

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE APPLICATIONS
TO COMMIT ENERGY EFFICIENCY/PEAK
DEMAND REDUCTION PROGRAMS FILED
BY:

ENTERPRISE PLASTICS, INC.,	CASE NO. 20-19-EL-EEC
KENSTON BOARD OF EDUCATION,	CASE NO. 20-67-EL-EEC
THE CLEVELAND CLINIC FOUNDATION,	CASE NO. 20-68-EL-EEC
U.S. TSUBAKI INC.,	CASE NO. 20-69-EL-EEC
SANDUSKY CITY SCHOOLS,	CASE NO. 20-70-EL-EEC
BEREA CITY SCHOOL DISTRICT,	CASE NO. 20-71-EL-EEC
MANCHESTER LOCAL SCHOOLS,	CASE NO. 20-72-EL-EEC
NORTHEAST OHIO REGIONAL SEWER DISTRICT,	CASE NO. 20-73-EL-EEC
AKRON CHILDREN'S HOSPITAL,	CASE NO. 20-74-EL-EEC
SWANTON LOCAL BOARD OF EDUCATION,	CASE NO. 20-75-EL-EEC
REVERE LOCAL SCHOOLS,	CASE NO. 20-76-EL-EEC
HIGHLAND LOCAL SCHOOLS,	CASE NO. 20-77-EL-EEC
BELLEVUE BOARD OF EDUCATION,	CASE NO. 20-78-EL-EEC
FAIRMOUNT TEMPLE,	CASE NO. 20-79-EL-EEC
SPRINGFIELD CITY SCHOOL DISTRICT,	CASE NO. 20-80-EL-EEC
ROCKY RIVER BOARD OF EDUCATION,	CASE NO. 20-81-EL-EEC
PERRY BOARD OF EDUCATION,	CASE NO. 20-82-EL-EEC

FINDING AND ORDER

Entered in the Journal on July 17, 2020

I. SUMMARY

{¶ 1} The Commission approves the applications in the above-captioned proceedings to commit existing demand reduction, demand response, and energy efficiency programs for integration with the electric utilities' programs.

II. DISCUSSION

{¶ 2} R.C. 4928.66 has, since 2009, set forth energy efficiency and peak demand reduction (EE/PDR) benchmarks that electric distribution utilities are required to meet or exceed. The statute allows utilities to include EE/PDR resources committed by mercantile customers for integration into the utilities' programs and to be counted toward compliance with a utility's EE/PDR benchmarks. Ohio Adm.Code 4901:1-39-05(G)¹ permits a mercantile customer to file, either individually or jointly with an electric utility, an application to commit the customers' existing demand reduction, demand response, and energy efficiency programs for integration into the electric utility's programs. In Case No. 10-834-EL-EEC, the Commission developed the EE/PDR pilot program which provides an automatic approval process for applications that are filed under this process, unless the Commission, or an attorney examiner, suspends or denies the application prior to that time. *In re the Mercantile Customer Pilot Program for Integration of Customer Energy Efficiency or Peak-Demand Reduction Programs*, Case No. 10-834-EL-POR, Finding and Order (July 17, 2013) at ¶ 2.

¹ These particular cases were initiated when the prior version of Ohio Adm.Code Chapter 4901:1-39 was in effect. The current version of this chapter became effective March 26, 2020. In order to be consistent with the references in the applications filed by the entities and electric distribution utilities and related Staff reviews, all Ohio Adm.Code Chapter 4901:1-39 citations in this Entry refer to the version in effect until March 25, 2020.

{¶ 3} Various mercantile customers, along with electric distribution utilities, jointly filed applications in the above-captioned proceedings to commit existing programs for integration with the electric utilities' programs.

{¶ 4} On March 9, 2020, the governor signed Executive Order 2020-01D (Executive Order), declaring a state of emergency in Ohio to protect the well-being of Ohioans from the dangerous effects of COVID-19. As described in the Executive Order, state agencies are required to implement procedures consistent with recommendations from the Department of Health to prevent or alleviate the public health threat associated with COVID-19. Additionally, all citizens are urged to heed the advice of the Department of Health regarding this public health emergency in order to protect their health and safety. The Executive Order was effective immediately and will remain in effect until the COVID-19 emergency no longer exists.

{¶ 5} On March 16, 2020, an attorney examiner issued an Entry in Case No. 20-591-AU-UNC, directing that any time period prescribed by order, statute, or rule for the Commission to act upon a pending application or other filing should be tolled during the state of emergency and also during the 14 days thereafter, including the 60-day automatic approval process for applications for mercantile customers to commit their peak demand reduction, demand response, and energy efficiency programs for integration with an electric utility's programs. Further, the attorney examiner indicated that, during the declared emergency, Staff would continue to investigate pending applications and the Commission would act on such applications on a case-by-case basis. *In re The Proper Procedures and Process for the Commission's Operations and Proceedings during the Declared State of Emergency and Related Matters*, Case No. 20-591-AU-UNC, Entry (Mar. 16, 2020) at ¶ 5.

{¶ 6} The applications filed in the above-captioned proceedings were, thus, subject to the March 16, 2020 Entry and suspended from automatic approval during the state of emergency.

{¶ 7} Staff filed reports of its review of each application, indicating that it did not find any reason to suspend or deny any of the applications. Staff recommends approval of the applications.

{¶ 8} No party has intervened with objections to Staff's filed recommendations.

{¶ 9} Upon review of the applications and Staff's recommendations, the Commission finds that these applications do not appear to be unjust or unreasonable, and appear to be consistent with the statutory requirements as set forth in R.C. 4928.66. Accordingly, the applications, should be approved. The Commission notes that every arrangement approved by this Commission remain under our supervision and regulation, and is subject to change, alteration, or modification by the Commission.

III. ORDER

{¶ 10} It is, therefore,

{¶ 11} ORDERED, That the applications filed in the above-captioned cases be approved. It is, further,

{¶ 12} ORDERED, That a copy of this Finding and Order be served upon all parties of record.

COMMISSIONERS:

Approving:

Sam Randazzo, Chairman
M. Beth Trombold
Lawrence K. Friedeman
Daniel R. Conway
Dennis P. Deters

AS/mef

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in

Case No(s). 20-0019-EL-EEC, 20-0067-EL-EEC, 20-0068-EL-EEC, 20-0069-EL-EEC, 20-0070-EL-EEC,

Summary: Finding & Order approving the applications in the above-captioned proceedings to commit existing demand reduction, demand response, and energy efficiency programs for integration with the electric utilities' programs. electronically filed by Ms. Mary E Fischer on behalf of Public Utilities Commission of Ohio