

THE PUBLIC UTILITIES COMMISSION OF OHIO

**IN THE MATTER OF THE COMMISSION'S
REVIEW OF CHAPTER 4901:1-10 OF THE
OHIO ADMINISTRATIVE CODE.**

CASE NO. 12-2050-EL-ORD

ENTRY ON REHEARING

Entered in the Journal on January 3, 2018

I. SUMMARY

{¶ 1} The Commission grants the applications for rehearing filed by the Ohio Consumers' Counsel; Interstate Gas Supply, Inc.; The Environmental Law & Policy Center, Ohio Environmental Council, Environmental Defense Fund, Natural Resources Defense Council, and Vote Solar; One Energy Enterprises, LLC; and Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company to further consider the matters specified in the applications.

II. DISCUSSION

{¶ 2} R.C. 111.15(B) and R.C. 106.03(A) require all state agencies to conduct a review of their rules every five years to determine whether those rules should be continued without change, be amended, or be rescinded. At this time, the Commission is reviewing the net metering rules contained in Ohio Adm.Code 4901:1-10-28.

{¶ 3} On November 8, 2017, the Commission issued a Finding and Order amending the net metering rules contained in Ohio Adm.Code 4901:1-10-28.

{¶ 4} Pursuant to R.C. 4903.10, any party who has entered an appearance in a Commission proceeding may apply for rehearing with respect to any matters determined in that proceeding by filing an application within 30 days after the Commission's order is journalized. Any party may file a memorandum contra to an application for rehearing within ten days after its filing. Ohio Adm.Code 4901-7-35.

{¶ 5} On December 8, 2017, the Ohio Consumers' Counsel (OCC); Interstate Gas Supply, Inc. (IGS); The Environmental Law & Policy Center, Ohio Environmental Council, Environmental Defense Fund, Natural Resources Defense Council, and Vote Solar (collectively, Environmental Advocates); One Energy Enterprises, LLC (One Energy); and Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company (collectively, FirstEnergy) filed applications for rehearing of the Commission's November 8, 2017 Finding and Order.

{¶ 6} On December 18, 2017, the Environmental Advocates and One Energy each filed a memorandum contra FirstEnergy's application. On the same day, The Dayton Power and Light Company (DP&L) filed a memorandum in opposition to the applications for rehearing as a whole; DP&L's memorandum also specifically addresses arguments on rehearing raised within each of the separate applications.

{¶ 7} On December 19, 2017, Ohio Power Company (AEP) and FirstEnergy filed a joint memorandum contra the applications for rehearing filed by OCC, IGS, One Energy, and the Environmental Advocates. Also on December 19, 2017, IGS filed a memorandum contra addressing arguments made in the applications for rehearing filed by OCC and FirstEnergy. Both memoranda contra were accompanied by motions to allow late filing. By Entry dated December 20, 2017, the attorney examiner granted the joint motion for leave to file out of time filed by FirstEnergy and AEP and the motion for waiver of the deadline filed by IGS; thus, the memoranda are properly before the Commission for consideration.

{¶ 8} The Commission believes that sufficient reason has been set forth by OCC, IGS, the Environmental Advocates, One Energy, and FirstEnergy to warrant further consideration of the matter specified in the applications for rehearing. Accordingly, the applications for rehearing should be granted.

III. ORDER

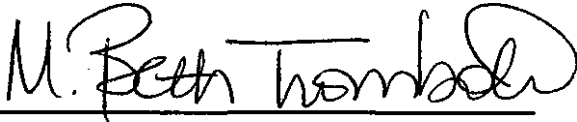
{¶ 9} It is, therefore,

{¶ 10} ORDERED, That the applications for rehearing filed by OCC, IGS, the Environmental Advocates, One Energy, and FirstEnergy be granted for further consideration of the matters specified in the applications for rehearing. It is, further,

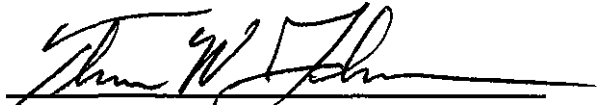
{¶ 11} ORDERED, That a copy of this Entry on Rehearing be served upon all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

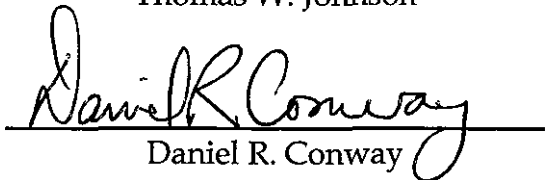
Asim Z. Haque, Chairman



M. Beth Trombold



Thomas W. Johnson



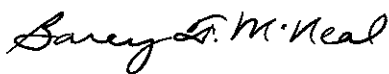
Daniel R. Conway

Lawrence K. Friedeman

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JAN 03 2018



Barcy F. McNeal
Secretary