

## THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE PROCUREMENT  
OF STANDARD SERVICE OFFER  
GENERATION AS PART OF THE FOURTH  
ELECTRIC SECURITY PLAN FOR  
CUSTOMERS OF OHIO EDISON  
COMPANY, THE CLEVELAND ELECTRIC  
ILLUMINATING COMPANY, AND THE  
TOLEDO EDISON COMPANY.

CASE NO. 16-776-EL-UNC

### ENTRY

Entered in the Journal on December 30, 2022

{¶ 1} In this Entry, the attorney examiner directs that memoranda contra Ohio Consumers' Counsel's motion for a postponement of the January 10, 2023 procurement auction for the standard service offer for Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company be filed by January 3, 2023.

{¶ 2} Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company (collectively, FirstEnergy) each qualify as an electric utility as defined by R.C. 4928.01(A)(11) and as an electric distribution utility (EDU) as defined by R.C. 4928.01(A)(6).

{¶ 3} R.C. 4928.141 provides that electric utilities shall provide consumers a standard service offer (SSO) of all competitive retail electric services in accordance with R.C. 4928.142 or 4928.143. The SSO functions to make generation supply available to customers that are not receiving this supply from a competitive retail electric services provider and is sometimes referred to as default supply. The Commission approved FirstEnergy's most recent electric security plan (ESP), which implemented a competitive auction-based SSO format, as well as a competitive bid procurement process for FirstEnergy's auctions, to procure generation supply for FirstEnergy's customers for a certain period of time. *In re Ohio Edison Co., The Cleveland Elec. Illum. Co., and The Toledo Edison Co.*, Case No. 14-1297-EL-SSO, Opinion and Order (Mar. 31, 2016).

{¶ 4} Since the approval of FirstEnergy's ESP, FirstEnergy's auction schedule has been modified due to delays in the timing of PJM Interconnection, LLC's (PJM) base residual auction (BRA). *In re the Procurement of Std. Serv. Offer Generation as Part of the Fourth Elec. Sec. Plan for Customers of Ohio Edison Co., The Cleveland Elec. Illum. Co., and The Toledo Edison Co.*, Case No. 17-2391-EL-UNC, Finding and Orders (Aug 26, 2020); (June 16, 2021); (December 1, 2021).

{¶ 5} On December 22, 2021, the Federal Energy Regulatory Commission (FERC) issued an order reversing FERC's previous determination that the backward-looking energy and ancillary services offset (E&AS Offset) was just and reasonable. Given this reversal, FERC directed PJM to submit a compliance filing within 60 days to revise its Tariff and Operating Agreement and, in order to incorporate the revised E&AS Offset in the BRA for the 2023/2024 delivery year, directed PJM to submit a compliance filing within 30 days that proposes a new schedule for the BRA and subsequent BRAs. *Order on Voluntary Remand*, Case Nos. EL19-58-006; ER19-1486-003, at ¶ 2 (Dec. 22, 2021).

{¶ 6} On January 21, 2022, PJM submitted a compliance filing in response to the above order in which PJM proposed changing the BRA for the 2023/2024 delivery year from January 25, 2022, to June 8, 2022. *Compliance Filing Concerning Certain Proposed Revised Pre-Auction Deadlines*, Case Nos. EL19-58-010; ER19-1486-00, at 2 (Jan. 21, 2022).

{¶ 7} On January 31, 2022, FirstEnergy filed an application for approval to adjust its March 2022 SSO procurement auction and to conduct an additional auction. This application provided for a January 2023 auction as well as a second auction to be held between January 2023 and May 2023. The Commission approved this application on February 9, 2022. Pursuant to this approval, an auction was scheduled for January 10, 2023.

{¶ 8} On December 29, 2022, the Ohio Consumers' Counsel (OCC) filed a motion to postpone the auction currently scheduled for January 10, 2023 and a request for expedited consideration.

{¶ 9} The attorney examiner directs that memoranda contra OCC's December 29, 2022 motion be filed by January 3, 2023.

{¶ 10} It is, therefore,

{¶ 11} ORDERED, That memoranda contra OCC's motion to postpone FirstEnergy's procurement auction scheduled for January 10, 2023 be filed by January 3, 2023. It is further,

{¶ 12} ORDERED, That a copy of this Entry be served upon all parties of record to this case.

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/Gregory A. Price

By: Gregory A. Price  
Attorney Examiner

MJA/dmh

**This foregoing document was electronically filed with the Public Utilities  
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**in**

**Case No(s). 16-0776-EL-UNC**

Summary: Attorney Examiner Entry ordering that memoranda contra OCC's motion to postpone FirstEnergy's procurement auction scheduled for January 10, 2023 be filed by January 3, 2023 electronically filed by Ms. Donielle M. Hunter on behalf of Gregory A. Price, Attorney Examiner, Public Utilities Commission of Ohio