

FILE

BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

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In the Matter of the Commission-Ordered :
Workshop Regarding Smart Meter : Case No. 07-646-EL-UNC
Deployment. :

COMMENTS
ON MOTION FOR EXTENSION OF TIME
SUBMITTED ON BEHALF OF THE STAFF OF
THE PUBLIC UTILITIES COMMISSION OF OHIO

INTRODUCTION

On May 6, 2009, the FirstEnergy Ohio operating companies (FE),¹ filed a motion to extend the June 1, 2009 deadline for filing an assessment and proposed deployment strategy regarding AMI/Modern Grid technology. This deadline was established by the Commission as part of its Opinion and Order issued in FE's most recent electric base rate distribution case.² FE seeks to extend this deadline to August 14, 2009 to coincide with the date on which it intends to file its comprehensive smart metering implementation plan on behalf of its Pennsylvania sister companies, Metropolitan Edison Company, Pennsylvania Electric Company, and Pennsylvania Power Company.³ While the Staff

¹ These include the Cleveland Electric Illuminating Company, Toledo Edison Company, and Ohio Edison Company.

² *In re FirstEnergy*, Case Nos. 07-551-EL-AIR, *et al.* (Opinion and Order) (January 21, 2009).

³ FE Memorandum in Support at 2.

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takes no position either supporting or opposing this motion, it does wish to offer these brief comments for consideration by the Commission as it deliberates the merits of FE's motion.

DISCUSSION

In its January 21, 2009 Order, the Commission directed the FE companies to work with the Staff to conduct a thorough assessment of AMI /Modern Grid technology and deployment options. The Commission directed FE to provide a comprehensive assessment on a wide range of issues, including:

The study should include an assessment of potential advanced smart metering technology investments, open system architecture planning, large-scale AMI deployment, other cost effective modem/smart grid applications, and a cost/benefit analysis of such programs.⁴

FE is multi-jurisdictional with regulated electric utility operations in New Jersey and neighboring Pennsylvania as well as in Ohio. FE has stated that it is currently performing a similar function in these other jurisdictions. Given the importance of the subject matter, the Staff favors submission by FE of a plan that is thorough, comprehensive, and well-studied. Inasmuch as the initial meeting with FE and the Staff on this topic did not occur until April 29, 2009, and in view of FE's present related regulatory obligations in other jurisdictions, the Staff is concerned that FE can, under the present June 1 timetable, submit a plan that thoroughly analyzes all areas that the Commission ordered to be addressed.

⁴ *In re First Energy*, Case Nos. 07-551-EL-AIR, *et al.* (Opinion and Order at 45) (January 21, 2009).

The Staff is also concerned that delay may result in missed opportunities for FE to obtain stimulus funding for Ohio. In this regard, the Staff notes the Commission directive contained in its March 25, 2009 Order in Case No. 08-935-EL-SSO:

The Companies will develop a proposal to pursue federal funds available under the Economic Recovery Act that may be available for smart grid investment.⁵

The first deadline for applications for funding under the U.S. Department of Energy's Notice of Intent to Issue a Funding Opportunity Announcement for the Smart Grid Investment Grant Program (DE-FOA-0000058) is anticipated to be July 29, 2009. Granting FE's motion for an extension to August 14, 2009 will delay having a plan in place by this time, and could jeopardize FE's ability to participate in this round of funding.

⁵

In re FirstEnergy, Case Nos. 08-935-EL-SSO, *et al.* (Second Opinion and Order at 13, ¶ 26) (March 25, 2009).

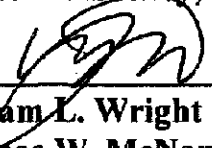
CONCLUSION

The Staff respectfully submits and encourages the Commission to consider these comments as it deliberates the merits of FE's extension request.

Respectfully submitted,

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PROOF OF SERVICE

I hereby certify that a true copy of the foregoing **Comments** submitted on behalf of the Staff of the Public Utilities Commission of Ohio, was served by regular U.S. mail, postage prepaid, or hand-delivered, upon the following parties included on the Commission's mailing list by electronic mail, on this 14th day of May, 2009.



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