

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 ENERGY EFFICIENCY
AND PEAK DEMAND REDUCTION PROGRAM
PORTFOLIO PLANS.

CASE NO. 16-743-EL-POR

ENTRY

Entered in the Journal on October 26, 2016

{¶ 1} 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.

{¶ 2} Pursuant to discussions with the parties on October 5 and 18, 2016, this matter will be rescheduled for hearing on November 21, 22, and 23, 2016, in Hearing Room 11-D. Staff testimony will be due November 16, 2016. The parties will also abide by a ten-day discovery response time.

{¶ 3} Motions for intervention have been filed by the Environmental Defense Fund and Ohio Environmental Council (EDF/OEC), the Environmental Law & Policy Center (ELPC), Ohio Partners for Affordable Energy (OPAE), the Natural Resources Defense Council (NRDC), the Ohio Consumers' Counsel (OCC), Industrial Energy Users-Ohio (IEU-Ohio), the Ohio Manufacturers' Association Energy Group (OMAEG), the Ohio Hospital Association (OHA), the Kroger Co. (Kroger), Energy Management Solutions, Inc. (EMS), EnerNOC, Inc. (EnerNOC), and IGS Energy, Inc. (IGS).

{¶ 4} On June 8, 2016, Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company (hereafter, the Companies) filed a memorandum contra to the EMS motion to intervene arguing that as an energy consulting firm, EMS is not an association of businesses, but simply a vendor who should not be permitted to represent the interests of its customers. On June 15, 2016,

EMS filed a reply to the Companies' objections to its intervention, arguing that the Commission has generally encouraged broad intervention in its proceedings, and that EMS has a real and substantial interest in determining the incentives and programs that the Companies will offer to their customers. EMS also notes that the Companies did not object to the motion of EnerNOC, which is also a for-profit energy services provider.

{¶ 5} With respect to EMS, the attorney examiner finds the Companies' objections to intervention to be without merit, particularly as no objection was raised for the intervention of EnerNOC. With respect to the other motions for intervention to which no objections have been filed, these parties have been active participants in energy conservation proceedings, including POR cases, and assert that they have real and substantial interests which may be adversely affected by the outcome of these proceedings, and which cannot be adequately represented by any other party. Accordingly, the motions for intervention of EMS, EDF/OEC, ELPC, OP&E, NRDC, OCC, IEU-Ohio, OMAEG, OHA, Kroger, EnerNOC, and IGS should be granted.

{¶ 6} It is, therefore,

{¶ 7} ORDERED, That the hearing of this matter be rescheduled for November 21, 2016, at 10:00 a.m. in Hearing Room 11-D at the offices of the Commission. It is, further,

{¶ 8} ORDERED, That the parties observe the procedural schedule set forth above. It is, further,

{¶ 9} ORDERED, That the motions of EMS, EDF/OEC, ELPC, OP&E, NRDC, OCC, IEU-Ohio, OMAEG, OHA, Kroger, EnerNOC, and IGS to intervene be granted. It is, further,

{¶ 10} ORDERED, That a copy of this Entry be served upon all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/ Richard M. Bulgrin

By: Richard M. Bulgrin
Attorney Examiner

JRJ/dah

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

10/26/2016 2:35:35 PM

in

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

Summary: Attorney Examiner Entry orders the hearing of this matter be rescheduled for November 21, 2016, at 10:00 a.m. in Hearing Room 11-D at the offices of the Commission; that the parties observe the procedural schedule set forth above; and that the motions of EMS, EDF/OEC, ELPC, OPAE, NRDC, OCC, IEU-Ohio, OMAEG, OHA, Kroger, EnerNOC, and IGS to intervene be granted. Entry electronically filed by Debra Hight on behalf of Richard M. Bulgrin, Attorney Examiner.