

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application for )  
Establishment of a Reasonable )  
Arrangement between ASHTA Chemicals ) Case No. 12-1494-EL-AEC  
Inc. and The Cleveland Electric )  
Illuminating Company. )

ENTRY

The attorney examiner finds:

- (1) ASHTA Chemicals Inc. (ASHTA), is a mercantile customer, as defined in Section 4928.01, Revised Code, and obtains electric service from The Cleveland Electric Illuminating Company (CEI). CEI is an electric distribution utility as defined in Section 4928.01, Revised Code, and, as such, is subject to the jurisdiction of the Commission.
- (2) On May 7, 2012, ASHTA filed an application for a reasonable arrangement, in accordance with Section 4905.31, Revised Code, and Rule 4901:1-38-05, Ohio Administrative Code (O.A.C.). According to ASHTA, the cost of electricity is a significant percentage of ASHTA's total costs of its business, the production of inorganic chemicals. ASHTA is evaluating a capital expenditure program to significantly change its manufacturing process at its current location in Ashtabula, Ohio. In its application, ASHTA is seeking an arrangement that will provide it with a reasonable and predictable electricity price over a term that will allow ASHTA to make a \$115 to 135 million capital investment. ASHTA estimates that its investment will make its manufacturing facility viable for many years, allow for substantial operational and environmental performance improvements, sustain current employment, and likely expand ASHTA's direct employment by approximately 15 people. Moreover, additional jobs related to design, engineering, and construction will be created during the 24 to 30 month project cycle. ASHTA avers that without the proposed capital investment, its current Ohio-based manufacturing process is not sustainable. ASHTA requests that the Commission approve and authorize a reasonable schedule or arrangement between it and CEI. ASHTA is

currently sourcing generation supply and intends to do so under the arrangement, which ASHTA requests be approved for 10 years.

- (3) Rule 4901:1-38-05 (F), O.A.C., provides that affected parties may file a motion to intervene and file comments and objections to any application filed under this rule within 20 days of the date of the filing of the application.
- (4) On May 25, 2012, Staff filed a request for an extension of the 20-day deadline, stating that Staff needs additional time to gather the information necessary to assess ASHTA's application. Staff requests that affected parties have until June 28, 2012, to file motions to intervene and comments on the application. In its motion, Staff indicated that ASHTA has no objection to an extension of the intervention and comment deadline. The attorney examiner finds that Staff's motion is reasonable and should be granted.
- (5) Accordingly, in order to facilitate thorough consideration of the application, the attorney examiner finds that motions to intervene and comments and objections to the application should be filed by June 28, 2012. If the Commission believes that the application may be unjust or unreasonable after reviewing any comments or objections filed, a hearing will be scheduled by subsequent entry.


It is, therefore,

ORDERED, That Staff's motion for an extension of the time for the filing of motions to intervene and comments and objections be granted. It is, further,

ORDERED, That motions to intervene and comments and objections to the application should be filed by June 28, 2012. It is further,

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

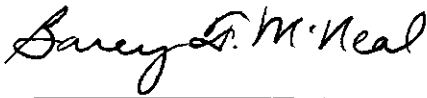
THE PUBLIC UTILITIES COMMISSION OF OHIO

  
By: Katie L. Stenman  
Attorney Examiner

  
JF/vrm

Entered in the Journal

**MAY 29 2012**

  
Barcy F. McNeal

Barcy F. McNeal  
Secretary