

**UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION**

Ohio Edison Company)	
)	
The Cleveland Electric Illuminating Company)	Docket No. ER20-1805-000
)	
)	
The Toledo Edison Company)	

**COMMENTS OF THE PUBLIC UTILITIES COMMISSION OF OHIO
OFFICE OF THE FEDERAL ENERGY ADVOCATE**

The Public Utilities Commission of Ohio's (PUCO) Office of the Federal Energy Advocate (OFEA) pursuant to Rule 213 of the Rules of Practice and Procedure of the Federal Energy Regulatory Commission (Commission or FERC) submits this answer in response to the Request for Expedited Waiver of Ohio Edison Company, The Cleveland Electric Illuminating Company, and the Toledo Edison Company (collectively, the FE Ohio Utilities) in the above captioned proceeding.

At the outset, the OFEA notes that it is commenting on the FE Ohio Utilities' requirement to perform testing under PJM's wholesale tariff requirement of Capacity Response Demand Resources for the 2019/2020 Delivery Year ending May 31, 2020 and *not* on the associated retail provision in the FE Ohio Utilities Tariff. This retail waiver is currently pending before the PUCO in Case No. 20-1025-EL-WVR.¹

¹ <http://dis.puc.state.oh.us/CaseRecord.aspx?CaseNo=20-1025&x=0&y=0>

The OFEA supports the FEA Ohio Utilities' request for a limited waiver of PJM's Open Access Transmission Tariff (OATT), Attachment DD, Section 11A(a)(ii) to test Capacity Performance Demand Resources in this Delivery Year due to extenuating circumstances and cash flow issues created for customers by the COVID-19 National Emergency and the efforts at the local, state and federal to mitigate the public health risks. Accordingly, the OFEA agrees with the comments already filed in this docket by the Ohio Energy Group, the Industrial Energy Users, and PJM.

The OFEA recommends that FERC respond favorably to the FE Ohio Utilities' Request for Expedited Waiver of PJM's OATT, Attachment DD, Section 11A(a)(ii) with regard to the ability to test, for this Delivery Year ending May 31, 2020, Capacity Performance Demand Resources. Any questions may be directed towards the undersigned representative of the OFEA.

Dave Yost
Ohio Attorney General

John H. Jones
Section Chief

/s/ Thomas W. McNamee

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing has been served in accordance with 18 C.F.R. Section 385.2010 upon each person designated on the official service list compiled by the Secretary in this proceeding.

/s/ Thomas W. McNamee

Thomas W. McNamee

Assistant Attorney General

Dated at Columbus, Ohio, this May 18, 2020.

This foregoing document was electronically filed with the Public Utilities

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Summary: Comments of The Public Utilities Commission of Ohio
Office of The Federal Energy Advocate electronically filed by Mrs. Kimberly M Naeder on
behalf of Ohio's Office of the Federal Energy Advocate