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The Public Utilities Commission of Ohio
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Columbus, Ohio 43215-3793

February 17, 2010

RECEIVED-DOCKETING DIV.
2010 FEB 18 AM 9:41
PUCO

SUBJECT: Case Numbers No. 09-1947-EL-POR, et al

Dear friends:

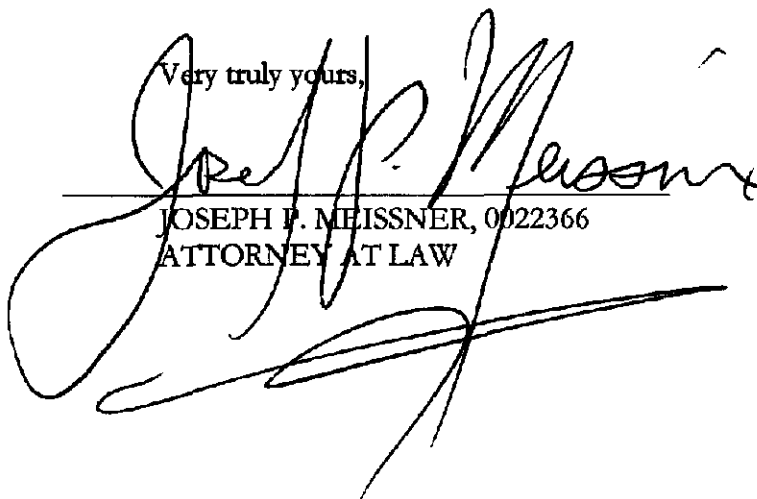
We are enclosing Objections and Comments in the above numbered cases, filed on behalf of the Citizens Coalition.

We are also faxing this. Please file it today. We are mailing by regular overnight express mail. Other parties are being served by email and/or regular mail. We have also enclosed an envelope addressed back to us. Please time-stamp one of the enclosed copies and return this to us.

Let us know of any problems.

Thank you.

Very truly yours,



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BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

RECEIVED-DOCKETING DIV
2010 FEB 18 AM 9:41
PUCO

In the Matter of the Application of)	
Ohio Edison Company, The)	Case Nos. 09-1947-EL-POR
Cleveland Electric Illuminating Company)	09-1948-EL-POR
and The Toledo Edison Company for Approval of)	09-1949-EL-POR
their Energy Efficiency and Peak Demand)	
Reduction Program portfolio Plans for)	
2010 thro8gh 2012 and Associated)	
Cost Recovery Mechanisms)	
)	
In the Matter of the Application of)	
of Ohio Edison Company, The)	Case Nos. 09-1942-EL-EEC
Cleveland Electric Illuminating Company,)	09-1943-EL-EEC
and the Toledo Edison Company for)	09-1944-EL-EEC
Approval of their Initial; Benchmark Reports)	
)	
In the Matter of the Energy Efficiency)	
And Peak Demand Reduction Program)	Case No. 09-580-EL-EEC
Portfolio of Ohio Edison Company, The)	09-581-EL-EEC
Cleveland Electric Illuminating Company)	09-582-EL-EEC
and The Toledo Edison Company)	

**OBJECTIONS AND COMMENTS
ON
COMPANIES' ENERGY EFFICIENCY & PEAK DEMAND REDUCTION
PROGRAM PORTFOLIOS
FILED ON BEHALF OF THE
NEIGHBORHOOD ENVIRONMENTAL COALITION,
THE EMPOWERMENT CENTER OF GREATER CLEVELAND,
CLEVELAND HOUSING NETWORK,
AND
THE CONSUMERS FOR FAIR UTILITY RATES,
(KNOWN AS THE CITIZENS COALITION)
DATED FEBRUARY 17, 2010**

Now comes The Neighborhood Environmental Coalition, The Consumers for Fair Utility Rates, Cleveland Housing Network, and The Empowerment Center of Greater Cleveland (hereinafter "The Citizens Coalition"), who, through their counsel, hereby submit these Objections and Comments on the proposed Energy Efficiency & Peak Demand Reduction Program Portfolios (the "EE/PDR Plan" or "Plans"), the associated cost-recovery mechanisms, Riders DSE, and their initial Benchmark Reports for FirstEnergy and its subordinate companies. These Objections and Comments are filed pursuant to Rule 4901:1-39-04(D) to the Applications of The Cleveland Electric Illuminating Company, Ohio Edison Company, and The Toledo Edison Company (collectively "the Companies" or "FirstEnergy"), in accordance with the Entry of January 14, 2010.

OBJECTION 1: The Citizens Coalition has already filed Comments in this case on December 22, 2009. The Coalition incorporates all of those comments into these "Objections and Comments," including both the General and Specific comments. In Particular, the Coalition applauds this effort for energy efficiency and peak demand reduction. The Coalition views this as a "win-win-win" situation for all the companies, the consumers, and the citizens of Ohio. By using scarce energy resources more effectively and efficiently, we are insuring that these resources will be available to future generations. We are also protecting our environment, reducing air pollution, decreasing the emission of harmful gases, and reducing the risks of possible global warming. To the extent that energy usage is reduced, this lessens the pressures on electric companies to

build expensive new generating plant with their resulting financial pressures on these companies and the need for imposing higher rates on customers.

Secondly, we are very much in favor of energy efficiency programs that are available to all classes and segments of FE's customer base. This insures that all customer groups are involved in this effort, that all see that they can benefit from these programs, and that all customers and the public will participate in the programs and whole heartedly support them. Thirdly, the Citizens Coalition has filed various Specific Objections in our December 22, 2009, pleading. Rather than repeating these, all of these are incorporated into the present filing.

OBJECTION 2: There is a need for a Collaborative to carry out the proposed Energy Efficiency and Peak Demand Reduction Program Portfolios (the "EE/PDR Plan" or "Plans"). We have already discussed this in our December 22, 2009, pleading. We raise this issue again because without a properly functioning collaborative in which all customer classes as well as the companies participate, this whole effort will fail. We will repeat this statement with emphasis: **"without a properly functioning collaborative in which all customer classes as well as the companies participate, this whole effort will fail."**

There is no functioning collaborative at this time, even in terms of the alleged "collaborative" set up by FE. There are no committed members, no officers, no agenda, no meeting dates, no organizing rules, and no funding provided. Even the Taliban in Afghanistan have a better functioning membership organization with more public input. The Citizens Coalition urges the PUCO to help FE and all the involved parties to

establish as soon as possible a real functioning collaborative. This should include establishing the collaborative membership, electing of officers including a chair/president selected from outside the Companies, writing a set of by-laws and/or rules for the functioning of the organization, establishing a schedule for monthly meetings, specifying the agenda items that should be covered, and insuring funds are available so that the collaborative can operate.

OBJECTION 3: The Citizens Coalition is very much concerned that adequate energy efficiency and peak demand reduction programs are available for low-income families. These families—which include so many new poor generated by factory closings and the disappearance of employment—need energy efficiency programs that will help them substantially lower their electric bills. To the extent these families are on the Percentage of Income Payment Program, this will help all customers because the growth of arrearages—with effective energy efficiency programs—can be slowed down and reduced while less funds will have to be collected by any riders from all customers.

We fail to see where adequate and significant energy efficiency programs for low-income families are contained in the proposed Energy Efficiency and Peak Demand Reduction Program Portfolios (the “EE/PDR Plan” or “Plans”). Until such programs are developed and included in the Portfolios, we urge the PUCO to reject the Companies Application.

OBJECTION 4: The Citizens Coalition is quite concerned about the costs of all these programs and the efforts by the FE and its Companies to collect prematurely.

Others have voiced similar objections including Ohio Partners for Affordable Energy. We join in the latter's Objections and Comments, especially Objections 4, 5, and 6 in their pleading currently filed in this proceeding. The Citizens Coalition would urge that the Commission follow the following two principles in insuring that the Companies can collect and only collect for proper costs in this proceeding. First, the Commission should insure that these costs are reasonable and kept to a minimum. We have already seen how the customers were threatened with being gouged in the Light Bulb Program. The Commission should protect customers against such predatory Company practices. If this should happen again, we can expect further outcry against these programs from the public, the media, and the politicians. This could very well undermine public support for all energy efficiency programs and peak load reduction activities. Furthermore, this is a time when many families are suffering from harsh economic conditions and massive unemployment. These are further reasons why the Commission should closely monitor and restrain these costs.

Second, we urge the Commission to insure that any recovery of costs by the Company is based upon actual proven results from these programs. This may have to occur at the annual true-ups. The Citizens Coalition would specifically object to any cost recovery which is simply based on accounting and engineer estimates rather than concrete provable benefits to customers from these programs. Any collection of alleged Company costs should be based on real and actual costs or losses when not prohibited by applicable regulations or other legal restrictions.

Finally, the Citizens Coalition wants to comment on any efforts by the Companies to recover alleged "lost revenues." There may well be legislative support for such efforts

as well as support in the Stipulations. But we caution everyone that the experiences of the Citizens Coalition is that ordinary customers do not understand this idea nor do they support it. These customers, including low-income families, hold the general opinion that if they manage to save and/or conserve, then they should not be penalized for this. They view the Companies recovery of "lost revenues" as a penalty for the customers, and almost as stealing from the customers. The PUCO should refrain from carrying out any such "lost revenue" mechanisms which also would include any kind of decoupling.

OBJECTION 5: The Citizens Coalition is quite concerned about how the energy efficiency programs will be implemented and by whom. The Portfolio contained in the Application is really just a "cook book." This could have been compiled by anyone with a good computer, a printer, and access to the programs already established around the country. FirstEnergy's Energy Efficiency and Peak Demand Reduction Program Portfolios (the "EE/PDR Plan" or "Plans") is just a collection of ideas, "guesstimates," engineer dreaming, rough-and-ready costing estimates, wishful rebate systems, and ball park engineering and accounting. Who is going to implement all of this? How will customers be involved in all of this? Who will select the implementing agencies and companies? How will they be selected? How will the various customer representatives and advocates be involved in all of this? How will the collaborative be involved—assuming one is ever established?

Secondly, who will oversee all of this implementation? Does the PUCO have such personnel? Does the OCC have such personnel? What parties have the capability in terms of money, personnel, expertise, and resources to do this? What funds are available

for such oversight? Who will provide these funds? Will the PUCO provide this monitoring from their budget? Will OCC provide this from their budget? (Note that the Citizens Coalition has already raised these unanswered questions in its December 22, 2009, filing.) None of these crucial questions are adequately discussed and answered in anything filed so far by FE and its operating companies.

OBJECTION 6: The Citizens Coalition objects to the failure of the Application to include provisions that would coordinate FE energy efficiency and peak load reduction plans with any and all similar programs operated by natural gas utilities. Residential efficiency programs should be more cost-effective when natural gas and electric utility programs are delivered jointly because common costs are reduced. Cost-effectiveness is a crucial factor for the ratepayers, especially low-income families, who must pay for programs operated by both utilities. The Application fails to provide a mechanism for such coordination and this oversight should be corrected.

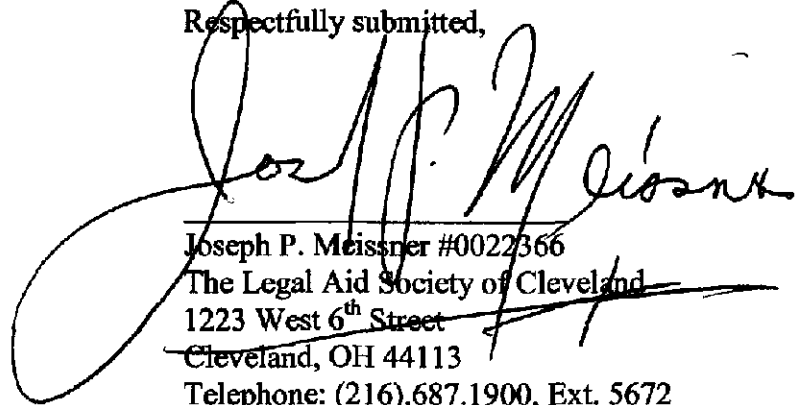
OBJECTION 7: The Citizens Coalition objects because the Application fails to present any method for flowing back to customers the generation-related savings resulting from the Economic Load Response Rider (ELR) and Optional Load Response Rider (OLR). The Stipulation in Case No. 08-835-EL-SSO provides for collection of revenue shortfalls arising from ELR and OLR. But what about any savings? Why should not customers get the benefit from any savings since they are burdened with making up any revenue shortfalls? The PUCO should insure that a fair and reasonable “netting mechanism” is established for all customer classes. As provided in the OP&A

Objections filed in this case, the value of the demand response should be either netted or passed back to all customers either through Rider DSE or through some another method.

CONCLUSION:

The Citizens Coalition urges the PUCO to adopt its recommendations contained in this pleading as well as in its December 22, 2009, pleading, especially the providing of funds so that all the interveners can retain qualified consultants and thus meaningfully participate in the EE/PRD Plans. This goal also could be carried out through providing funds for an open and objective Collaborative. The Coalition reserves the right to provide further helpful comments and objections throughout this procedure including in any briefs.

Respectfully submitted,



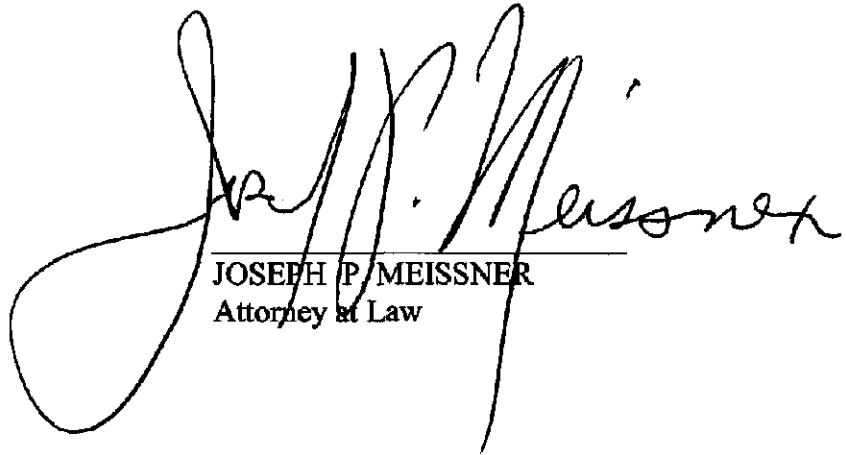
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Greater Cleveland, and
Cleveland Housing Network

CERTIFICATE OF SERVICE

I hereby certify that a copy of this Legal document was served by either Email or by regular U.S. Mail, postage prepaid, upon the parties of record identified below on this 17th day of February, 2010.



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February 17, 2010

TO: All of our Wonderful Assistants
FROM: Gia Hoa Ryan, Director

Thank to all of you for your hard work this past year on the AT&T Life line Program. We do need to help more people in the upcoming year,

PLEASE DO ALL YOU CAN TO SPREAD THE WORD ABOUT THE AT&T
TELEPHONE LIFELINE PROGRAM. THIS PROGRAM CAN BENEFIT MANY
LOW-INCOME FAMILIES IN OUR CITY

PLEASE DO WHAT YOU CAN TO ENROLL ELIGIBLE LOW-INCOME
FAMILIES.

Our goal continues to be to enroll two families every day.

Secondly, we continue to operate another program to help people, especially those who have English as second language, with understanding their income tax situation. The Tax Season for 2010 has just begun. If people need any help with income taxes, let them know about us. If you know anyone who has received a notice from IRS, tell them to call us. This includes people who have Hispanic, Chinese, Vietnamese, Cambodian, Laotian, and Arab backgrounds.

Yours in friendship,

Gia Hoa Ryan, Executive Director

PS: Enclosed is a small appreciation in thanks for your hard work.

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