

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

**Application Not for an Increase in Rates,  
pursuant to Section 4909.18 Revised Code**

In the Matter of the Application of Ohio       )  
Edison Company, The Cleveland Electric       )  
Illuminating Company and The Toledo       ) Case No. 16-1790-EL-ATA  
Edison Company for Modification of a       )  
Tariff   )

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1. APPLICANT RESPECTFULLY PROPOSES: (Check applicable proposals)

<input type="checkbox"/> New Service	<input type="checkbox"/> Change in Rule or Regulation
<input type="checkbox"/> New Classification	<input type="checkbox"/> Reduction Rates
<input type="checkbox"/> Change in Classification	<input type="checkbox"/> Correction of Error
<input checked="" type="checkbox"/> Other, not involving increase in rates	
<input type="checkbox"/> Various related and unrelated textual revision, without change in intent	

2. DESCRIPTION OF PROPOSAL:

Proposal to make consistent revisions to the Cogeneration and Small Power Production tariff (PUCO No. 11, Sheet No. 50), the Cogenerators and Small Power Production Facilities tariff (PUCO No. 13, Sheet No. 48), and the Cogeneration and Small Power Producer Rate CO-1 tariff (PUCO No. 8, Sheet No. 70).

3. TARIFFS AFFECTED:

P.U.C.O. No. 11, Ohio Edison Company Original Sheet No. 50  
P.U.C.O. No. 13, The Cleveland Electric Illuminating Company Original Sheet No. 48  
P.U.C.O. No. 08, The Toledo Edison Company Original Sheet No. 70

4. Attached hereto and made a part hereof are: (Check applicable Exhibits)

X   Exhibit A – Redlined schedule sheets

  X   Exhibit B – Clean schedule sheets

       Exhibit C-1

- a) if new service is proposed, describe;  
Description included on attached Exhibit C-1.
- b) if new equipment is involved, describe (preferably with a picture, brochure, etc.)  
and where appropriate, a statement distinguishing proposed service from existing  
services;
- c) if proposed service results from customer requests, so state, giving if available,  
the number and type of customers requesting proposed service.

       Exhibit C-2 - if a change of classification, rule or regulation is proposed, a statement  
explaining reason for change.

  X   Exhibit C-3 - statement explaining reason for any proposal not covered in Exhibits  
C-1 or C-2.

5. Applicants respectfully request the Commission to approve the Cogeneration and Small Power  
Production tariff sheets attached hereto and authorize Applicants to file same in final form, and  
to be in the form and content shown in Exhibit B.

*Erika Ostrowski*

Attorney  
TITLE

76 South Main Street  
Akron, Ohio 44308  
Address

330/384-5803  
TELEPHONE NUMBER

## COGENERATION AND SMALL POWER PRODUCTION

### Availability:

This tariff applies to general service customers requesting ~~This schedule is applicable to the~~ Company purchase of ~~power energy~~ from cogeneration and small power production facilities which are eligible to qualify under Section 210 of the Public Utilities Regulatory Policies Act of 1978, having design capacity of 100 kilowatts or less.

All other electric service which cogenerators or small power producers may require from the Company, such as supplementary, back-up, ~~interruptible~~ or maintenance power, shall be furnished under the Company's filed rate schedules in effect for such service.

For customers with cogeneration or small power production facilities which qualify under Section 210 of the Public Utility Regulatory Policies Act of 1978, and which have a total nameplate rating greater than 100 kilowatts but not exceeding 20,000 kilowatts, the Company shall negotiate a contract for service on an individual case basis. Such contracts shall incorporate the terms and conditions of this tariff and may include additional terms and conditions consistent with OAC 4901:1-10-34 (J).

### Administration:

For all customers with qualifying facilities wishing to sell energy to the Company, a ~~A~~ monthly charge of \$9.42 will be made to cover administrative and other costs related to such energy purchases, ~~from and interconnection with the qualifying facility.~~

### Rate:

For all customers with qualifying facilities wishing to sell energy to the Company, the purchase price for energy supplied to the Company from the qualifying facility will be the PJM Balancing Market (Real-Time) Locational Marginal Price (LMP) at the FE Ohio load zone, net of PJM costs incurred, which will be itemized on the customer's bill when applicable. The purchase price for power supplied to the Company from the qualifying facility will be the average avoided cost of such power, derived from data filed with the P.U.C.O. and updated biennially.

~~The net monthly payment to the qualifying facility shall be:~~

~~\_\_\_\_\_ Non Time-of Day Metered Installations  
\_\_\_\_\_ All kWh, per kWh ..... 1.26¢~~

Filed pursuant to Orders ~~s~~ dated July 19, 2000 and ~~XXXX~~ in Case Nos. 99-1212-EL-ETP and 16-1790-EL-ATA before  
The Public Utilities Commission of Ohio

Issued by ~~H. Peter Burg, President~~ Steven E. Strah, President

Effective: ~~January 1, 2003~~ XXXX

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<u>Time of Day Metered Installations</u>	
<u>On Peak kWh, per kWh</u>	<u>1.40¢</u>
<u>Off Peak kWh, per kWh</u>	<u>1.26¢</u>

**Transmission of Power:**

~~Ohio Edison will transmit power from qualifying cogenerators and small power producers to other third party purchasers under reasonable arrangements and upon payment of charges in accordance with the FERC Open Access Transmission Tariff, provided such a transfer will cause no undue burden to the Company and will not unreasonably impair the reliability of service provided by the Company.~~

**Interconnection Costs:**

~~The Company's Interconnection Tariff shall apply to service under this tariff. At the request of the qualifying facility the Company will install the necessary equipment to interconnect with the facility. No interconnection will be made until the qualifying facility has installed equipment which, in the Company's judgment, provides for safety of personnel, affords adequate protection against damages to the Company's system or to other customer's property and prevents interference with the supply of electric service to others.~~

~~The qualifying facility shall pay the Company for its one time cost of interconnection including metering. The payment can be made in equal installments over a thirty six (36) month period provided a suitable guarantee of payment is furnished and an appropriate rate of interest is specified on the unpaid balance. All material and equipment installed by the Company shall remain its property.~~

**Purchase Agreement:**

~~All~~Those qualifying facilities wishing to sell ~~power energy~~ to ~~Ohio Edison~~the Company will be ~~requested~~required to sign a letter of agreement or other contract stating the terms of the transaction. No purchase will be made without such contract. The customer shall be responsible for any costs incurred by the Company for additional services provided other than the administration of energy purchases.

**Electric Service Regulations:**

The Company's Electric Service Regulations shall apply to the installation and use of electric service.

## **COGENERATION AND SMALL POWER PRODUCTION**

### **Availability:**

This tariff applies to general service customers requesting the Company purchase of energy from cogeneration and small power production facilities which are eligible to qualify under Section 210 of the Public Utilities Regulatory Policies Act of 1978, having design capacity of 100 kilowatts or less.

All other electric service which cogenerators or small power producers may require from the Company, such as supplementary, back-up, or maintenance power, shall be furnished under the Company's filed rate schedules in effect for such service.

For customers with cogeneration or small power production facilities which qualify under Section 210 of the Public Utility Regulatory Policies Act of 1978, and which have a total nameplate rating greater than 100 kilowatts but not exceeding 20,000 kilowatts, the Company shall negotiate a contract for service on an individual case basis. Such contracts shall incorporate the terms and conditions of this tariff and may include additional terms and conditions consistent with OAC 4901:1-10-34 (J).

### **Administration:**

For all customers with qualifying facilities wishing to sell energy to the Company, a monthly charge of \$9.42 will be made to cover administrative and other costs related to such energy purchases.

### **Rate:**

For all customers with qualifying facilities wishing to sell energy to the Company, the purchase price for energy supplied to the Company from the qualifying facility will be the PJM Balancing Market (Real-Time) Locational Marginal Price (LMP) at the FE Ohio load zone, net of PJM costs incurred, which will be itemized on the customer's bill when applicable.

### **Interconnection:**

The Company's Interconnection Tariff shall apply to service under this tariff.

### **Purchase Agreement:**

All qualifying facilities wishing to sell energy to the Company will be required to sign a letter of agreement or other contract stating the terms of the transaction. No purchase will be made without such contract. The customer shall be responsible for any costs incurred by the Company for additional services provided other than the administration of energy purchases.

### **Electric Service Regulations:**

The Company's Electric Service Regulations shall apply to the installation and use of electric service.

**COGENERATORS AND SMALL POWER PRODUCTION FACILITIES**

~~This schedule is applicable to the purchase of power from cogeneration and small power production facilities which are eligible to qualify under Section 210 of the Public Utilities Regulatory Policies Act of 1978, having design capacity of 100 kilowatts or less.~~

~~All other electric service which cogenerators or small power producers may require from the Company, such as supplementary, back up, interruptible or maintenance power shall be furnished under the Company's filed rate schedules in effect for such service.~~

**MONTHLY RATES:****For Purchases of Energy from QF's**

- ~~1. Provided a Time of Day watt hour meter is used to measure the energy supplied from a Qualifying Facility to the Company, the Company shall purchase the energy supplied on Monday through Friday at the following rates per kWh:~~

<u>Eastern Standard Time</u>	<u>Summer</u>	<u>Winter</u>	<u>Daylight Savings Time</u>
	<u>Cents per kWh</u>		
8 a.m. to 8 p.m.	1.6	1.7	9 a.m. to 9 p.m.
8 p.m. to 8 a.m.	1.2	1.4	9 p.m. to 9 a.m.

~~Energy supplied on Saturday and Sunday from a Qualifying Facility shall be purchased by the Company at a rate of 1.4 cents per kWh in the summer and 1.2 cents per kWh in the winter.~~

- ~~2. Provided a standard watthour meter is used to measure the energy supplied from a Qualifying Facility to the Company, the Company shall purchase the energy supplied at a rate of 1.35 cents per kWh in the summer and 1.51 cents per kWh in the winter.~~
- ~~3. The Winter Rates specified above shall be applicable in eight consecutive monthly billing periods beginning with the October bills each year. The Summer Rates shall apply in all other billing periods.~~

**COGENERATORS AND SMALL POWER PRODUCTION FACILITIES****For Sales of Energy from the Company**

- ~~4. The Company will provide Transmission and Ancillary Services to a Qualifying Facility under its FERC Open Access Transmission Tariff.~~
- ~~5. The following additional monthly charges shall apply to cover the cost of special metering facilities for measuring the amount of energy supplied from a Qualifying Facility to the Company as follows:~~

	<u>Single Phase</u>	<u>Polyphase</u>
<del>Time of Day Meter</del>		
<del>For Service of 30 kW or Less</del>	<del>\$14.05</del>	<del>\$19.35</del>
<del>For Service Greater Than 30 kW</del>	<del>26.67</del>	<del>29.99</del>
<del>Standard Watthour Meter</del>		
<del>For Service of 30 kW or Less</del>	<del>\$ 8.67</del>	<del>\$14.05</del>
<del>For Service Greater Than 30 kW</del>	<del>21.38</del>	<del>24.70</del>

~~These costs reflect metering at 240 volts or less. Charges for metering at higher voltages shall be based upon actual costs.~~

**GENERAL RULES:**

- ~~1. All Qualifying Facility installations shall comply with applicable national, state and local codes, standards and regulations.~~
- ~~2. All Qualifying Facilities shall comply with Company Rules and Regulations listed in this schedule, as well as the Company's Standard Rules and Regulations on file with the Commission. Furthermore, installations shall be made accessible to authorized Company personnel at the time of installation as well as~~
- ~~for periodic inspections thereafter. The Company reserves the right to refuse or to terminate service under this tariff to a Qualifying Facility if the Company finds that the alternate energy device will not be installed or is not operating in compliance with these rules.~~
- ~~3. The Qualifying Facility agrees to be liable for any damage to the Company's facilities resulting from the operation of the generating equipment. The Qualifying Facility also agrees to indemnify the Company and save it harmless from all damages, costs, claims and expenses to the Company, its employees, successors and assigns, or to any third party arising out of or related to the operation, failure or malfunction of the Customer's generator and equipment associated with the connection of the said generator to the Company's system.~~

**COGENERATORS AND SMALL POWER PRODUCTION FACILITIES**

**SPECIAL RULES:**

- ~~1. The Qualifying Facility's generating system must produce a 60 hertz sine wave output, with distortion at a level which will not interfere with Company service and which is within applicable industry standards, at a voltage compatible with the Company's service voltage at the Qualifying Facility's service location.~~
- ~~2. The maximum capacity of a Qualifying Facility shall be limited to 100 kW.~~
- ~~3. The Qualifying Facility shall provide the proper electrical devices to disconnect without intentional time delay its generating equipment from the Company's system in the event of a supply outage or a supply circuit failure. A manual disconnecting device, capable of being padlocked by the Company, must be provided. The Company shall have access to such equipment at all times and be the sole judge of whether any safety or operating hazards exist.~~
- ~~4. The Qualifying Facility will provide the Company with manufacturer's literature describing the electrical characteristics and operation of the proposed generator and associated equipment. The Company shall have the right to refuse connection of any device which it finds incompatible with its electric system.~~
- ~~5. A standard meter, equipped with a detent to prevent reverse rotation, shall be used to measure the energy being supplied by the Company to the Qualifying Facility. A standard watt-hour meter or time of day watt-hour meter, also equipped with a detent, will measure the energy flow from the Qualifying Facility to the Company's system. The measurements obtained from these meters will form the basis for the rates provided for above.~~
- ~~6. The Qualifying Facility shall pay the costs of connection, switching, transmission, distribution, safety provisions and administrative costs incurred by the electric utility directly related to the installation and maintenance of the physical facilities necessary to permit interconnected operations with a Qualifying Facility, to the extent such costs are in excess of the corresponding costs which the Company would have incurred if it had not engaged in interconnected operations.~~
- ~~7. The Qualifying Facility shall perform and bear all costs associated with maintenance work which would be required for its equipment.~~
- ~~8. Prior to making any changes or modification to its equipment or operation, the Qualifying Facility shall notify the Company in writing.~~
- ~~9. At the time that a Qualifying Facility permanently ceases operation, all equipment associated with the operation of the facility, particularly that involved in the connection with the Company's system, shall be promptly removed. All costs incurred with removal shall be borne by the Qualifying Facility.~~
- ~~10. The Qualifying Facility shall make application to the Company for service under this tariff.~~



**COGENERATION AND SMALL POWER PRODUCTION****Availability:**

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All other electric service which cogenerators or small power producers may require from the Company, such as supplementary, back-up, or maintenance power, shall be furnished under the Company's filed rate schedules in effect for such service.

For customers with cogeneration or small power production facilities which qualify under Section 210 of the Public Utility Regulatory Policies Act of 1978, and which have a total nameplate rating greater than 100 kilowatts but not exceeding 20,000 kilowatts, the Company shall negotiate a contract for service on an individual case basis. Such contracts shall incorporate the terms and conditions of this tariff and may include additional terms and conditions consistent with OAC 4901:1-10-34 (J).

**Administration:**

For all customers with qualifying facilities wishing to sell energy to the Company, a monthly charge of \$9.42 will be made to cover administrative and other costs related to such energy purchases.

**Rate:**

For all customers with qualifying facilities wishing to sell energy to the Company, the purchase price for energy supplied to the Company from the qualifying facility will be the PJM Balancing Market (Real-Time) Locational Marginal Price (LMP) at the FE Ohio load zone, net of PJM costs incurred, which will be itemized on the customer's bill when applicable.

**Interconnection:**

The Company's Interconnection Tariff shall apply to service under this tariff.

**Purchase Agreement:**

All qualifying facilities wishing to sell energy to the Company will be required to sign a letter of agreement or other contract stating the terms of the transaction. No purchase will be made without such contract. The customer shall be responsible for any costs incurred by the Company for additional services provided other than the administration of energy purchases.

**Electric Service Regulations:**

The Company's Electric Service Regulations shall apply to the installation and use of electric service.

**COGENERATION AND SMALL  
POWER PRODUCER RATE CO-1****APPLICABILITY:**

~~Available to any qualifying facility (QF) on the lines of Toledo Edison Company (The Company) with a design capacity of 100 kW or less for the sale of electricity to the Company at a single interconnection point. A QF shall be defined by and meet the requirements of the Public Utility Regulatory Policies Act of 1978, Title 18 Code of Federal Regulations Section 292.~~

**RATE:****(a) ~~Energy~~**

~~(1) Kilowatt Hour Meter. When a kilowatt hour meter is used, the energy supplied by the QF shall be purchased by the Company at the avoided energy cost calculated by the Company for the appropriate off-peak period.~~

~~(2) Time of Day Meter. When time of day metering is used, energy supplied by a QF shall be purchased by the Company at the avoided energy cost for the time period in which the energy was supplied.~~

~~(3) Rates. The rates for avoided energy based on on-peak delivery time shall be 1.60¢/KWH in the Summer and 1.70¢/KWH in the Winter. That based on off-peak delivery time shall be 1.20¢/KWH in the Summer and 1.40¢/KWH in the Winter. On-peak hours are 8 a.m. to 8 p.m., weekdays. Off-peak hours are 8 p.m. to 8 a.m., weekdays plus all hours on weekend days and holidays. Summer includes June, July, August and September. Winter includes January through May and October through December.~~

**(b) ~~Reactive Power~~**

~~The Company may, at its option, test or meter the reactive power used or produced by the QF. The maximum RKVA used shall be billed to the customer at \$.48 per RKVA per month.~~

**(c) ~~Customer Charge~~**

~~(1) Kilowatt Hour Meter. When a kilowatt hour meter is used, the monthly customer charge shall be \$5.90.~~

~~(2) Time of Day Meter. When a time of day meter is used, the monthly customer charge shall be \$40.80.~~

**INTERCONNECTION CHARGE:**

~~The QF shall pay the costs of connection, switching, metering, transmission, distribution, safety provisions and administrative costs incurred by the electric utility directly related to the installation and maintenance of the physical facilities necessary to permit interconnected operations with qualifying facility, to the extent such costs are in excess of the corresponding costs which the electric utility would have incurred if it had not engaged in interconnected operations. Costs for the transmission of energy for the qualifying facility shall be in accordance with the Company's FERC Open Access Transmission Tariff.~~

~~A QF, at its option, may reimburse the Company for interconnection costs over a period not to exceed thirty-six months including interest computed at 1.5% monthly on the unpaid balance.~~

**COGENERATION AND SMALL  
POWER PRODUCER RATE CO-1****ANCILLARY SERVICES:**

~~Supplementary power, back-up power, interruptible power and maintenance power shall be supplied to a QF under the Company's standard rate schedules now on file with the Public Utilities Commission of Ohio, unless the use of these schedules impairs the electric utility's ability to render adequate service or places an undue burden on the electric utility.~~

**DEFINITIONS:**~~(a) **Time Periods**~~

~~(1) On Peak Periods. The on peak periods shall be the hours from 8:00 a.m. to 8:00 p.m. on weekdays, except holidays.~~

~~(2) Off Peak Periods. The off peak periods shall be the hours from 8:00 p.m. to 8:00 a.m. on weekdays, plus all hours on weekends and holidays.~~

~~(3) Time periods will be determined by clock time (standard or daylight) in effect in the Eastern Time Zone.~~

~~(4) Holidays. Holidays are New Year's Day, Good Friday, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day, and Mondays which are legally designated as a day of observance in lieu of the above holidays when they occur on weekend days.~~

~~(b) **Avoided Energy Costs**~~

~~Avoided energy costs means the incremental cost to the Company of generating electric energy or purchasing electric energy from another source that was avoided due to the purchase from qualifying facilities. Incremental cost includes fuel, fuel and ash handling and incremental maintenance costs.~~

~~(c) **Ancillary Services**~~

~~(1) "Supplementary Power" means electric energy or capacity supplied by an electric utility, regularly used by a qualifying facility in addition to that which the facility generates itself.~~

~~(2) "Back-up Power" means electric energy or capacity supplied by an electric utility to replace energy ordinarily generated by a facility's own generation equipment during an unscheduled outage of the facility.~~

~~(3) "Interruptible Power" means electric energy or capacity supplied by an electric utility subject to interruption by the electric utility under specified conditions.~~

~~(4) "Maintenance Power" means electric energy or capacity supplied by an electric utility during scheduled outages of the qualifying facility.~~

**TERMS AND CONDITIONS:**

~~All QFs shall comply with applicable, national, state and local electric codes. All QFs shall comply with Company rules and regulations listed in this tariff as well as the Standard Rules and Regulations on file with the Public Utilities Commission of Ohio.~~

**COGENERATION AND SMALL  
POWER PRODUCER RATE CO-1**

~~At the delivery point, a disconnect switch shall be installed by the customer and operated by the Company to permit isolation of the QF from the Company's system during periods of abnormal operation. All protective equipment is installed, owned and maintained by the customer. Although design of the QF and its protective devices is not the responsibility of the Company, the Company reserves the right to inspect the facilities and their operation. If, in the judgment of the Company, the QF does not conform to rules and regulations, does not provide adequate safety to Company personnel, interferes with the supply of electric service to others, or produces undesirable harmonics or wave distortions, the Company reserves the right to refuse or terminate parallel operation of the QF with the Company's system until such condition is corrected. Parallel operation must cease immediately and automatically during system outages and other emergency conditions specified by the Company.~~

~~The Company's consent for the QF to operate in parallel with the Company's system is on the condition that the QF protects its facilities and the Company's system from damage and upon the further condition that the Company shall not be liable to the QF for any loss, cost, damage or expense which the QF may suffer by reason of damage to or destruction of any property, including the loss of use thereof arising out of, or in any manner connected with such parallel operation, unless such loss, cost, damage or expense is caused by the sole negligence of the Company, its agents, or employees. The QF will defend, indemnify and hold the Company harmless from any and all claims or actions by third parties, including attorney's fees, resulting from the operation of a QF.~~

~~The PUCO approval of the above tariff language in respect to the limitation of liability arising from the Company's negligence does not constitute a determination that such limitation language should be upheld in a court of law. Approval of the Commission merely recognizes that since it is a court's responsibility to adjudicate negligence and consequent damage claims, it should be also the court's responsibility to determine the validity of the exculpatory clause.~~

**TERM OF CONTRACT:**

~~The term of the contract shall be one year from the date of application and thereafter until terminated by ten days written notice from the customer to the Company. Any interconnection costs owed to the Company will become payable in full at the time of termination.~~

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## COGENERATION AND SMALL POWER PRODUCTION

### **Availability:**

This tariff applies to general service customers requesting the Company purchase of energy from cogeneration and small power production facilities which are eligible to qualify under Section 210 of the Public Utilities Regulatory Policies Act of 1978, having design capacity of 100 kilowatts or less.

All other electric service which cogenerators or small power producers may require from the Company, such as supplementary, back-up, or maintenance power, shall be furnished under the Company's filed rate schedules in effect for such service.

For customers with cogeneration or small power production facilities which qualify under Section 210 of the Public Utility Regulatory Policies Act of 1978, and which have a total nameplate rating greater than 100 kilowatts but not exceeding 20,000 kilowatts, the Company shall negotiate a contract for service on an individual case basis. Such contracts shall incorporate the terms and conditions of this tariff and may include additional terms and conditions consistent with OAC 4901:1-10-34 (J).

### **Administration:**

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### **Interconnection:**

The Company's Interconnection Tariff shall apply to service under this tariff.

### **Purchase Agreement:**

All qualifying facilities wishing to sell energy to the Company will be required to sign a letter of agreement or other contract stating the terms of the transaction. No purchase will be made without such contract. The customer shall be responsible for any costs incurred by the Company for additional services provided other than the administration of energy purchases.

### **Electric Service Regulations:**

The Company's Electric Service Regulations shall apply to the installation and use of electric service.

## **COGENERATION AND SMALL POWER PRODUCTION**

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### **Electric Service Regulations:**

The Company's Electric Service Regulations shall apply to the installation and use of electric service.

This application for approval of the Company's Cogeneration and Small Power Production Tariffs seeks to modify the existing Tariffs in accordance with the Commission's review of Chapter 4901:1-10-34 *Compliance with PURPA* of the Ohio Administrative Code, adopted in Case No. 12-2050-EL-ORD.



**This foregoing document was electronically filed with the Public Utilities**

**Commission of Ohio Docketing Information System on**

**11/2/2016 10:58:37 AM**

**in**

**Case No(s). 16-1790-EL-ATA**

Summary: Application for modification of a Tariff electronically filed by Ms. Tamera J Singleton on behalf of Ohio Edison Company and The Cleveland Electric Illuminating Company and The Toledo Edison Company