

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Applications of The)
Toledo Edison Company for Integration)
of Mercantile Customer Energy Efficiency)
or Peak-Demand Reduction Programs)
with:)
)
Chrysler Group LLC) Case No. 12-41-EL-EEC
J.M. Smucker LLC) Case No. 12-44-EL-EEC
Materion Brush Inc.) Case No. 12-49-EL-EEC
Oldcastle Building Envelope.) Case No. 12-52-EL-EEC

ENTRY

The attorney examiner finds:

- (1) Section 4928.01(A)(19), Revised Code, defines a mercantile customer as a commercial or industrial customer that consumes more than 700,000 kilowatt hours of electricity per year or that is part of a national account involving multiple facilities in one or more states. Section 4928.66, Revised Code, imposes certain energy efficiency and peak demand reduction requirements upon Ohio's electric distribution utilities, but also enables mercantile customers to commit their peak demand reduction, demand response, and energy efficiency programs for integration with an electric utility's programs in order to meet the statutory requirements. Rule 4901:1-39-05(G), Ohio Administrative Code (O.A.C.), permits a mercantile customer to file, either individually or jointly with an electric utility, an application to commit the customer's demand reduction, demand response, and energy efficiency programs for integration with the electric utility's programs.
- (2) On September 15, 2010, the Commission issued an entry in Case No. 10-834-EL-EEC adopting a pilot program to expedite the review and approval process for applications filed by mercantile customers under Rule 4901:1-39-05(G), O.A.C. This pilot program is intended to simplify the energy efficiency credits (EEC) application process through the development of a standard application template for mercantile customers who commit their programs for integration with an electric utility. The pilot program's automatic approval process provides that applications using

the standard template will be deemed approved 60 days after filing, unless suspended or otherwise ordered by the Commission or an attorney examiner. On May 25, 2011, the Commission issued an entry on rehearing that adopted certain modifications to the pilot program template guidelines, and expanded the automatic approval process to applications where the mercantile customer has agreed to a cash rebate or an exemption from the electric utility's energy efficiency rider of 24 months or less.

- (3) Each above-captioned EEC application was filed pursuant to Rule 4901:1-39-05(G), O.A.C., and under the pilot program established in Case No. 10-834-EL-EEC, is subject to a 60-day automatic approval unless suspended.
- (4) Staff has requested that each of these applications be suspended for further review. Therefore, the attorney examiner finds good cause to suspend the 60-day automatic approval process in order for the Commission and its staff to further review these applications.

It is, therefore,

ORDERED, That the automatic approval process established under the pilot program in Case No. 10-834-EL-EEC be suspended for each application. It is, further,

ORDERED, That a copy of this entry be served upon each party of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO



By: Richard M. Bulgrin
Attorney Examiner

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Entered in the Journal

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Barcy F. McNeal
Secretary