

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of	)	
Ohio Edison Company, The Cleveland	)	
Electric Illuminating Company, and	)	Case Nos. 09-1947-EL-POR
The Toledo Edison Company For	)	09-1948-EL-POR
Approval of Their Energy Efficiency	)	09-1949-EL-POR
and Peak Demand Reduction Program	)	
Portfolio Plans for 2009 through 2011.	)	

In the Matter of the Application of	)	
Ohio Edison Company Pursuant to	)	
Rule 4901:1-39-05(C)(2)(c), Ohio	)	Case No. 12-2989-EL-POR
Administrative Code, to Reallocate	)	
Funds Between Energy Efficiency and	)	
Conservation Programs.	)	

FINDING AND ORDER

The Commission finds:

- (1) Ohio Edison Company (OE), The Cleveland Electric Illuminating Company, and The Toledo Edison Company (collectively, FirstEnergy or the Companies) are electric utilities as defined by Section 4928.01, Revised Code, and, as such, are subject to the jurisdiction of this Commission.
- (2) On March 23, 2011, in Case Nos. 09-1948-EL-POR, 09-1943-EL-EEC, and 09-580-EL-POR, the Commission approved the application of OE for approval of its energy efficiency and peak demand reduction (EE/PDR) program portfolio and the associated cost-recovery mechanism, the demand side management and energy efficiency rider (Rider DSE), as well as OE's initial benchmark report. OE's portfolio includes an equipment rebate program that provides rebates for high-efficiency electric equipment including commercial lighting.

- (3) On August 26, 2011, OE sought written approval from the Commission's Staff (Staff), pursuant to Rule 4901:1-39-05(C)(2)(c), Ohio Administrative Code (O.A.C.), to reallocate \$4,636,000 of funds from the Interruptible Demand Reduction Program to the large commercial and industrial (C&I) customer class Commercial Lighting Program serving the mercantile customer class. Staff approved OE's request on August 29, 2011.
- (4) On November 23, 2011, in Case No. 11-5818-EL-POR, OE filed an application to reallocate an additional \$3,200,000 of funds from the Interruptible Demand Reduction Program to the C&I Commercial Lighting Program serving the mercantile customer class, which the Commission approved by finding and order issued on February 14, 2012.
- (5) Thereafter, on November 15, 2012, in Case No. 12-2989-EL-POR (12-2989), OE filed an application to reallocate an additional \$600,000 of funds from the Interruptible Demand Reduction Program to the Equipment Program. In its application, OE explains that, since launching the Equipment Program and receiving approval to reallocate funds on August 29, 2011, and February 14, 2012, incoming applications have the potential to exceed the current Equipment Program's budget. OE states that it projects that customer demand for the program will continue and anticipates that the prior reallocation amounts may be exhausted before the end of 2012. OE further states that the reallocation will support the goals of OE's plan, is reasonable, and will better position OE to achieve its 2012 energy efficiency and peak demand reduction targets in a cost-effective manner. Finally, OE notes that reallocation of the program funds was discussed during a November 14, 2012, collaborative meeting and no party participating on the conference call voiced opposition to the proposal.
- (6) The Commission has reviewed OE's application in 12-2989 and finds the proposed reallocation to be reasonable and in the public interest. Therefore, the application in 12-2989 should be approved.

- (7) Further, on July 31, 2012, in Case Nos. 12-2190-EL-POR, 12-2191-EL-POR, and 12-2192-EL-POR (12-2190), the Companies filed applications for approval of energy efficiency and peak demand reduction program portfolio plans for 2013 through 2015.
- (8) The Commission notes that the hearing in 12-2190 concluded October 30, 2012. Additionally, on December 7, 2012, in 12-2190, the Companies filed a motion to extend their existing energy efficiency and peak demand reduction portfolio plans into 2013, along with a request for expedited treatment. On December 11, 2012, the Sierra Club, Ohio Environmental Council, and Citizen Power filed a joint memorandum in response to the Companies' motion, stating that they do not oppose the extension, but expressing a preference that the Commission decide the application in 12-2190 by the end of 2012. The Commission finds that the Companies' request to extend their existing plans into 2013 is reasonable and should be granted. Accordingly, the Commission directs the Companies to continue their current portfolio plans as approved in Case Nos. 09-1947-EL-POR, 09-1948-EL-POR, and 09-1949-EL-POR, at current budget levels pending the Commission's consideration of the applications filed in 12-2190.

It is, therefore,

ORDERED, That OE's application in 12-2989 to reallocate an additional \$600,000 of funds from the Interruptible Demand Reduction Program to the Equipment Program is approved. It is, further,


ORDERED, That the Companies' motion to extend their existing energy efficiency and peak demand reduction portfolio plans into 2013 is granted as set forth in Finding (8). It is, further,

ORDERED, That nothing in this finding and order shall be binding upon this Commission in any subsequent investigation or proceeding involving the justness or reasonableness of any rate, charge, rule, or regulation. It is, further,


ORDERED, That a copy of this finding and order be served upon all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

  
Todd A. Snitchler, Chairman

  
Steven D. Lesser

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Andre T. Porter

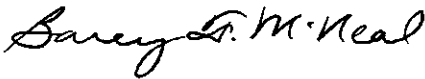
  
Cheryl L. Roberto

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Lynn Slaby

MWC/sc

Entered in the Journal

**DEC 12 2012**

  
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Barcy F. McNeal  
Secretary