

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
AUTHORITY TO PROVIDE FOR A STANDARD
SERVICE OFFER PURSUANT TO R.C. 4928.143
IN THE FORM OF AN ELECTRIC SECURITY
PLAN.

CASE NO. 14-1297-EL-SSO

ENTRY

Entered in the Journal on August 8, 2016

{¶ 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. 4928.01(A)(6) and public utilities as defined in R.C. 4905.02, and, as such, are subject to the jurisdiction of this Commission.

{¶ 2} R.C. 4928.141 provides that an electric distribution utility shall provide customers within its certified territory a standard service offer (SSO) of all competitive retail electric services necessary to maintain essential electric services to customers, including firm supply of electric generation services. The SSO may be either a market rate offer in accordance with R.C. 4928.142 or an electric security plan (ESP) in accordance with R.C. 4928.143.

{¶ 3} On August 4, 2014, FirstEnergy filed an application pursuant to R.C. 4928.141 to provide for an SSO to provide generation pricing for the period of June 1, 2016, through May 31, 2019. The application is for an ESP, in accordance with R.C. 4928.143 (ESP IV).

{¶ 4} On September 30, 2015, the attorney examiner issued an Entry listing individuals who had signed protective agreements with FirstEnergy in order to access confidential information and competitively sensitive confidential information discussed during the first two evidentiary hearings in this proceeding.

{¶ 5} On March 31, 2016, the Commission issued its Opinion and Order in this proceeding, approving FirstEnergy's application and the stipulations filed in this proceeding with several modifications (Opinion and Order).

{¶ 6} On May 2, 2016, FirstEnergy filed an application for rehearing. In its application for rehearing, and as a recommended solution to three of its proffered assignments of error, FirstEnergy proposed a modified calculation for its retail rate stability rider (Rider RRS) as approved in the Opinion and Order (Modified RRS Proposal).

{¶ 7} On June 3, 2016, the attorney examiner issued an Entry establishing a procedural schedule for an additional hearing in this matter to begin on July 11, 2016 to discuss the Modified RRS proposal and any alternative proposals (Rehearing). Rehearing began on July 11, 2016, as scheduled, and concluded on August 1, 2016.

{¶ 8} Various portions of Rehearing were conducted in a closed, confidential session due to the discussion of information claimed to be confidential trade secret information. Prior to the conclusion of Rehearing, a number of additional intervening parties in the case signed protective agreements with FirstEnergy, in order to access the confidential information and competitively sensitive confidential information.

{¶ 9} The attorney examiner finds that, in addition to those persons listed in the September 30, 2016 Entry, the following persons from the following intervening parties, Ohio Power Co. (AEP Ohio), Exelon Generation Company, LLC (Exelon), Ohio Manufacturers' Association Energy Group (OMAEG), the Electric Power Supply Association (EPSA), PJM Power Providers Group (P3), Sierra Club, and Direct Energy Services, LLC (Direct Energy) may access and/or copy any part of the confidential and/or competitively sensitive confidential portion of the transcript, including confidential and/or competitively sensitive confidential exhibits:

Bletzacker, Karl	AEP Ohio
Brady, Cynthia	Exelon
Campbell, Lael	Exelon
Horton, Mile	Sierra Club
Ghiloni-Walter, Danielle	OMAEG
Mond, Allison	P3/EPSA
Whitt, Mark	Direct Energy

{¶ 10} Individuals desiring to access and/or copy the confidential and/or competitively sensitive confidential portions of the transcript and exhibits should bring the confidential document target for the desired documents and should be prepared to provide appropriate identification to the Commission's Docketing Division.

{¶ 11} Further, any questions or issues arising regarding this list should be directed to Carrie Dunn (FirstEnergy) or Martin Harvey (Jones Day).

{¶ 12} It is, therefore,

{¶ 13} ORDERED, That, in addition to those listed in the September 30, 2016 Entry, the persons listed in Paragraph 9 may access and copy any part of the confidential and/or competitively sensitive confidential portion of the transcript, including exhibits. It is, further,

{¶ 14} 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 J. Addison
Attorney Examiner

SEF/sc

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in

Case No(s). 14-1297-EL-SSO

Summary: Attorney Examiner Entry giving additional persons listed in Paragraph 9 from those listed in the 09/30/2016 Entry, access to confidential portions of the transcript and exhibits. - electronically filed by Sandra Coffey on behalf of Megan Addison, Attorney Examiner, Public Utilities Commission of Ohio