

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) Case No. 10-176-EL-ATA
Edison Company for Approval of a New)
Rider and Revision of an Existing Rider.)

ENTRY

The attorney examiner finds:

- (1) Ohio Edison Company, The Cleveland Electric Illuminating Company, and 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 February 12, 2010, FirstEnergy filed an application in this proceeding to revise its current tariffs in order to provide rate relief to certain all-electric customers.
- (3) On March 3, 2010, the Commission issued its Finding and Order in this proceeding, approving FirstEnergy's application as modified by the Commission and providing interim rate relief for all-electric residential customers. On March 8, 2010, the Ohio Consumers' Counsel (OCC) filed an application for rehearing. On April 6, 2010, the Commission granted rehearing for the purpose of further consideration of the matters specified in the application for rehearing. Subsequently, on April 15, 2010, the Commission denied rehearing in its Second Entry on Rehearing (April 15 Entry) in this proceeding. On April 2, 2010, FirstEnergy also filed an application for rehearing regarding the Commission's March 3, 2010, Finding and Order. The Commission granted rehearing on April 28, 2010, in the Third Entry on Rehearing in this proceeding.

On May 14, 2010, FirstEnergy filed an application for rehearing regarding the April 15 Entry. Further, on May 17, 2010, Industrial Energy Energy Users-Ohio (IEU-Ohio) and OCC each filed applications for rehearing regarding the April 15 Entry. On June 9, 2010, the Commission granted rehearing for the purpose of further consideration of the matters specified in these applications for rehearing.

- (4) In the Finding and Order issued on March 3, 2010, the Commission directed Staff to file a report regarding the appropriate long-term rates that should be provided to all-electric residential customers of FirstEnergy. The Commission further directed that Staff provide a range of options regarding proposed rates and discounts for all-electric residential customers and that each option be supported by a thorough statistical analysis, including the bill impact upon all-electric customers at various levels of consumption and the number of all-electric residential customers at each consumption level.
- (5) On September 24, 2010, the Staff filed its report as directed by the Commission. In the Staff Report, the Staff provided six different options for the reduction or elimination of the discounts provided to all-electric customers as well as the bill impacts for each option.
- (6) By entry issued on October 8, 2010, a procedural schedule for this proceeding, including six public hearings, was established. One of the public hearings was scheduled for October 26, 2010, at the Maumee Municipal Building, 400 Conant Street, Maumee, Ohio 43537. Due to unforeseen scheduling conflicts, the schedule for public hearings was revised by entry issued on October 14, 2010; however, the schedule for the Maumee public hearing remained unchanged.
- (7) The October 26, 2010, public hearing in Maumee was cancelled after the National Weather Service issued a high wind warning and a tornado watch for the northwest Ohio area. Accordingly, the attorney examiner finds that a public hearing should be conducted on November 18, 2010, at the Maumee Municipal Building, 400 Conant Street, Maumee, Ohio 43537.
- (8) Anyone wishing to share information with the Commission regarding any aspect of potential future all-electric rates is encouraged to attend and participate in one of the local public hearings. The Commission has been contacted by more than 750 people through emails, letters and phone calls expressing concerns about all-electric rates. After reviewing these letters, the Commission is particularly interested in receiving more information at the public hearings about the following:

Commitments: If you are in an all-electric home, what contracts or written documentation do you have regarding your electric rates now and in the future? Was there a commitment that the rate would remain with the home for future owners?

Electric vs. Natural Gas: If you are in an all-electric home, do you think the Commission should take into account, in setting rates, any difference in cost between heating a home with natural gas or with electricity?

Rate Shock: All-electric homes have had discounted rates for many years. However, future events and policy changes, such as federal environment regulations and wholesale market changes, could make it necessary to alter the discount that may be approved in this case. What is a fair way to move or phase in all-electric home bills to accommodate these changes without causing rate shock and without burdening other customers?

- (9) FirstEnergy should publish legal notice of the application and scheduled local and evidentiary hearings in a newspaper of general circulation in each county in The Toledo Edison Company's service territory. Publication of the notice should be completed by November 14, 2010. The hearing notice should not appear in the legal notices section of the newspaper. The notice should read as follows:

LEGAL NOTICE

The Public Utilities Commission of Ohio has scheduled local hearings and an evidentiary hearing in Case No. 10-176-EL-ATA, *In the Matter of the Application of Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company for Approval of a New Rider and Revision of an Existing Rider*. In this proceeding, the Commission will consider the companies' application to provide rate relief for certain all-electric residential customers. On September 24, 2010, the staff of the Public Utilities Commission of Ohio issued a report of its investigation into the application filed by the companies. In the staff report, staff provided a range of options regarding potential rates to be charged to all-electric residential customers.

The local hearings are scheduled for the purpose of providing an opportunity for interested members of the public to testify in this proceeding regarding potential rates to be charged to customers in all-electric homes. Major issues in this case include:

Commitments: If you are in an all-electric home, what contracts or written documentation do you have regarding your electric rates now and in the future? Was there a commitment that the rate would remain with the home for future owners?

Electric vs. Natural Gas: If you are in an all-electric home, do you think the Commission should take into account, in setting rates, any difference in cost between heating a home with natural gas or with electricity?

Rate Shock: All-electric homes have had discounted rates for many years. However, future events and policy changes, such as federal environment regulations and wholesale market changes, could make it necessary to alter the discount that may be approved in this case. What is a fair way to move or phase in all-electric home bills to accommodate these changes without causing rate shock and without burdening other customers?

Due to weather conditions, the local hearing originally scheduled for October 26, 2010, in Maumee, Ohio, was cancelled. This hearing has been rescheduled for Thursday, November 18, 2010, at 6:00 p.m., at the Maumee Municipal Building, 400 Conant Street, Maumee, Ohio 43537.

Other local hearings will be held as follows:

- (a) Thursday, November 18, 2010, at 6:00 p.m., at the Springfield City Hall, City Forum - 1st Floor, 76 East High Street, Springfield, Ohio 45502.
- (b) Monday, November 22, 2010, at 6:00 p.m., at the North Ridgeville Education Center Community Room, 5490 Mills Creek Lane, North Ridgeville, Ohio 44039.

- (c) Tuesday, November 23, 2010, at 6:00 p.m., at Lakeland Community College, 7700 Clocktower Drive, Kirtland, Ohio 44094-5198.

The evidentiary hearing in this proceeding will commence on Monday, November 29, 2010, at 10:00 a.m., at the offices of the Commission, Hearing Room 11-A, 180 East Broad Street, Columbus, Ohio 43215.

Further information or a copy of the staff report may be obtained by contacting the Public Utilities Commission of Ohio, 180 East Broad Street, Columbus, Ohio 43215-3793; by calling the PUCO hotline at 1-800-686-7826; or by going to the PUCO website at www.puco.ohio.gov, selecting DIS, and inserting the case number referenced above.


It is, therefore,

ORDERED, That the local public hearing in this proceeding to be held in Maumee, Ohio, be rescheduled as set forth in finding (7). It is, further,

ORDERED, That FirstEnergy publish notice of the hearing as set forth in finding (9). It is, further,

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

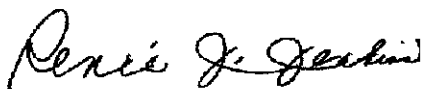
THE PUBLIC UTILITIES COMMISSION OF OHIO


By: Henry H. Phillips-Gary
Attorney Examiner

gag/sc

Entered in the Journal

NOV 05 2010



Renee J. Jenkins
Secretary