

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Notice of	:	
Compliance by Ohio Edison Company,	:	Case No. 15-1324-EL-ACP
The Cleveland Electric Illuminating	:	
Company, and The Toledo Edison	:	
Company with the Electric Security Plan.	:	

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

I. INTRODUCTION

On July 16, 2015, Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company (collectively, the Companies) filed a “notice of compliance” providing that a ten-year request for proposal (RFP) to purchase renewable energy credits (RECs) will not be held for the period of 2016 through 2025 in accordance with the Stipulation approved by the Commission in Case No. 12-1230-EL-SSO.

Staff offers the following comments in response to the Companies’ filing.

II. REGULATORY BACKGROUND

The stipulation approved by the Commission in Case No. 12-1230-EL-SSO included the potential for two additional RFPs for long-term delivery of solar resources as a means of continuing the commitment from Case No. 10-0388-EL-SSO.¹

Included within the stipulation was language that conditioned the issuance of RFPs for solar REC delivery beginning in 2015 and 2016 on the Companies' standard service offer (SSO) load. If the SSO load of the Companies is less than 15,000,000 megawatt-hours (MWHs) as calculated by the formula provided in the stipulation, no additional solar RECs will be purchased that year.

Similar to the notice in this proceeding, the Companies previously filed notice that they would not be conducting two previous RFPs under the terms of Case No. 10-0388-EL-SSO.² More recently, the Companies also filed notice in Case No. 14-1286-EL-ACP in which they determined an RFP for solar RECs was not required under the terms of the stipulation in Case No. 12-1230-EL-SSO.

¹ *In re FirstEnergy ESP*, Case No. 12-1230-EL-SSO (Stipulation and Recommendation at 15) (Apr. 13, 2012).

² *In the Matter of Notice of Compliance by Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company*, Case No. 12-2217-EL-ACP, and *In the Matter of Notice of Compliance by Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company*, Case No. 13-1191-EL-ACP.

III. COMPANIES' "NOTICE OF COMPLIANCE" SUMMARIZED

The Companies' July 16th filing in this proceeding provides notice that they do not intend to conduct an RFP for delivery beginning in 2016. They assert that the calculation of their SSO load, following the methodology in the stipulation, results in a total SSO load of less than 15,000,000 MWHs thus excusing them from the requirement of conducting this RFP for solar RECs. The Companies' filing included a table which showed the details of their calculation.

IV. STAFF POSITION

Staff reviewed the Companies' calculations, including the source materials for the data inputs. Staff also reviewed the terms of the stipulation, which provides:

The standard service offer load of the Companies for the purpose of the thresholds set forth above is calculated by multiplying the Companies' prior year non-shopping percentage, as submitted by the Companies to Commission Staff in December of each year, by the Companies' long term forecast as filed with the Commission on April 15th for the year in which an RFP may occur.³

Staff confirmed that, using the forecasted sales for 2015 from Case No. 15-0649-EL-FOR and the switching data available on the PUCO website, the SSO load calculates to less than 15,000,000 MWHs. Staff agrees with the Companies' conclusion that they are not required to conduct this RFP.

³

Stipulation at 16.

Respectfully submitted,

Michael DeWine
Ohio Attorney General

William L. Wright
Section Chief

/s/ Ryan P. O'Rourke

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**Counsel for the Staff of
The Public Utilities Commission of Ohio**

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 applicant's counsel, Carrie M. Dunn, dunnc@firstenergycorp.com, this ____ day of August, 2015.

/s/ Ryan P. O'Rourke

Ryan P. O'Rourke
Assistant Attorney General

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Case No(s). 15-1324-EL-ACP

Summary: Comments submitted Assistant Attorney General Ryan O'Rourke 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