

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of Ohio)
Edison Company, The Cleveland Electric)
Illuminating Company, and The Toledo)
Edison Company for Approval of Their) Case No. 16-743-EL-POR
Energy Efficiency and Peak Demand)
Reduction Program Portfolio Plans for 2017)
through 2019.)

ENTRY

The attorney examiner finds:

- (1) Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company (collectively, FirstEnergy or the Companies) are electric distribution utilities as defined in R.C. 4298.01(A)(6) and public utilities as defined in R.C. 4905.02 and, as such, are subject to the jurisdiction of this Commission.
- (2) On August 4, 2014, FirstEnergy filed an application pursuant to R.C. 4928.141 to provide for a standard service offer (SSO) to provide generation pricing for the period of June 1, 2016, through May 31, 2019. The application was for an electric security plan (ESP), in accordance with R.C. 4928.143 (ESP IV). *In re FirstEnergy*, Case No. 14-1297-EL-SSO (*FirstEnergy ESP IV*).
- (3) On December 1, 2015, the Companies and several other parties, including Staff, filed a joint stipulation and recommendation (Third Supplemental Stipulation) in *FirstEnergy ESP IV*, in which the signatory parties attempted to resolve all outstanding issues in that proceeding. On March 31, 2016, the Commission issued its Opinion and Order in *FirstEnergy ESP IV*, approving FirstEnergy's application and stipulations with several modifications (*FirstEnergy ESP IV* Opinion and Order). As part of the stipulated agreement, FirstEnergy agreed to reactivate all of its programs suspended in *In re FirstEnergy*, Case No. 12-2190-EL-POR, et al., expand offerings to include best practice ideas from utility peers in Ohio and nationally, and strive to achieve over 800,000 MWh savings annually

subject to customer opt-outs (Third Supplemental Stipulation at 11).

- (4) On April 15, 2016, FirstEnergy filed an application for the approval of its energy efficiency and peak demand reduction program portfolio plans for 2017 through 2019 in the above captioned case, pursuant to the terms of the Third Supplemental Stipulation, the *FirstEnergy ESP IV* Opinion and Order, R.C. 4928.66, and Ohio Adm.Code 4901:1-39-04, -05, -06, -07. In addition, FirstEnergy filed testimony in support of the application.

The Companies' application contains a proposed procedural schedule including a suggested deadline of May 30, 2016, for objections to the application and a suggested range of start dates for the evidentiary hearing. Additionally, FirstEnergy requests that a Commission order be issued by September 30, 2016, in order to avoid any potential delay in implementing the plans on January 1, 2017.

- (5) Thereafter, on April 29, 2016, the Ohio Consumers' Counsel (OCC) filed a limited objection to FirstEnergy's proposed procedural schedule. In its limited objection, OCC asserts that FirstEnergy's proposed procedural schedule provides for a 45-day period from the date the application was filed for parties to file objections to the application. OCC notes that, in accordance with Ohio Adm.Code 4901:1-39-04(D), parties are normally afforded a 60-day period for the filing of objections, subject to any modifications by the Commission. Additionally, OCC argues that FirstEnergy's proposed portfolio plans are large and complex and require more time for examination than FirstEnergy has allotted in its proposed procedural schedule, in order to provide a more thorough and robust record for the Commission's consideration. Moreover, OCC argues that FirstEnergy will not be burdened by providing 60 days for the filing of objections.
- (6) Ohio Adm.Code Chapter 4901:1-39 provides that the Commission establish a procedural schedule for energy efficiency and peak demand reduction program portfolio plans. Accordingly, to assist interested persons in understanding the applications filed by FirstEnergy, a technical conference shall be held on May 9, 2016, at 10:00 a.m., at the offices of the

Commission, 180 East Broad Street, 11th Floor, Hearing Room
11-B, Columbus, Ohio.

- (7) The attorney examiner notes that all other deadlines for this proceeding shall be established by subsequent entry.

It is, therefore,

ORDERED, That the technical conference be scheduled in accordance with Finding (6). It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/ Megan Addison

By: Megan Addison
Attorney Examiner

jrj/vrm

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in

Case No(s). 16-0743-EL-POR

Summary: Attorney Examiner Entry scheduling a technical conference for May 9, 2016; electronically filed by Vesta R Miller on behalf of Megan Addison, Attorney Examiner, Public Utilities Commission of Ohio