

**BEFORE THE
PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Energy Efficiency and Peak Demand Reduction Program Portfolio of Ohio Edison Company, The Cleveland Electric Illuminating Company and The Toledo Edison Company))))))	Case No. 09-580-EL-EEC Case No. 09-581-EL-EEC Case No. 09-582-EL-EEC
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**MOTION OF OHIO EDISON COMPANY, THE CLEVELAND ELECTRIC
ILLUMINATING COMPANY, AND THE TOLEDO EDISON COMPANY
FOR AN EXTENSION OF TIME IN WHICH TO FILE THEIR HIGH EFFICIENCY
LIGHT BULB PROGRAMS AS PART OF THEIR THREE YEAR PORTFOLIO PLAN
AND FOR A SHORTER PERIOD OF TIME IN WHICH TO FILE ANY RESPONSE TO
THIS MOTION**

Pursuant to Sections 4901-1-12(A) of the Ohio Administrative Code ("OAC"), Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company (collectively, "Companies") hereby request an extension of time in which to file their respective High Efficiency Light Bulb Programs ("Revised CFL Program"), with such programs becoming part of the Companies' three year portfolio plan filings that will be filed pursuant to proposed Rule 4901:1-39-04. For the reasons more fully discussed in the attached memorandum in support, the granting of this request will result in a more efficient use of resources for all involved and avoid confusion that could arise from two separate filings that, at least in part, address the same issues. All parties to the proceeding, except OCC, Natural Resource Defense Council, and Citizens Power have indicated that they do not oppose the granting of the Companies' motion.¹ Except for these three parties, all other parties also indicated that they did

¹ As of the date of this filing, the Industrial Energy Users-Ohio, the Natural Resource Defense Council, the Office of Consumers' Counsel ("OCC"), Commission Staff, the Companies and Ohio Partners for Affordable Energy are parties to this proceeding. Citizens Coalition, Cleveland Housing Network, Citizen Power, Consumers for Fair Utilities Rates, Empowerment Center of Greater Cleveland, Neighborhood Environmental Coalition, and United

not oppose a request for an expedited ruling.² Since NRDC opposes such a request, counsel cannot certify, as required by Section 4901-1-12(C), OAC, that no party objects to the issuance of an expedited ruling. Therefore, the Companies request instead, pursuant to this same provision, that the period in which to respond to this motion be shortened so as to require any memorandum contra to be filed no later than November 25, 2009.

Respectfully submitted,


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On behalf of Ohio Edison Company, The
Cleveland Electric Illuminating Company
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Clevelanders Against Poverty have all filed motions for intervention, which are still pending before the Commission. For purposes of this motion, the latter entities are also referred to as "parties". While not a party, the Sierra Club has actively participated in the collaborative process and has indicated that it will not take a position on the contents of this motion.

² OCC and Citizens Power do not necessarily object to the Companies' requests as they have not yet developed their positions. OCC has indicated it cannot provide a response until November 24, 2009. Sierra Club takes no position on the motion.

MEMORANDUM IN SUPPORT OF THE MOTION

I. INTRODUCTION

In its November 4, 2009 Entry on Rehearing, the Commission directed the Companies to provide additional details regarding a proposed alternative High Efficiency Light Bulb Program which is currently required to be filed on or before November 30, 2009. The Companies have been diligently meeting with their energy efficiency collaborative and, together with the collaborative, have developed a CFL Program different from that approved in this docket on September 23, 2009 ("Revised CFL Program").

Pursuant to Rule 4901:1-39-04 that was recently adopted by the Commission in its October 15, 2009 Entry on Rehearing in Docket No. 08-888-EL-ORD, the Companies are required to "design and propose a comprehensive energy efficiency and peak-demand reduction program portfolio, including a range of programs that encourage innovation and market access for cost-effective energy efficiency and peak-demand reduction for all customer classes." This plan must be filed no later than December 31, 2009. (Rule 4901:1-39-04(A)). The Companies intend to file their three year plan within the next several weeks. This plan will provide a comprehensive suite of energy efficiency and peak demand reduction programs for all customer classes. One such program within this suite will be the Revised CFL Program that would also be the subject of the separate filing currently required in this docket. Instead of making two filings, both of which will address the same issue, the Companies are asking the Commission to (i) grant an extension of time in which to file their revised CFL Program until December 31, 2009; (ii) allow the Companies to incorporate their CFL program filing into the three year portfolio filing, thus negating the need for a stand alone CFL Program filing in this docket; and (iii) grant the

Companies request to require any memoranda contra this motion be filed no later than November 25, 2009.

The granting of the Companies' request provides several benefits. First, it would avoid the necessity of two separate dockets, thus avoiding a duplication of efforts and the redundant use of time and resources by all involved. Second, it avoids separate paths for resolution of what, in essence, is an identical issue. By allowing a single filing, procedural confusion can be avoided. Third, by allowing the CFL Program to be included only as part of the three year plan, all parties, as well as the Commission, will have a more comprehensive view of the Companies' overall long term energy efficiency/demand reduction plan, thus avoiding the need to assess a single program in a vacuum.

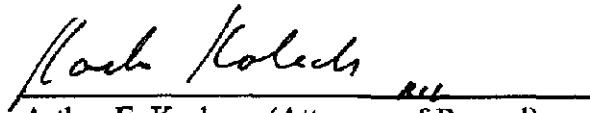
Given the fact that the filing deadline established by the Commission in its November 4, 2009 Entry is quickly approaching, as is the Thanksgiving holiday, the Companies further request, pursuant to Section 4901-1-12(C), that any memoranda contra this motion be filed no later than November 25, 2009.³ Inasmuch as the Companies contacted all parties of record on November 19, 2009 to inform them of the Companies' intent to file this motion and request authorization to represent their position on a request for an expedited ruling, as well as informed the members of the Companies' energy efficiency collaborative during a conference call held on November 20, 2009, the granting of this request should not come as a surprise or unduly prejudice any party.

In sum, for all of the reasons set forth above, the Companies respectfully ask the Commission to grant their motion and (i) extend the period of time in which the Companies must file their Revised CFL Program; (ii) allow the Companies to include such program in their three

³ Section 4901-1-12(C) provides in pertinent part: "If any party objects to the issuance of [an expedited ruling], ... any party may file a memorandum contra within seven days after the service of the motion, *or such other period as the commission, the legal director, the deputy legal director, or the attorney examiner requires.*" (Emphasis added.)

year portfolio plan without the need to file the Revised CFL Program as a separate filing; and
(iii) require any response to this motion be filed no later than November 25, 2009.

Respectfully submitted,



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CERTIFICATE OF SERVICE

Copies of the foregoing Motion for an Extension of Time in Which to File, a Request for a Shorter response period, and related Memorandum in Support thereof were served by first class United States Mail, postage prepaid this 23rd day of November, 2009.


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