

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of)	
R.E. Burger Units 4 & 5 for)	Case No. 09-1940-EL-REN
Certification as an Eligible Ohio)	
Renewable Energy Resource)	
Generating Facility.)	

ENTRY

The attorney examiner finds:

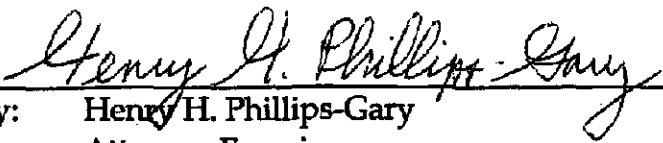
- (1) On December 11, 2009, R.E. Burger Units 4 & 5 (Burger) filed an application for certification as an eligible Ohio renewable energy resource generating facility. According to the application, Burger plans to use biomass fuel as the renewable energy resource for two 156 MW generating units, by co-firing wood pellet/briquette chips and/or agricultural biomass fuels.
- (2) On March 4, 2010, FirstEnergy filed a motion for leave to file an amended application and an amended application. On March 10, 2010, FirstEnergy filed a corrected amended application. By entry issued on March 26, 2010, FirstEnergy's motion for leave to file an amended application was granted and FirstEnergy's amended application was deemed filed as of March 10, 2010.
- (3) Pursuant to the terms of Section 4928.65, Revised Code, and Rule 4901:1-40-04(F)(2), Ohio Administrative Code (O.A.C.), Burger's amended application is subject to a 60-day automatic approval process. The rule also provides that the Commission may suspend an application during the 60-day approval process.
- (4) The attorney examiner finds that additional information is required to satisfy the requirements for certification. Therefore, good cause has been shown to suspend the 60-day automatic approval process for Burger's amended application for certification, in order for the Commission to further review this matter.

It is, therefore,

ORDERED, That the automatic approval process for the amended application of Burger for certification as an eligible Ohio renewable energy resource generating facility be suspended. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO


By: Henry H. Phillips-Gary
Attorney Examiner

grg/sc

Entered in the Journal

APR 28 2010



Renee J. Jenkins
Secretary