

**BEFORE
THE PUBLIC UTILITY COMMISSION OF OHIO**

In the Matter of the Application of Ohio Edison Company, The Cleveland Electric Illuminating Company and The Toledo Edison Company for Approval of Their Energy Efficiency and Demand Reduction Program Portfolio Plans for 2010 and Associated Cost Recovery Mechanisms.)	Case No. 09-1947-EL-POR
)	Case No. 09-1948-EL-POR
)	Case No. 09-1949-EL-POR
)	
In the Matter of the Application of Ohio Edison Company, The Cleveland Electric Illuminating Company and The Toledo Edison Company for Approval of Their Initial Benchmark Reports.)	Case No. 09-1942-EL-EEC
)	Case No. 09-1943-EL-EEC
)	Case No. 09-1944-EL-EEC
)	
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
)	

OBJECTIONS OF THE OHIO SCHOOLS COUNCIL

I. INTRODUCTION

Pursuant to Section 4901:1-39-07(B) of the Ohio Administrative Code, and the Legal Director's Entry dated January 14, 2010, the Ohio Schools Council ("OSC") submits its objections to the energy efficiency and peak demand reduction program portfolio plan filed in the above-captioned proceeding by The Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company (collectively "FirstEnergy").

On December 15, 2009, FirstEnergy filed an Application for approval of its: 1) initial three-year energy efficiency and peak demand reduction program portfolio; and 2) initial compliance report with the energy efficiency and peak demand benchmarks set forth in Amended Senate Bill 221. Page 9 of FirstEnergy's Application expressly states that FirstEnergy

is requesting the modification of its existing Rider DSE 2 to include the recovery of shared savings resulting from its portfolio plan filing. According to the testimony of FirstEnergy witness Ouellette, the shared savings component in Rider DSE will be triggered when one or more of the FirstEnergy Operating Companies exceeds the benchmarks in Section 4928.66 of the Ohio Revised Code in a given year. According to Mr. Ouellette, the shared savings component will provide FirstEnergy with 15% of the net benefit as calculated by the utility cost test, net of taxes, for generating savings in excess of the particular Operating Company's benchmarks.

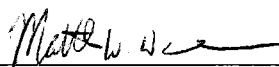
II. OBJECTIONS

The OSC objects to FirstEnergy's inclusion of a shared savings mechanism in their proposed portfolio plan. OSC agrees with, and adopts, the arguments against the shared savings mechanism as set forth in the Joint Objections filed by the Ohio Manufacturers' Association and Ohio Hospital Association.

III. CONCLUSION

WHEREFORE, the Ohio Schools Council respectfully objects to the shared savings mechanism included in FirstEnergy's portfolio plan filing in the above-captioned proceeding.

Respectfully submitted,



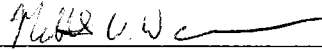
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Motion to Intervene was served upon the parties of record listed below this 17th day of February 2010 *via* electronic mail.



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Summary: Objection of The Ohio Schools Council electronically filed by Teresa Orahod on behalf of Ohio Schools Council