

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of )  
Ohio Edison Company, The Cleveland )  
Electric Illuminating Company, and ) Case No. 09-968-EL-ATA  
The Toledo Edison Company to Revise its )  
Transmission and Ancillary Service Riders. )

FINDING AND ORDER

The Commission finds:

- (1) Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company (FirstEnergy or Applicant) are public utilities as defined in Section 4905.02, Revised Code, and, as such, are subject to the jurisdiction of this Commission.
- (2) On October 16, 2009, FirstEnergy filed an application to revise its transmission and ancillary service riders (TAS) pursuant to Section 4928.05(A)(2), Revised Code, and Chapter 4901:1-36, Ohio Administrative Code (O.A.C.). FirstEnergy filed corrected schedules to the application on October 19, 2009, and October 30, 2009. In addition, FirstEnergy filed an amended application on December 3, 2009. The amended application would authorize FirstEnergy to implement Rider TAS2, in order to credit to all customers, on an unavoidable basis, transmission and ancillary services revenues which are projected to be \$68.9 million.
- (3) On December 8, 2009, Staff filed a letter in this docket in which Staff recommended that the Commission approve the application. Staff also recommended that FirstEnergy provide Staff with on-going monthly cost and revenue data in order to ensure that the proposed TAS2 rates are terminated, if necessary, prior to December 31, 2010.
- (4) The Commission finds that the proposed revisions to FirstEnergy's TAS are consistent with Section 4928.05(A)(2), Revised Code, and Chapter 4901:1-36, O.A.C., do not appear to be unjust or unreasonable, and should be approved. Therefore,

the Commission finds that it is unnecessary to hold a hearing in this matter.

- (5) Further, the Commission directs FirstEnergy to provide Staff with on-going monthly cost and revenue data in order to ensure that the TAS2 rates are terminated, if necessary, prior to December 31, 2010.

It is, therefore,

ORDERED, That the application filed by FirstEnergy be approved. It is, further,

ORDERED, That FirstEnergy provide Staff with on-going monthly cost and revenue data as specified in Finding (5). It is, further,

ORDERED, That FirstEnergy is authorized to file, in final form, four complete copies of the tariffs, consistent with this finding and order. FirstEnergy shall file one copy in its TRF docket (or make such filing electronically as directed in Case No. 06-900-AU-WVR) and one copy in this case docket. The remaining two copies shall be designated for distribution to the Rates and Tariffs, Energy and Water Division of the Commission's Utilities Department. It is, further,

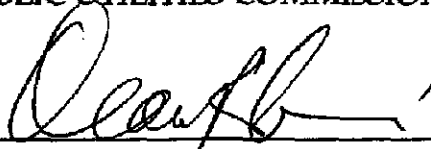
ORDERED, That the effective date of the new tariffs shall be a date not earlier than January 1, 2010, and the date upon which four complete printed copies of final tariffs are filed with the Commission. The new tariffs shall be effective for services rendered on or after such effective date. It is, further,

ORDERED, That FirstEnergy shall notify all affected customers via a bill message or via a bill insert within 30 days of the effective date of the tariffs. A copy of the customer notice shall be submitted to the Commission's Service Monitoring and Enforcement Department, Reliability and Service Analysis Division, at least 10 days prior to its distribution to customers. It is, further,

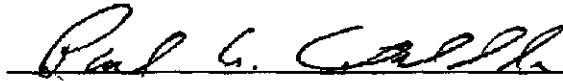
ORDERED, That nothing in this Finding and Order shall be binding upon this Commission in any future proceeding or investigation involving the justness or reasonableness of any rate, charge, rule or regulation. It is, further,

ORDERED, That a copy of this Finding and Order be served upon all parties of record.

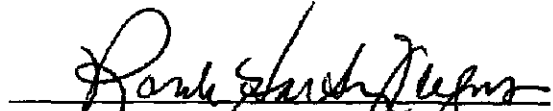
THE PUBLIC UTILITIES COMMISSION OF OHIO



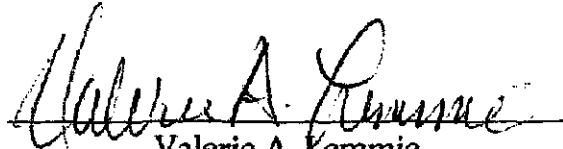
Alan R. Schriber, Chairman



Paul A. Centolella



Ronda Hartman Fergus



Valerie A. Lemmie



Cheryl L. Roberto

GAP:ct

Entered in the Journal

DEC 16 2009



Renee J. Jenkins  
Secretary