

BEFORE

THE PUBLIC UTILITIES 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) Case No. 09-1947-EL-POR
Energy Efficiency and Peak Demand) Case No. 09-1948-EL-POR
Reduction Program Portfolio Plans for 2010) Case No. 09-1949-EL-POR
through 2012 and Associated Cost Recovery)
Mechanism.)

In the Matter of the Application of Ohio)
Edison Company, The Cleveland Electric) Case No. 09-1942-EL-EEC
Illuminating Company, and The Toledo) Case No. 09-1943-EL-EEC
Edison Company for Approval of Their) Case No. 09-1944-EL-EEC
Initial Benchmark Reports.)

In the Matter of the Energy Efficiency and)
Peak Demand Reduction Program Portfolio) Case No. 09-580-EL-EEC
of Ohio Edison Company, The Cleveland) Case No. 09-581-EL-EEC
Electric Illuminating Company, and The) Case No. 09-582-EL-EEC
Toledo Edison Company.)

ENTRY

The attorney examiner finds:

- (1) Ohio Edison Company, The Cleveland Electric Illuminating Company, The Toledo Edison Company (FirstEnergy or the Companies) are public utilities as defined in Section 4905.02, Revised Code, and, as such, are subject to the jurisdiction of this Commission.
- (2) On December 15, 2009, FirstEnergy filed applications for approval of the Companies' energy efficiency and peak demand reduction program portfolio plans for 2010 through 2012, for approval of the Companies' initial benchmark report, and for approval of a revised High Efficiency Light Bulb Program.
- (3) By entry dated January 14, 2010, the legal director established a procedural schedule for this proceeding, directing that motions to

intervene, objections, and testimony on behalf of intervenors be filed by February 16, 2010.

- (4) On February 12, 2010, the Office of the Ohio Consumers' Counsel (OCC) filed a motion for a one-day extension of the deadlines for the filing of objections and testimony and a request for an expedited ruling. In its motion, OCC represented that it had contacted all parties in the proceeding and that its motion was unopposed.
- (5) Rule 4901:1-39-04(D), Ohio Administrative Code, (O.A.C.), provides that, unless otherwise ordered by the Commission, any person may file objections within sixty days after the filing of an electric utility's program portfolio plan. However, the attorney examiner finds that OCC's motion is reasonable and should be granted. Accordingly, the attorney examiner will grant a waiver of the provisions of Rule 4901:1-39-04(D), O.A.C., and extend the deadline for filing objections and testimony on behalf of intervenors to February 17, 2010. Further, the attorney examiner finds that the deadline for filing motions to intervene should be extended to February 17, 2010.

It is, therefore,

ORDERED, That OCC's motion for a one-day extension of the deadlines for the filing of objections and testimony on behalf of intervenors be granted. It is, further,

ORDERED, That motions to intervene be filed by February 17, 2010. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO



By: Gregory A. Price
Attorney Examiner

QPS /dah

Entered in the Journal

FEB 17 2010



Renee J. Jenkins
Secretary