

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application for Ohio :  
Edison Company, The Cleveland Electric : Case No. 14-2037-EL-ATA  
Illuminating Company and The Toledo :  
Edison Company for Approval of a Tariff :  
Revision. :

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**COMMENTS  
SUBMITTED ON BEHALF OF THE STAFF OF  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

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**INTRODUCTION**

In this case, the FirstEnergy Operating Companies (Companies) have filed an application to revise their existing Economic Load Response (ELR) tariffs effective June 1, 2015 (2015-16 delivery year). The Companies have proposed this modification to address PJM Interconnection, L.L.C.'s (PJM) creation of a default 30-minute notification time for a called emergency curtailment event.<sup>1</sup> In sum, Staff recommends approval of the FirstEnergy Companies' revised ELR tariffs so long as the Companies adhere to the recommendations that Staff sets forth in these comments.

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<sup>1</sup> *In re PJM Interconnection, LLC*, Docket Nos. ER14-822-000 and 001 (Order) (May 9, 2014).

## **BACKGROUND**

Currently, the Companies' ELR customers are interrupted when PJM calls an emergency curtailment event and the Companies and the local transmission company, American Transmission Systems Incorporated (ATSI), request the customers to curtail. Recently, PJM changed the notification for curtailments from a 120-minute notice to 30-minute notice for the upcoming 2015-16 planning year. PJM also created an exception process to the default notification time, which would grant certain demand resources either a 60-minute or a 120-minute notification time, subject to the outcome of the exception process.

Several months ago, Staff suggested that the Companies inform their ELR customers of the exception process and determine if customers want to file for such an exception. The Companies followed Staff's suggestion and determined that most of the Companies' current 27 ELR customers made a PJM exception request and all customers that made a request have been approved for the 2015-16 Planning Year.

## **STAFF RECOMMENDATIONS**

At this point, it is unclear if such exception requests will be permitted in future PJM planning years. If they are permitted, Staff recommends the Companies follow the same customer notification procedure used this year to inform ELR customers of the exception process, unless PJM delineates a different process. If the Federal Energy Regulatory Commission permits PJM to modify the exceptions process for demand resources, the Companies should revise Rider ELR accordingly. Furthermore, the word "solely"

should be removed from the Companies' tariff (the first sentence in the third paragraph under the provision entitled, "OTHER PROVISIONS, D. Emergency Curtailment Event.")

If the Companies adhere to Staff's recommendations, Staff recommends approval of the FirstEnergy Companies' revised ELR tariffs.

Respectfully submitted,

**Michael DeWine**  
Ohio Attorney General

**William L. Wright**  
Section Chief

*/s/ Katie L. Johnson* \_\_\_\_\_

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### **PROOF OF SERVICE**

I hereby certify that a true copy of the foregoing **Comments** submitted on behalf of the Staff of the Public Utilities Commission of Ohio, was served via electronic mail, upon counsel for applicant, James W. Burk, [burkj@firstenergycorp.com](mailto:burkj@firstenergycorp.com), FirstEnergy Companies, 76 South Main Street, Akron, Ohio, 44308, this 6th day of February, 2015.

*/s/ Katie L. Johnson* \_\_\_\_\_

**Katie L. Johnson**  
Assistant Attorney General

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Summary: Comments submitted by Assistant Attorney General Katie Johnson on behalf of the Staff of the Public Utilities Commission of Ohio. electronically filed by Kimberly L Keeton on behalf of Public Utilities Commission of Ohio