

**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 No. 16-743-EL-POR
Edison Company for Approval of Their)
Energy Efficiency and Peak Demand)
Reduction Program Portfolio Plans for)
2017 through 2019)

**REPLY COMMENTS OF OHIO EDISON COMPANY, THE CLEVELAND ELECTRIC
ILLUMINATING COMPANY AND THE TOLEDO EDISON COMPANY REGARDING
RIDER ELR**

On March 26, 2021, Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company (collectively, the “Companies”), filed their initial comments (the “Companies’ Comments”). The Companies’ Comments explained that Rider ELR is an interruptible service and economic development program established pursuant to R.C. 4928.143. Although the peak demand reduction benefits of Rider ELR have been counted toward the Companies’ compliance with the mandates in R.C. 4928.66, it is not, and has never been, an energy efficiency program established pursuant to R.C. 4928.66. Thus, neither Rider ELR nor Rider DSE1 is a cost recovery mechanism authorized by the Commission for compliance with R.C. 4928.66 that must terminate pursuant to R.C. 4928.66(G)(3).

The other commenters¹ generally agree with the positions set forth in the Companies’ Comments regarding the history, purpose and nature of Rider ELR. Only OCC advocates for the termination of Rider ELR, and its comments are replete with mischaracterizations of Rider ELR’s

¹ The following entities submitted comments: Nucor Steel Marion, Inc. (“Nucor”), Office of the Ohio Consumers’ Counsel (“OCC”), Industrial Energy Users-Ohio (“IEU-Ohio”), and Ohio Energy Group (“OEG”). Ohio Partners for Affordable Energy filed a letter in the docket indicating that they would not file initial comments but reserved the right to file reply comments.

nature and history. For example, OCC mischaracterizes Rider ELR as a “subsidy” to large nonresidential customers.² To the contrary, Rider ELR is not a free benefit like OCC suggests. Customers participating in Rider ELR provide value, including significant economic development value, by committing to curtail load during emergency events, helping to ensure system reliability.

Also, OCC references Rider ELR’s requirements that customers commit demand response to the Companies for integration into O.R.C. 4928.66 compliance programs, and that demand response shall count toward peak demand reduction benchmarks, arguing that these requirements show that Rider ELR was “authorized by the commission for compliance” with O.R.C. 4928.66.³ In truth, however, the programs “authorized by the commission for compliance” with O.R.C. 4928.66 were the programs approved in the Companies’ energy efficiency and peak demand reduction program, Case No. 16-743-EL-POR. Those programs did not include Rider ELR, which was approved in the Companies’ electric security plans.

In addition, OCC asserts that because peak demand reduction savings from Rider ELR were counted toward 4928.66 compliance, O.R.C. 4928.66(G)(3) applies and requires termination of Rider DSE1.⁴ However, the fact that savings under Rider ELR were counted toward compliance does not render Rider DSE1 a cost recovery mechanism “authorized by the commission for compliance with [O.R.C. 4928.66].” As the Companies explained at length in their initial comments, the history, purpose and nature of Rider ELR all demonstrate that neither Rider ELR nor Rider DSE1 is a program authorized for compliance with O.R.C. 4928.66, as Rider ELR is an economic development program and a program to ensure system reliability through emergency events.

² OCC Comments at 1, 2, 5, 6.

³ OCC Comments at 4.

⁴ OCC Comments at 5.

The Companies appreciate the opportunity to provide Reply Comments in this proceeding. The Companies urge the Commission to adopt the Companies' recommendations as set forth in the Companies' Comments and Reply Comments.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that the foregoing was filed electronically through the Docketing Information System of the Public Utilities Commission of Ohio on this 12th day of April 2021. The PUCO's e-filing system will electronically serve notice of the filing of this document on counsel for all parties.

/s/ Emily V. Danford
*An Attorney for Ohio Edison Company, The
Cleveland Electric Illuminating Company,
and The Toledo Edison Company*

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in

Case No(s). 16-0743-EL-POR

Summary: Reply Comments electronically filed by Ms. Emily V Danford on behalf of The Cleveland Electric Illuminating Company and Ohio Edison Company and The Toledo Edison Company