

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE 2014 REVIEW OF
THE DEMAND SIDE MANAGEMENT AND
ENERGY EFFICIENCY RIDER OF OHIO
EDISON COMPANY, THE CLEVELAND
ELECTRIC ILLUMINATING COMPANY, AND
THE TOLEDO EDISON COMPANY.

CASE No. 13-2173-EL-RDR

IN THE MATTER OF THE 2015 REVIEW OF
THE DEMAND SIDE MANAGEMENT AND
ENERGY EFFICIENCY RIDER OF OHIO
EDISON COMPANY, THE CLEVELAND
ELECTRIC ILLUMINATING COMPANY, AND
THE TOLEDO EDISON COMPANY.

CASE No. 14-1947-EL-RDR

IN THE MATTER OF THE 2016 REVIEW OF
THE DEMAND SIDE MANAGEMENT AND
ENERGY EFFICIENCY RIDER OF OHIO
EDISON COMPANY, THE CLEVELAND
ELECTRIC ILLUMINATING COMPANY, AND
THE TOLEDO EDISON COMPANY.

CASE No. 15-1843-EL-RDR

IN THE MATTER OF THE 2017 REVIEW OF
THE DEMAND SIDE MANAGEMENT AND
ENERGY EFFICIENCY RIDER OF OHIO
EDISON COMPANY, THE CLEVELAND
ELECTRIC ILLUMINATING COMPANY, AND
THE TOLEDO EDISON COMPANY.

CASE No. 16-2167-EL-RDR

IN THE MATTER OF THE 2018 REVIEW OF
THE DEMAND SIDE MANAGEMENT AND
ENERGY EFFICIENCY RIDER OF OHIO
EDISON COMPANY, THE CLEVELAND
ELECTRIC ILLUMINATING COMPANY, AND
THE TOLEDO EDISON COMPANY.

CASE No. 17-2277-EL-RDR

ENTRY

Entered in the Journal on January 29, 2020

{¶ 1} Ohio Edison Company, The Cleveland Electric Illuminating Company, and
The Toledo Edison Company (collectively, FirstEnergy or the Companies) are electric

distribution utilities as defined in R.C. 4928.01(A)(6) and public utilities as defined in R.C. 4905.02, and, as such, are subject to the jurisdiction of this Commission.

{¶ 2} R.C. 4928.141 provides that an electric distribution utility shall provide customers within its certified territory a standard service offer (SSO) of all competitive retail electric services necessary to maintain essential electric services to customers, including firm supply of electric generation services. The SSO may be either a market rate offer in accordance with R.C. 4928.142 or an electric security plan (ESP) in accordance with R.C. 4928.143.

{¶ 3} The Commission has approved several riders in FirstEnergy's ESP proceedings, some of which require the Companies to file semi-annual updates no later than December 1st and June 1st of each year and are subject to an annual audit by the Commission. One of these Commission-approved riders is the Demand Side Management and Energy Efficiency Rider (Rider DSE). *In re FirstEnergy*, Case No. 08-935-EL-SSO, et al.; *In re FirstEnergy*, Case No. 10-388-EL-SSO; *In re FirstEnergy*, Case No. 12-1230-EL-SSO; *In re FirstEnergy*, Case No. 14-1297-EL-SSO. Rider DSE recovers costs incurred by the Companies associated with energy efficiency, peak demand reduction, and demand side management programs.

{¶ 4} On March 24, 2015, FirstEnergy filed an application in Case No. 13-2173-EL-RDR, in support of Staff's 2014 annual review of Rider DSE (*2014 Rider DSE Review*).

{¶ 5} On March 31, 2016, FirstEnergy filed an application in Case No. 14-1947-EL-RDR, in support of Staff's 2015 annual review of Rider DSE (*2015 Rider DSE Review*). The Ohio Manufacturers' Association Energy Group filed a motion to intervene on March 26, 2015.

{¶ 6} On March 31, 2017, FirstEnergy filed an application in Case No. 15-1843-EL-RDR, in support of Staff's 2016 annual review of Rider DSE (*2016 Rider DSE Review*). OCC filed a motion to intervene on April 10, 2017.

{¶ 7} On March 30, 2018, FirstEnergy filed an application in Case No. 16-2167-EL-RDR, in support of Staff's 2017 annual review of Rider DSE (*2017 Rider DSE Review*). OCC filed a motion to intervene on June 23, 2017.

{¶ 8} On March 29, 2019, FirstEnergy filed an application in Case No. 17-2277-EL-RDR, in support of Staff's 2018 annual review of Rider DSE (*2018 Rider DSE Review*).

{¶ 9} On June 28, 2018, Staff filed its review and recommendations in the *2014 Rider DSE Review* and *2015 Rider DSE Review*. Subsequently, on July 29, 2019, Staff filed its review and recommendation in the *2016 Rider DSE Review*. Staff ultimately recommended the following adjustments, plus carrying charges, be deducted from the revenue requirement in the Companies' next Rider DSE case:

Case	Total Staff Recommended Adjustments
<i>2014 Rider DSE Review</i>	\$ (207,757.00)
<i>2015 Rider DSE Review</i>	\$ (12,904.00)
<i>2016 Rider DSE Review</i>	\$ (63,895.00)

{¶ 10} FirstEnergy filed comments in response to Staff's recommendations in the *2014 Rider DSE Review* and *2015 Rider DSE Review* on February 28, 2019.

{¶ 11} As an initial matter, given that the above-captioned cases relate to annual reviews of Rider DSE, the attorney examiner finds that the cases should be consolidated, *sua sponte*, in the spirit of administrative efficiency. Not only will consolidation promote efficiency in the resolution of these cases, the attorney examiner also notes that no party will be prejudiced as no procedural schedule has been issued in any of the cases at issue.

{¶ 12} Additionally, the attorney examiner finds that these proceedings should now be set for hearing. Accordingly, the parties should adhere to the following procedural schedule:

- a. Any additional motions to intervene in these proceedings should be filed by March 2, 2020. However, as the cases have been consolidated, motions to intervene already filed in at least one of the above-captioned cases will be treated as a motion to intervene in all of the cases.
- b. Staff's review and recommendations for the *2017 Rider DSE Review* and *2018 Rider DSE Review* be filed by April 24, 2020.
- c. Discovery requests (except as to notices of deposition) shall be permitted until June 5, 2020. Additionally, the attorney examiner finds an expedited discovery response time is appropriate for these proceedings. As such, the response time for discovery requests should be limited to ten days.
- d. Intervenors should file testimony by June 22, 2020.
- e. Staff should file testimony by July 10, 2020.
- f. The evidentiary hearing shall convene on July 27, 2020, at 10:00 a.m., at the offices of the Commission, 180 East Broad Street, 11th Floor, Hearing Room 11-A, Columbus, Ohio 43215.

{¶ 13} It is, therefore,

{¶ 14} ORDERED, That the above-captioned cases be consolidated. It is, further,

{¶ 15} ORDERED, That parties adhere to the procedural schedule set forth in Paragraph 12. It is, further,

{¶ 16} ORDERED, That a copy of this Entry be served upon all parties and interested persons of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/Megan J. Addison

By: Megan J. Addison
Attorney Examiner

GAP/kck

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Commission of Ohio Docketing Information System on

1/29/2020 3:05:15 PM

in

Case No(s). 13-2173-EL-RDR, 14-1947-EL-RDR, 15-1843-EL-RDR, 16-2167-EL-RDR, 17-2277-EL-RDR

Summary: Attorney Examiner Entry procedural schedule set: additional motions to intervene should be filed by 3.2.20; staff's review and recommendations for the 2017 Rider DSE Review and 2018 DSE Rider Review be filed by 4.24.20;discovery requests (except as to notices of deposition) shall be permitted until 6.5.20; expedited response time for discovery requests should be limited to 10 days; Intervenors should file testimony by 6.22.20; Staff should file testimony by 7.10.20; evidentiary hearing shall convene on 7.27.20 at 10:00 a.m. at the Commission office. electronically filed by Mrs. Kelli C King on behalf of Megan J. Addison, Attorney Examiner, Public Utilities Commission of Ohio