

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of the)
Monongahela Power Company for) Case No. 00-02-EL-ETP
Approval of its Electric Transition Plans)
and for Receipt of Transition Revenues.)

ENTRY

The Commission finds:

- (1) The applicant, The Monongahela Power Company, is a public utility as defined in Section 4905.02, Revised Code, and, as such, is subject to the jurisdiction of this Commission.
- (2) The Commission's opinion and order dated October 5, 2000 ordered the company to distribute informally its proposed compliance tariffs to all interested parties within 14 days following the issuance of the order. Following the proposed compliance tariff distribution, interested parties were given 14 days to provide informal comments to the staff. Within 14 days thereafter, the company was ordered to file its proposed tariffs in the form of an application for approval of compliance tariffs.
- (3) In accordance with this schedule, interested parties provided informal comments to the company and the staff concerning the company's proposed tariffs. Subsequent to the informal comments, various modifications were made to the proposed tariffs based on the informal comments and the staff's review.
- (4) As directed in the opinion and order, the company submitted, on November 16, 2000, four complete printed copies of proposed compliance tariffs to be effective in January 2001. On December 18, 2000, the company filed amended tariffs.
- (5) The Commission's staff has reviewed the company's proposed compliance tariffs as amended, as well as the comments contained in pleadings filed by various intervenors. The staff recommends that, with the exceptions set forth in this entry, the proposed tariffs as amended should be found to be consistent with the discussion and findings set forth in the opinion and order. Following is a discussion of the exceptions to the company's proposed compliance tariffs.

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- (6) The staff recommends that the modifications to the company's tariffs detailed in Attachment A should be made to provide specific procedures for all companies to follow before termination or suspension of a certified supplier. We agree with the staff's recommendations and direct the company to submit final tariff revisions consistent with the language set forth in Attachment A. Consistent with this tariff provision, if the Commission does not act within 10 days upon a receipt of a request for authorization to terminate or suspend a certified supplier, the company's request to terminate or suspend shall be deemed authorized on the 11th day. If the default is due to non-delivery, and if the Commission does not act within 5 (five) business days upon receipt of the request, the company's request to terminate or suspend shall be deemed authorized on the 6th (sixth) business day.
- (7) The Company's proposed tariff contains a "No Resale" provision which does not comply with the Commission's findings in *Brooks et al. v. Toledo Edison Co.*, Case No. 94-1987-EL ATA (may 8, 1996). To comply with the Commission's findings in that case the company shall include the following language:

"This provision does not apply to service provided to a landlord for resale or redistribution to tenants where such resale or redistribution takes place only upon property owned by the landlord and the landlord is not otherwise operating as a public utility"

However, as set forth by attorney examiner entry of November 22, 2000, all interested parties were given the opportunity to submit comments regarding the issue of sales for resale and our findings in *Brooks et al. v. Toledo Edison Co.*, Case No. 94-1987-EL-ATA. The Commission intends to review further the issue of sales for resale.

- (8) The revisions required by this entry shall be filed as part of the company's final tariff and shall be filed no later than December 28, 2000. In addition, the Commission also recognizes that, although we are approving provisions in the tariffs regarding line extension policies, the Commission will continue to consider whether further modifications of these policies are warranted.

It is, therefore,

ORDERED, That Monongahela Power Company's proposed compliance tariffs filed November 16, 2000 and amended on December 18, 2000, subject to the modifications described above and as set forth in this entry, are approved. It is, further,

ORDERED, That the company is authorized to file in final form, four complete printed copies of the tariffs consistent with the findings of this entry, and to cancel and withdraw the superseded tariffs. One copy shall be filed in this case docket, one copy shall be filed with the company's TRF docket, and the remaining two copies shall be designated for distribution to the Commission staff. It is, further,

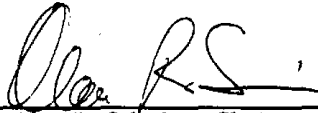
ORDERED, That the effective date of the new tariffs shall be January 4, 2001. The rates contained in the new tariffs shall be applicable on a bills-rendered basis with the February 1, 2001 billing cycle for all customers that are billed on a monthly basis and with the March 5, 2001 billing cycle for all customers that are billed on a bi-monthly basis. It is, further,

ORDERED, That the company shall post all approved tariffs on its official company website and provide all approved tariffs electronically to the Commission's Docketing Division. It is, further,

ORDERED, That nothing in this entry shall be binding upon this Commission in any future proceeding or investigation involving the justness or reasonableness of any rate, charge, rule or regulation. It is, further,

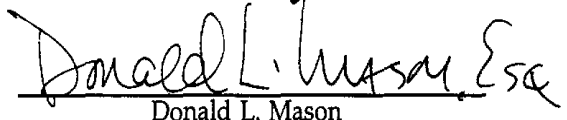
ORDERED, That a copy of this entry be served on all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO



Alan R. Schriber, Chairman

Ronda Hartman Fergus



Judith A. Jones
Donald L. Mason

DLH:jc

Entered in the Journal

DEC 21 2000

A True Copy


Gary E. Vigor
Secretary

ATTACHMENT A

Notwithstanding any other provision of this Tariff or the Certified Supplier Service Agreement, in the event of a default, the Company shall serve a written notice of such default in reasonable detail and with a proposed remedy to the Certified Supplier and the Commission. Simultaneously, the Company shall file with the Commission a written request for authorization to terminate or suspend the Certified Supplier Service Agreement. Except for default due to non-delivery, if the Commission does not act within 10 (ten) business days upon receipt of the request, the Company's request to terminate or suspend shall be deemed authorized on the 11th (eleventh) business day. If the default is due to non-delivery, and if the Commission does not act within 5 (five) business days upon receipt of the request, the Company's request to terminate or suspend shall be deemed authorized on the 6th (sixth) business day.

The Company shall send notices pursuant to this Section by email, fax, overnight mail, or hand delivery to the Commission and Staff at the Commission's offices. The Company shall notify all Commissioners, the Chief of Staff, the Director of the Consumer Services Department, the Director of the Utilities Department, the Director of the Legal Department, and the Chief of the Attorney General's Public Utilities Section. The Company shall send the notice to the address and fax number provided by the Certified Supplier in its Certified Supplier Service Agreement.