

**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. 12-2190-EL-POR
Edison Company for Approval of Their)	12-2191-EL-POR
Energy Efficiency and Peak Demand)	12-2192-EL-POR
Reduction Portfolio Plans for 2013)	
through 2015)	

**RENEWED MOTION AND MEMORANDUM REQUESTING A DETERMINATION
THAT COLLABORATIVE MATERIALS ARE NOT CONFIDENTIAL AND REQUEST
FOR AN EXPEDITED RULING BY THE ENVIRONMENTAL LAW AND POLICY
CENTER AND THE OHIO ENVIRONMENTAL COUNCIL**

On July 16, 2014, Environmental Law & Policy Center (“ELPC”) and the Ohio Environmental Council (“OEC”) filed a motion seeking a determination by the Public Utilities Commission of Ohio (“Commission” or “PUCO”) that they may disclose to the public certain information about energy efficiency programs and activities shared by Ohio Edison Company, the Cleveland Electric Illuminating Company, and the Toledo Edison Company (collectively “FirstEnergy” or “Companies”) as part of the energy efficiency collaborative process. ELPC and OEC also requested an expedited ruling on their motion within 21 days pursuant to Ohio Administrative Code § 4901-1-12(C).

More than 60 days have elapsed since the original motion was filed, and on September 16, 2014, FirstEnergy provided ELPC and OEC with yet another set of Collaborative materials regarding its energy efficiency programs that it asserts is confidential. Until the pending motion is decided, ELPC and OEC remain unable to use this information to educate the public and FirstEnergy’s own customers about key issues related to FirstEnergy’s energy efficiency programs. That capability is particularly important now, since FirstEnergy’s energy efficiency

programs may undergo significant changes in the near future due to recent legislation. Given this scenario, First Energy's customers have a right to the information regarding these programs.

Accordingly, ELPC and OEC respectfully request that the Commission rule on their July 16, 2014 motion and accompanying memorandum.

Respectfully submitted,

/s/ Robert Kelter

Robert Kelter
Environmental Law & Policy Center
35 East Wacker Drive, Suite 1600
Chicago, Illinois 60601
Telephone: 312-795-3724
Fax: 312-795-3730
E-mail: rkelter@elpc.org

*Attorney for the Environmental
Law & Policy Center*

/s/ Trent A. Dougherty

Trent A. Dougherty
Ohio Environmental Council
1207 Grandview Ave. Suite 201
Columbus OH 43212
Phone: 614-487-7506
Fax: 614-487-7510
Trent@theoec.org

Attorney for the Ohio Environmental Council

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing Motion, submitted on behalf of the Environmental Law & Policy Center and Ohio Environmental Council, was served by electronic mail upon the following Parties of Record on September 23, 2014.

/s/ Robert Kelter

Robert Kelter

Kathy J. Kolich
Carrie M. Dunn
Tamera J. Singleton
First Energy Service Company
76 South Main Street, 18th Floor
Akron, OH 44308
kjkolich@firstenergycorp.com
cdunn@firstenergycorp.com
tsingleton@firstenergycorp.com

Ohio Environmental Council
Trent A. Dougherty
1207 Grandview Ave., Ste. 201
Columbus, OH 43212
trent@theoec.org

Colleen Mooney
Ohio Partners for Affordable Energy
231 West Lima Street
Findlay, OH 45839-1793
Cmooney2@columbus.rr.com

Todd M. Williams
Williams Allwein and Moser, LLC
Two Maritime Plaza, Third Floor
Toledo, Ohio 43604
toddm@wamenergylaw.com

Teresa Orahod
Thomas J. O'Brien
Bricker & Eckler LLP
100 South Third Street
Columbus, OH 43215-4291
tobrien@bricker.com
torahood@bricker.com

Kyle L. Kern
Deb J. Bingham
Office of the Ohio Consumers' Counsel
10 West Broad Street, Suite 1800
Columbus, Ohio 43215-3485
kern@occ.state.oh.us
bingham@occ.state.oh.us

Richard L. Sites
Ohio Hospital Association
155 East Broad Street, 15th Floor
Columbus, OH 43215-3620
ricks@ohanet.org

Robert A Brundrett
Ohio Manufacturers' Association
33 N High St, 6 floor
Columbus OH 43215
Phone: (614)348-1233
rbrundett@ohiomfg.com

Christopher J. Allwein
Williams Allwein and Moser, LLC
1373 Grandview Ave., Suite 212
Columbus, Ohio 43212
callwein@wamenergylaw.com

The Ohio Energy Group
David F. Boehm
Michael L. Kurtz
Jody M. Kyler
Boehm Kurtz & Lowry
36 East Seventh Street, Suite 1510
Cincinnati, OH 45202
mkurtz@bkllawfirm.com
dboehm@bkllawfirm.com
jkyler@bkllawfirm.com

Devin Parram
Attorney General's Office
Public Utilities Commission of Ohio
180 East Broad St., 6th Floor
Columbus, OH 43215
Devin.parram@puc.state.oh.us

Samuel C. Randazzo
Frank P. Darr
Joseph E. Olikier
MCNEES WALLACE & NURICK LLC
21 East State Street, 17TH Floor
Columbus, OH 43215
sam@mwncmh.com
fdarr@mwncmh.com
joliker@mwncmh.com

Bojko, Kimberly W. Mrs.
Carpenter Lipps & Leland LLP
280 North High Street 280 Plaza Suite 1300
Columbus OH 43215
Phone: 614-365-4100
Fax: 614-365-9145
bojko@carpenterlipps.com

Gregory Poulos
EnerNOC, Inc.
471 East Broad Street, Suite 1520
New Albany, OH 43215
gpoulos@enernoc.com

Sandra Coffey
Public Utilities Commission of Ohio
180 E. Broad Street
Columbus, OH 43215
Sandra.Coffey@puc.state.oh.us

Michael K. Lavanga
Brickfield, Burchette, Ritts & Stone, P.C.
1025 Thomas Jefferson Street, N.W.
8th Floor, West Tower
Washington, D.C. 20007
mkl@bbrslaw.com

Eric Burkland
BRICKER & ECKLER LLP
1001 Lakeside Avenue East
Suite 1350
Cleveland, Ohio 44114
Telephone: (216) 523-5469
Facsimile: (216) 523-7071
eburkland@bricker.com

Chrissy Ziccarelli
Natural Resources Defense Council
1152 15th St. Suite 300
Washington DC 20005
Phone: (202) 513-6260
cziccarelli@nrdc.org

Theodore Robinson
David Hughes
Citizen Power
2121 Murray Avenue
Pittsburgh PA 15217
Phone: 412-421-7029
Fax: 412-421-6162
robinson@citizenpower.com
hughes@citizenpower.com

Patti Mallarnee
The Office of the Ohio Consumers Counsel
10 W. Broad St. Suite 1800
Columbus OH 43215
Phone: 614-466-857
mallarnee@occ.state.oh.us

Ken Spencer
Armstrong & Okey, Inc.
222 East Town Street 2nd Floor
Columbus OH 43215
Phone: 614-224-9481
Fax: 614-224-5724
KSpencer@AandO.com

James F. Lang
Lindsey E. Sacher
Calfee Halter & Griswold LLP
The Calfee Building 1405 East Sixth Street
Cleveland OH 44114
Phone: 216-622-8200
Fax: 214-241-0816
jlang@calfee.com
lsacher@calfee.com

Vesta Miller
Public Utilities Commission of Ohio
180 East Broad Street
Columbus OH 43215
Phone: 614-466-7702
vesta.miller@puc.state.oh.us

Manuel Somoza
Sierra Club
85 Second Street, 2nd Floor
San Francisco, CA 94105
Phone: 415-977-5760
Fax: 415-977-5793
manuel.somoza@sierraclub.org

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

9/23/2014 11:10:30 AM

in

Case No(s). 12-2190-EL-POR, 12-2191-EL-POR, 12-2192-EL-POR

Summary: Motion Renewed Motion And Memorandum Requesting A Determination That Collaborative Materials Are Not Confidential And Request For An Expedited Ruling By The Environmental Law And Policy Center And The Ohio Environmental Council electronically filed by Mr. Robert Kelter on behalf of Environmental Law & Policy Center and Ohio Environmental Council