

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Review of the Delivery )  
Capital Recovery Rider Contained in the )  
Tariffs of Ohio Edison Company, The ) Case No. 12-2855-EL-RDR  
Cleveland Electric Illuminating Company, )  
and The Toledo Edison Company. )

ENTRY

The Commission finds:

- (1) On August 25, 2010, the Commission issued an opinion and order in *In the Matter of the Application of Ohio Edison Company, The Cleveland Electric Illuminating Company, and the Toledo Edison Company for Authority to Establish a Standard Service Offer Pursuant to Section 4928.143, Revised Code, in the Form of an Electric Security Plan*, Case No. 10-388-EL-SSO. In that opinion and order, the Commission approved a combined stipulation, as modified, authorizing Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company (collectively, FirstEnergy) to establish a delivery capital recovery rider (Rider DCR) effective January 1, 2012. Additionally, under the terms of the stipulation, FirstEnergy agreed to submit to an annual audit review process of Rider DCR. Thereafter, on July 18, 2012, the Commission issued an opinion and order in Case No. 12-1230-EL-SSO, approving a stipulation filed by various parties extending, with modifications, the combined stipulation approved by the Commission in Case No. 10-388-EL-SSO.
- (2) To assist the Commission with the annual audit of FirstEnergy's costs, the Commission directed Staff to issue a request for proposal (RFP) for audit services on November 7, 2012, with proposals due by November 23, 2012.
- (3) Staff sent notice of RFP No. U12-CA-1 on November 7, 2012. Six auditors submitted timely proposals.

- (4) Staff has evaluated the proposals received in response to the RFP. After consideration of the proposals received, the Commission selects Blue Ridge Consulting Services (Blue Ridge) to conduct the audit. The Commission finds that Blue Ridge has the necessary experience to complete the required work under the RFP.
- (5) FirstEnergy shall enter into a contract with Blue Ridge for the purpose of providing payment for its auditing services. The contract shall incorporate the terms and conditions of the RFP, the auditor's proposal, and relevant Commission entries in this case.
- (6) Blue Ridge will execute its duties pursuant to the Commission's statutory authority to investigate and acquire records, contracts, reports, and other documentation under Sections 4903.02, 4903.03, 4905.06, 4905.15, and 4905.16, Revised Code. Blue Ridge is subject to the Commission's statutory duty under Section 4901.16, Revised Code, which provides:

Except in his report to the public utilities commission or when called on to testify in any court or proceeding of the public utilities commission, no employee or agent referred to in section 4905.13 of the Revised Code shall divulge any information acquired by him in respect to the transaction, property, or business of any public utility, while acting or claiming to act as such employee or agent. Whoever violates this section shall be disqualified from acting as agent, or acting in any other capacity under the appointment or employment of the commission.
- (7) Upon request of Blue Ridge or Staff, FirstEnergy shall provide any and all documents or information requested. FirstEnergy may conspicuously mark such documents or information "confidential" if FirstEnergy believes the document should be deemed as such. In no event, however, shall FirstEnergy refuse or delay in providing such documents or information.

Once disclosure is permitted by Section 4901.16, Revised Code, the following process applies to the release of any document or information marked as confidential. Three days' prior notice of intent to disclose shall be provided to the party claiming confidentiality. Three days after such notice, Staff or Blue Ridge may disclose or otherwise make use of such documents or information for any lawful purpose, unless the Commission receives a request for a protective order pertaining to such documents or information within the three-day notice period. The three-day notice period will be computed according to Rule 4901-1-07, Ohio Administrative Code.

- (8) Blue Ridge shall perform its audit and investigation as an independent contractor. Any conclusions, results, or recommendations formulated by Blue Ridge may be examined by any participant to this proceeding. Further, it shall be understood that the Commission and/or its Staff shall not be liable for any acts committed by Blue Ridge or its agents in the preparation and presentation of the report.

It is, therefore,

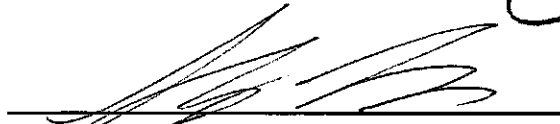
ORDERED, That Blue Ridge is hereby selected to perform the consulting activities set forth above. It is, further,

ORDERED, That FirstEnergy and Blue Ridge shall observe the requirements set forth in this entry. 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

  
Steven D. Lesser

  
Andre T. Porter

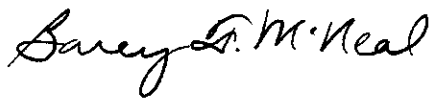
  
Cheryl L. Roberto

  
Lynn Slaby

HW/jd

Entered in the Journal

**DEC 12 2012**



Barcy F. McNeal  
Secretary