Security :
Plan.

**INITIAL COMMENTS
SUBMITTED ON BEHALF OF THE STAFF OF
THE PUBLIC UTILITIES COMMISSION OF OHIO**

INTRODUCTION

On July 25, 2014, Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company (collectively, the Companies) filed a “notice of compliance” providing that a ten-year request for proposal (RFP) to purchase renewable energy credits (RECs) will not be held for the period of 2015 through 2024 in accordance with the Stipulation approved by the Commission in Case No. 12-1230-EL-SSO.

Staff offers the following comments in response to the Companies’ filing.

DISCUSSION

A. Regulatory Background

The Stipulation (stipulation) in Case No. 12-1230-EL-SSO included the potential for two additional RFPs for long-term delivery of solar resources as a means of continuing the commitment from Case No. 10-0388-EL-SSO.¹

Included within the stipulation was language that conditioned the issuance of RFPs for solar REC delivery beginning in 2015 and 2016 on the Companies' standard service offer (SSO) load. If the SSO load of the Companies is less than 15,000,000 megawatt-hours (MWHs) as calculated by the formula provided in the stipulation, no additional solar RECs will be purchased that year.

Similar to the notice in this proceeding, the Companies previously filed notice that they would not be conducting two previous RFPs under the terms of Case No. 10-0388-EL-SSO.²

¹ *In the Matter of the Application for Authority to Provide for a Standard Service Offer Pursuant to R.C. 4928.143 in the Form of an Electric Security Plan*, Case No. 12-1230-EL-SSO (Stipulation at 15) (Apr. 13, 2012) ("Stipulation").

² *In the Matter of Notice of Compliance by Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company*, Case No. 12-2217-EL-ACP; *In the Matter of Notice of Compliance by Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company*, Case No. 13-1191-EL-ACP.

B. Companies' "Notice of Compliance" Summarized

The Companies' July 25th filing in this proceeding provides notice that the Companies do not intend to conduct an RFP for delivery beginning in 2015. They assert that the calculation of their SSO load, following the methodology in the stipulation, results in a total standard service offer load of less than 15,000,000 MWHs thus excusing them from the requirement of conducting this RFP for solar renewable energy credits. The Companies' filing included a table which showed the details of their calculation.

C. Staff Position

Staff reviewed the Companies' calculations, including the source materials for the data inputs. Staff also reviewed the terms of the stipulation, which indicate the following:

The standard service offer load of the Companies for the purpose of the thresholds set forth above is calculated by multiplying the Companies' prior year non-shopping percentage, as submitted by the Companies to Commission Staff in December of each year, by the Companies' long term forecast as filed with the Commission on April 15th for the year in which an RFP may occur.³

Staff confirmed that, using the forecasted sales for 2014 from Case No. 14-0625-EL-FOR and the switching data available on the PUCO website, the SSO load calculates to less than 15,000,000 MWHs. Staff's calculations used non-switching percentages slightly

³

Stipulation at 16.

different from that of the Companies, but the outcome did not differ significantly. Staff agrees with the Companies' conclusion that they are not required to conduct this RFP.

CONCLUSION

Staff request that the Commission find that the Companies are not required to conduct an RFP for delivery beginning in 2015.

Respectfully submitted,

Michael DeWine
Ohio Attorney General

William L. Wright
Section Chief

/s/ Devin D. Parram

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PROOF OF SERVICE

A true copy of the foregoing **Comments** was served via electronic mail, upon Carrie Dunn, counsel of record for the Companies, at cdunn@firstenergycorp.com, on the 10th day of September, 2014.

/s/ Devin D. Parram

Devin D. Parram

Assistant Attorney General

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

9/10/2014 1:58:40 PM

in

Case No(s). 14-1286-EL-ACP

Summary: Comments Initial Comments of Staff electronically filed by Mr. Devin D Parram on behalf of PUCO Staff