

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Joint Application of)
Ohio Edison Company, The Cleveland)
Electric Illuminating Company, The)
Toledo Edison Company, Columbus)
Southern Power Company, Ohio Power) Case No. 11-4627-EL-WVR
Company, The Dayton Power and Light)
Company, and Duke Energy Ohio, Inc.,)
for Waiver with Regard to Rule 4901:1-)
39-05(C), Ohio Administrative Code.)

ENTRY

The Commission finds:

- (1) Section 4928.66, Revised Code, requires electric utilities to implement energy efficiency and peak demand reduction (EE/PDR) programs that achieve certain energy savings and demand reductions from established benchmarks. Rule 4901:1-39-05(C), Ohio Administrative Code (O.A.C.), requires each electric utility to file a portfolio status report addressing the performance of all approved EE/PDR programs in its program portfolio plan over the previous calendar year by March fifteenth of each year.
- (2) On August 1, 2011, Ohio Edison Company, The Cleveland Electric Illuminating Company, The Toledo Edison Company, Columbus Southern Power Company, Ohio Power Company, The Dayton Power and Light Company, and Duke Energy Ohio, Inc. filed a joint application for waiver of Rule 4901:1-39-05(C), O.A.C., requesting that the filing deadline be extended to May 15, 2012, to allow sufficient time to collect and analyze the data regarding program impacts.
- (3) Motions to intervene in this proceeding were filed by the Environmental Law and Policy Center (ELPC), an a non-profit environmental advocacy organization, on August 9, 2011, and by the Office of the Ohio Consumers' Counsel (OCC) on August 10, 2011.
- (4) On September 14, 2011, ELPC and OCC filed a joint motion that was also joined by the Ohio Environmental Council, the

Natural Resources Defense Council, the Sierra Club, Citizen Power, and Buckeye Forest Council, seeking to extend the comment period for intervening parties under Rule 4901:1-39-06(A), O.A.C., to 60 days after the filing of the electric utility's portfolio status report.

- (5) No objections have been filed to the joint application or any of these motions, and each has provided good cause to support its approval. Accordingly, each electric utility is granted until May 15, 2012, to file its portfolio status report. In addition, the motions of ELPC and OCC to intervene in this proceeding are granted, and any comments filed pursuant to Rule 4901:1-39-06(A), O.A.C., must be filed by July 16, 2012. Each electric utility should file a cover letter with its portfolio status report referencing this waiver and request the Commission's Docketing Division to designate this case as a related case to its portfolio review case.

It is, therefore,

ORDERED, That the application for waiver of Rule 4901:1-39-05(C), O.A.C., is granted and each electric utility should file its portfolio status report by May 15, 2012. It is, further,

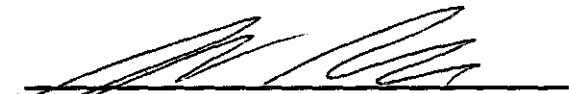
ORDERED, That the motions of ELPC and OCC to intervene in this proceeding and modification of the comment period are granted, and any comments regarding an electric utility's portfolio status report filed pursuant to Rule 4901:1-39-06(A), O.A.C., must be filed by July 16, 2012. It is, further,

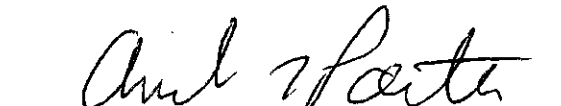
ORDERED, That a copy of this entry be served upon all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO


Todd A. Snitchler, Chairman


Paul A. Centolella

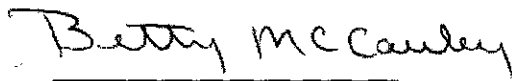

Steven D. Lesser


Andre T. Porter


Cheryl L. Roberto

RMB/dah

Entered in the Journal
DEC 14 2011


Betty McCauley
Secretary