

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of)
Ohio Edison Company for Approval of)
an Arrangement with an Existing) Case No. 99-734-EL-AEC
Customer (Preferred Rubber)
Compounding Company).)

FINDING AND ORDER

The Commission finds:

- (1) The Applicant, Ohio Edison Company, is a public utility as defined in Section 4905.02, Revised Code, and, as such, is subject to the jurisdiction of this Commission.
- (2) The Applicant now petitions this Commission for approval of an Agreement with Preferred Rubber Compounding Company. The Customer is adding 700 kV of demand, \$2,000,000 in capital investment and 10 new jobs.
- (3) The Agreement offers demand discounts to encourage the Customer to expand its operations at an existing or new facility in Applicant's service territory. The Agreement states that the Customer shall receive discounts on load as specified in the Agreement. The discounts are as follows:

<u>Year</u>	<u>% Discount</u>
1	50%
2	40%
3	30%
4 - 2005	20%

- (4) Terms of the Agreement specify that the Customer must have commenced expanding or locating its operations at the Singer Drive facility on or before December 29, 1999, for the Customer to qualify for the demand discounts.
- (5) The Applicant states that the proposed Agreement will not be to the detriment of any Ohio Edison customer. Increased load from new or expanding industrial use in the Applicant's service area will permit the Applicant to better utilize its facilities, resulting in more efficient operations.
- (6) The approval of this contract is subject to the determinations and constraints of S.B.3.
- (7) The Applicant will provide to the Staff of the Commission semiannual reports as to the level of economic sales provided by the incentive rate and any effects on other customers. The

reports will be in the format ordered for Ohio Edison's Special Arrangements for Economic Development.

- (8) The application should be approved as filed pursuant to Section 4905.31, Revised Code.
- (9) Our approval of this contract does not constitute state action for the purpose of the antitrust laws. It is not our intent to insulate the Applicant or any party to a contract approved by this Finding and Order from the provisions of any state of federal law which prohibit the restraint of trade.

It is, therefore,

ORDERED, That the Agreements attached to the application is approved. Two copies of the Agreement as filed with the application shall be accepted for inclusion in this docket. Pursuant to the contract, if the Customer has not commenced expanding or locating its operations in the Applicant's service territory on or before the given date, the Applicant shall contact the Commission and, if necessary, withdraw the contract. It is, further,

ORDERED, That the Applicant include the Customer in its semiannual reports regarding its Special Arrangements for Economic Development. The semiannual reports should be submitted to the Electricity Division of the Commission's Utilities Department. It is, further,

ORDERED, That the Commission's approval of this contract does not constitute state action for the purpose of antitrust laws. It is, further,

ORDERED, That nothing in this Finding and Order shall be binding upon this Commission in any subsequent investigation or proceeding 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 the Applicant, and all parties of record.


THE PUBLIC UTILITIES COMMISSION OF OHIO


Alan R. Schriber, Chairman


Ronda Hartman Fergus


Craig A. Glazer


Judith A. Jones

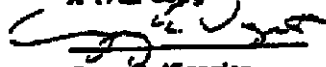

Donald L. Mason

JMM:dj

Entered in the Journal

DEC 4 6 1999

A True Copy


Gary E. Vigorito
Secretary

SERVICE NOTICE

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CASE NUMBER 99-734-EL-AEC
CASE DESCRIPTION OHIO EDISON/PREFERRED RUBBER COMP.
DOCUMENT SIGNED ON December 16, 1999
DATE OF SERVICE Dec 16 1999

PERSONS SERVED

PARTIES OF RECORD

ATTORNEYS

APPLICANT

OHIO EDISON COMPANY
OFFICE OF THE PRESIDENT
76 SOUTH MAIN STREET
AKRON, OH 44308

KURT E. TUROSKY
FIRSTENERGY
76 SOUTH MAIN STREET
AKRON, OH 44308

APPLICANT

PREFERRED RUBBER COMPOUNDING CO.
1020 LAMBERT STREET
BARBERTON, OH

NONE