

The Public Utilities Commission of Ohio

In the Matter of the Complaint of PCC
Airfoils LLC,

Complainant,

Case no. 16-2213-EL-CSS

v.

Cleveland Electric Eliminating Company,

Respondent.

Testimony of Mike Spacek

Q. Please state your name and address.

A. My name is Mike Spacek. My company is Engineered Process Systems Ltd.,
P.O. Box 471, Huron Ohio 44839.

Q. What is your education?

A. I have a Bachelor's degree in Applied Science and Technology from
Youngstown State University, 1987.

Q. What other training have you received by way of seminars or continuing
education?

A. I attend the monthly Association of Energy Engineers lunch and learn which
covers a variety of subjects related to energy engineering. I also obtain annual
Professional Development Units (PDU's) to keep my professional engineering
registration. Some of the relevant seminars I have attended include:

AMP, Ohio Annual Conference 2013-2015
Association of Energy Engineers, GlobalCon 2014-2016
Half-Moon, Solar Photovoltaic Project Design and Development
Northern Power, Wind Turbine installation and maintenance

Q. What licenses, registrations or certifications do you hold?

A. I am a registered professional engineer in Ohio and Pennsylvania. I am also a certified energy manager, certified energy auditor and a certified distribution generation professional. The certifying agency is The Association of Energy Engineers.

Q. What is your work experience in the electrical energy utilities field?

A. I've attached my resume as Exhibit 1 to this testimony. I was employed by Ohio Edison and FirstEnergy for 21 years. My Ohio Edison/FirstEnergy work included substation maintenance field work, corporate distribution design, environmental and special projects, division distribution engineering and national account sales. I became familiar with how to understand and apply the tariffs and rates.

Among other things when with FirstEnergy, I worked with customers to improve their energy efficiency and energy rate structures. While with FirstEnergy, I had worked with Wilkes and Company on energy efficiency projects. For example, we had customers with chiller systems they use a lot of energy year-round. Wilkes and Company provided design and construction to convert the customer to a closed loop primary-secondary process cooling system whereby natural exterior cold during the winter provided the cooling, rather than year-round cooling through electrical energy. At some point, Wilkes and Company asked me to come work for them and I accepted.

Q. What is your current business?

A. I am a minority owner of Wilkes and Company and director of Engineered Process Systems Ltd. (EPS), a wholly owned subsidiary of Wilkes. I have been working primarily through EPS for 16 years. In addition, I am a managing member of Effective Utility Services LLC, which has ownership in common with Wilkes and Company.

Q. What is the business of Wilkes and Company?

A. Wilkes and Company is an industrial mechanical contractor.

Q. What is Engineered Process Systems, Ltd.?

A. It is a wholly-owned subsidiary of Wilkes and Company. EPS designs and builds energy facilities. Essentially, EPS identifies and markets to customers who would receive energy cost benefits from engineered systems, either through systems that improve the utility rate structure or systems that introduce energy efficiency, or both. For example, customers with chillers as I described previously. As another example, EPS will analyze a customer's system and rate structure and recommend the engineering and construction electrical facilities that may allow a customer to migrate to a more favorable rate structure, as in this case.

Q. What do you do with EPS? I have worked in energy consulting and procurement. I work energy projects from conception and implementation to completion. I will analyze a customer's energy billings and systems to make appropriate recommendations on how the customer may save on its energy costs. We will then perform the design and construction services necessary to achieve the energy cost savings. In addition to projects involving increased energy efficiency, my projects have included rate conversions from General Service Secondary (GS) to General Service Primary (GP) and GP to General Service Transmission (GT) rate schedules. I am responsible for project management of energy efficient and effective programs such as boilers, chillers, lighting, compressed air, power factor correction, electrical transformers, and other customer facility projects.

Q. What is Effective Utility Services LLC?

A. Effective Utility Services (EUS) is a related company that essentially finances energy facilities. If the customer does not want to pay upfront for the energy facility

directly or to finance it through conventional means, EUS will become the owner and essentially lease or sell the energy facility back to the customer.

Q. How many customers have you worked with?

A. It would be difficult to estimate an accurate number over the years. The existing Wilkes customer base is 260 commercial, governmental and industrial accounts. At FirstEnergy, I contacted and worked with at least 300-customers.

Q. What is your engagement with PCC Airfoils?

A. I initially consulted with PCC Airfoils through Energy Planners of Columbus, Ohio (EPCO) regarding PCC Airfoils' electric and natural gas bill review and generation and distribution procurement. Currently, I consult under the law firm of Carroll, Ucker & Hemmer LLC regarding PCC Airfoils desire to migrate the PCC Airfoils SMP facility in Wickliffe, Ohio, to a subtransmission system and the General Subtransmission Service (GSUB) rate structure. If that is unattainable, I am also consulting through EPCO on the technical issues related to a transfer of the service at PCC Airfoils from the General Service Secondary (GS) to the General Service Primary (GP) rate schedule.

Q. Describe the PCC Airfoils SMP facility.

A. PCC Airfoils SMP facility is located at 29501 Clayton Avenue, Wickliffe, OH. This facility is approximately 100,000 square feet. A 36,000 volt Cleveland Electric Eliminating Company (CEI) subtransmission line runs east and west adjacent to PCC Airfoils property.

Q. What does PCC Airfoils do on its property?

A. The SMP Plant casts airfoils and other hot section components, primarily for aircraft jet engines. PCC Airfoils is a subsidiary of Precision Castparts Corp.

Q. What class of service would PCC Airfoils fall under?

A. Service can be classified in various different ways. Typically an overview of the classes would be industrial, commercial, governmental, and residential. PCC Airfoils would be in the industrial class of service. CEI's tariff does not specifically define classes of service, however.

Q. What analysis have you done concerning the electrical needs of PCC Airfoils?

A. I reviewed historic billings and electrical distribution system. I wanted to determine whether PCC Airfoils could qualify for more favorable electric rates under CEI's tariff.

Q. Did you analyze the PCC Airfoils electric demand?

A. Yes. PCC Airfoils had a 3370 kW average demand in 2016. That is consistent with its previous demand levels.

Q. Did you make any recommendation to PCC Airfoils concerning its rate schedules and metering?

A. Not directly. The recommendations were made through EPCO. I was "at the table" with EPCO, part of the team.

Q. Other than changes involving engineering changes did EPCO and you make any recommendations to PCC Airfoils?

A. Yes. I determined that the Business Development Credit (BDC) Rider had not been applied after May 2010 but should have been.

Q. What, if anything, did you do with respect to that recommendation?

A. I worked with CEI to obtain reinstatement of the BDC Rider and reimbursement of failure to apply the BDC Rider.

Q. Did you make any other recommendations?

A. In addition to pursuing the refund of the non-applied BDC Rider, I recommended that PCC Airfoils make application with FirstEnergy to convert from General Service Secondary (GS) to General Service Subtransmission (GSUB). In addition, I reviewed generation procurement.

Q. We will return to the issue relating to migrating to GSUB, but explain your work for PCC Airfoils in obtaining a refund of rate resulting from the past failure to apply the BDC Rider.

A. First, we identified the relevant tariff. PCC Airfoils is currently served by CEI's General Service Secondary (GS) rate schedule with the BDC Rider.

Q. Was that the rate schedule treatment that PCC Airfoils was receiving when you first began to consult with PCC Airfoils?

A. No. In reviewing the tariff and rate schedule, we determined that PCC Airfoils had not been, but should have been, receiving rates based upon the BDC Rider.

Q. How did you proceed in assisting PCC Airfoils with respect to its treatment under CEI's rate schedules?

A. After CEI initially denied the application for the migration to General Service Subtransmission, we decided first to address the issues about treatment of PCC Airfoils under the BDC Rider dating from October 2009. We worked with CEI from January 2016 through April 2016 on the past BDC Rider issue. We explained to CEI that PCC Airfoils qualified for the BDC Rider under the terms of its tariff, because it had been under the BDC Rider on April 30, 2009 as provided in the tariff. When CEI checked its records, CEI agreed.

The next step was to pursue a refund for the excess rates that had been paid when PCC Airfoils should have been charged rates based upon the BDC Rider.

Ultimately on March 28, 2016, CEI agreed to refund PCC Airfoils the excess charges.

General Service Subtransmission Issue

Q. Returning to the General Service Subtransmission issue, why do you think GSUB is appropriate for PCC?

A. I have never before seen a utility deny a customer the ability to migrate from one rate to another when the customer qualified for the new rate schedule. In this case with some engineering changes, PCC Airfoils clearly qualifies to migrate to General Service Subtransmission service under the terms of CEI's tariff.

Q. Please explain why PCC Airfoils qualifies under the tariff to change to GSUB rates.

A. I attach CEI's tariff Sheet 4 consisting of 21 pages as Exhibit 2 to my testimony. Section IV, Page 4 of 21, states in part:

Section C. Delivery Voltage: Subject to the provisions of paragraph IV.B above and after the Company determines that facilities of adequate capacity are available and adjacent to the premises to be served, the types of services available with the nominal voltages are:

1. Secondary Service – Less than or equal to 600-volts
2. Subtransmission Service – 11,000 volts three wire and 36,000 volts three wire
3. Transmission Service – Greater than or equal to 69,000 volts
4. Primary Service – All other available voltages

Delivery voltage will be specified by the company and will be based upon the availability of lines in the vicinity of the customer's premises and commensurate with the size of the customer's load. Customers with demands in excess of twenty-five hundred (2,500) kW will generally be served at Transmission Service.

In this case, there is no question that CEI has facilities specifically including a 36 kV line available and adjacent to the PCC Airfoils premises. Furthermore, PCC Airfoils has a consistent demand in the neighborhood of 3000 kW, which exceeds the 2500 kW load stated in the tariff.

Q. How do you know that CEI has adequate facilities adjacent to PCC Airfoils?

A. CEI engineers never even hinted that CEI's available facilities lacked adequate capacity during the conference call of June 30, 2015. They merely complained that it was bad precedent and they said that PCC is already adequately served via the distribution system. In discovery in this case, CEI responded to a request for admission submitted to it by PCC Airfoils, "The Cleveland Electric Illuminating Company admits that it has subtransmission facilities of adequate capacity available adjacent to PCC Airfoils premises." Exhibit 3 to this testimony is a copy of CEI's response to Request for Admission 1.

Q. What is PCC Airfoils' peak demand?

A. According to CEI's billings, PCC Airfoils average peak demand in 2016 was 3,370 kW. The past five years demand loads according to CEI breakdown as follows:

2011	3,179 kW
2012	3,339 kW
2013	3,334 kW
2014	3,212 kW
2015	3,271. kW

Q. Does CEI have customers who are receiving subtransmission service but whose demand is less than the 2500 kW load stated in the tariff?

A. Yes. According to the interrogatory answer provided in discovery, CEI has 489 customers receiving sub transmission service who have less than a 2500 kW demand. CEI has 502 customers receiving sub transmission service with less than a

3000 kW demand. CEI has 514 customers receiving sub transmission service with a less than 3500 kW demand. Exhibit 4 attached to my testimony is a copy of the CEI's Answer to Interrogatory 15 providing that information.

Q. Why do you think that PCC Airfoils has a right to choose the rate schedule?

A. CEI's tariff states:

Paragraph V, Rate Schedule Alternatives

Section A. Selecting Rate Schedule: Where two or more alternative rate schedules are applicable to the same class of service, the Company, upon request, will assist a customer in selecting an appropriate rate schedule to be applied. The customer, however, shall select from the alternative rate schedules and such selection shall be the basis for the application or contract for service. No refund will be made representing the difference in charges under different rate schedules applicable to the same class of service except as required by law.

Section B. Changing Rate Schedule: Subject to limitations in the service contract or applicable rate schedule, the customer may change to an alternative applicable rate schedule, except that a customer contracting for a specified capacity served at available primary or transmission voltage shall not be eligible to recontract for service at secondary voltage, unless a secondary voltage circuit of adequate capacity is available adjacent to the premises and the customer complies with all the provisions of the applicable secondary rate schedule.

PCC Airfoils is an industrial class customer. Section A says, “**the customer ... shall select** from the alternative rate schedules....” It does not say that the utility makes the selection. Section A gives the customer rather than the utility the right to select the appropriate rate schedule. Section B gives the customer the ability to change to an appropriate rate schedule, identifying exception to that right not applicable here.

Q. How is the tariff supposed to work with respect to the selection of the voltage?

A. Upon selection of a rate schedule, CEI has the right to select the voltage applicable to the rate schedule selected. At PCC Airfoils, the 36,000 volt line meets the

criterion of being adjacent and having adequate capacity. Exhibit 5 is a copy of CEI's Response to Request for Admission 4. Circuit R 16&17-LY-G-X is the 36 kV line. Therefore, CEI must select this voltage to serve PCC. If there were an adjacent line with 11,000 volts having adequate capacity, CEI could elect to serve PCC Airfoils with subtransmission service at that voltage. However, CEI does not have the right or authority to force customers into unfavorable rate schedules using CEI's voltage selection as an excuse.

Q. What physical changes would PCC Airfoils have to make to migrate to the General Service Subtransmission rate schedule?

A. PCC Airfoils would need to install its own transformer to step down the voltage for its use. We would work with CEI's engineering department for a satisfactory configuration, but those are simple engineering issues to resolve.

Q. In your experience how long should the engineering and construction work take from application to installation?

A. We can do the project in 120 days from start to finish.

Q. Are you familiar with the sequence of events concerning the attempts by PCC Airfoils to obtain subtransmission service from CEI to qualify for the GSUB?

A. Yes, I consulted for EPCO to assist PCC Airfoils in its efforts to obtain subtransmission service from CEI.

Q. When did PCC Airfoils first apply to CEI for subtransmission service?

A. June 26, 2015.

Q. How did that application come about?

A. Initially, I consulted with EPCO and provided a preliminary GS to GSUB proposal, showing it would save PCC Airfoils substantial money. With the approval of

PCC Airfoils, we contacted CEI and made an application on June 15, 2016 to switch PCC Airfoils to General Service Subtransmission service.

Q. How did CEI respond?

A. On June 30, 2015, we had a telephone conference with CEI engineering staff. CEI told us that they did not have any need to put PCC Airfoils on the General Service Subtransmission service. CEI told us they would allow migration to the General Service Primary (GP), but would deny PCC Airfoils access to continue under the Business Distribution Credit Rider if PCC Airfoils made that GS to GP change.

Q. How did matters proceed from that point?

A. As I explained previously we worked with CEI to obtain a refund of charges that had been caused by the non-application of the BDC Rider. Throughout this time, EPCO had continued to consult with PCC Airfoils about changing to the GSUB service.

Q. What happened after March 28, 2016 with respect to the GSUB service?

A. Working with PCC Airfoils, we renewed pursuit of the General Service Subtransmission rate structure with the engineering changes needed. I asked Mike Hrdy for the relevant information on the existing subtransmission line.

Q. What happened next?

A. On July 27, 2016, I called CEI to get a new work order for the changeover for the subtransmission service.

Q. What happened after seeking that work order?

On August 17, 2016, Jenny Haldi refused our request to change over to GSUB.

Q. What did you do next?

A. Mike Capek wrote an email on August 25, 2016 questioning MS Haldi. I assisted Mike in writing the message. I questioned the decision with Ms. Haldi. On

August 29, 2016, Ms. Haldi told Mike Capek that she would reevaluate the refusal and the request for GSUB rate service.

Q. What happened next?

A. On September 12, 2016, Ms. Haldi told PCC, via email, that CEI would refuse PCC Airfoils access to the subtransmission system.

Q. Has CEI given you any reason why PCC Airfoils should not be permitted to migrate to the GSUB service?

A. In her August 17, 2016, email, Ms. Haldi stated that PCC Airfoils is adequately served from the distribution circuit and a transfer to the subtransmission circuit is not required for engineering reasons. In her September 12, 2016, email, she reiterates, "There is not a valid engineering reason that would necessitate moving your current load onto our subtransmission system. In addition, the tariff indicates that the voltage level of service is at the discretion of the company." Exhibits 6 and 7 attached to this testimony are copies of those emails.

Q. Is Ms. Hall these statement about the voltage level of service consistent with the tariff?

A No. The tariff limits the company's discretion. The company must specify voltage "based upon the availability of lines in the vicinity of the customers premises and commensurate with the size of the customer's load." The tariff states that customers with demands exceeding 2500 kW will generally be served at Transmission service. There is no question that a 36 kV line is available the vicinity of PCC Airfoils' premises. Allowing CEI absolute discretion in dictating a voltage despite other lines being available would be like a gas station dictating your octane selection at the pump.

Q. Did CEI give you any other reasons for the denial of sub transmission service?

A. CEI told us in emails that allowing customers to migrate as the tariff permits would set a bad precedent and "open the floodgates."

Q. Is that a valid basis for denial based upon the tariff?

A. There is nothing in the tariff to justify CEI's denial based upon a fear of opening the floodgates. If a customer qualifies for a particular service under the tariff, the customer should have the right to receive it.

Q. Are you aware of any physical reason that would prevent PCC Airfoils from migrating to the GSUB service?

A. No.

Q. In your many communications with CEI on the GSUB issue, Has CEI suggested to you any physical reason whatsoever engineering or otherwise that would prevent PCC Airfoils from migrating to the GSUB service.

A. CEI communicated nothing of the sort to me.

Q. As you sit here today, what is your recommendation with respect to electrical service to PCC Airfoils?

A. I recommend that we do the necessary work in consultation with CEI to design and install the necessary facilities to cause PCC Airfoils to be served by CEI with general subtransmission service. PCC Airfoils qualifies under tariff and CEI acknowledges that it has the necessary capacity and facilities adjacent to the PCC Airfoils property.

Q. How much would PCC Airfoils save in energy costs over the course of a year?

A. We estimate the savings to be in the neighborhood of \$220,000-\$230,000 per year, or in the neighborhood of \$18,500-\$19,000 per month.

Q. If CEI had not denied the initial application, when would PCC Airfoils have begun to be serviced by GSUB rates?

A. The initial application was made June 26 2015, so PCC Airfoils should have been receiving service at GSUB rates since about October 26, 2015.

Q. How much money has PCC Airfoils lost so far as a result of CEI's denial of the June 25, 2015, application?

A. Through April 26, 2017, that would be 18 months at conservatively \$18,500 per month or \$333,000. Of course, the loss continues.

Q. In your opinion as a long time manager of utility customer accounts, has CEI provided adequate service to PCC Airfoils with respect to the GSUB issue?

A. No. PCC Airfoils clearly qualifies under the tariff; CEI has adequate capacity and adjacent facilities, and PCC Airfoils has the right to select the tariff under which it is served. CEI has no reasonable basis to deny PCC Airfoils the more favorable service treatment for which PCC Airfoils applied.

BDC Rider Issue

Q. How is PCC Airfoils currently served?

A. PCC is currently served from CEI via GS with the BDC Rider.

Q. Explain how the BDC Rider works.

A. All process heating services separately metered. The BDC Rider provides a \$0.015/kWh discount for qualified electric process heating during off-peak months, from October 1 through May 31 every year.

Q. What did PCC Airfoils proposed to do if it could not go on the GSUB rate schedule?

A. Presently, all of PCC Airfoils except the process heating is served on the General Service (GS) rate and the process heating is billed on the GS rate schedule during the peak months from June through September every year. PCC Airfoils proposed to shift from the GS rate schedule to the GP rate schedule without losing the benefit of the separately metered BDC Rider for its process heating service. In addition, PCC Airfoils wanted its process heating to be billed under the GP rate schedule during the peak months when the BDC Rider is not in effect.

Q. Were you pursuing this initiative on behalf of PCC Airfoils when CEI denied PCC Airfoils the opportunity to go on GSUB?

A. Yes. I was working through EPCO. We continued to seek to change PCC Airfoils from the GS rates to the GP rates while retaining the BDC Rider for the service for the process heating.

Q. Who were you communicating with about that issue?

A. Jenny Haldi as well.

Q. Did you receive any answers from Jenny Haldi regarding that proposed change?

A. Yes. On September 30, 2016, Jenny Haldi told me that BDC requires two meters and GP does not allow for that. Then on October 17, 2016, Jenny Haldi told me that CEI would not allow the BDC Rider to follow with migration GP rate schedule. It was our understanding from her that if PCC Airfoils shifted to the GP Schedule, CEI would not allow PCC Airfoils to retain its BDC Rider.

Q. Did you have any further communications with Jenny Haldi on that issue?

A. No.

Q. Is that currently your understanding?

A. No. We have since learned from CEI that there must've been some misunderstanding of our position. We now understand that PCC Airfoils may shift to the GP Schedule, retain the BDC Rider, and have the process heating billed on the GP rate schedule during the peak months when the BDC Rider does not apply. This will require an engineering change that PCC Airfoils would work with CEI's engineering staff to achieve. I believe that CEI agrees that the schematic we submitted during discovery provides a solution satisfactory to CEI under its tariff requirements. However, in any event, PCC Airfoils stands ready to work with CEI to engineer the changes in a logical and economical manner satisfactory to CEI's engineering department.

Q. Is the change from the GS to the GP rate schedule a satisfactory solution for PCC Airfoils at this point?

A. Not really. A shift to the General Subtransmission Service, with appropriate engineering, is the best solution for PCC Airfoils. That is why we propose a change from the GS to the GP rate schedule only as an alternative if the Commission fails to agree that the tariff permits the customer to choose the right to go on the General Subtransmission Service given that the CEI facilities for subtransmission service are adequate and adjacent to the property.

Q. No further questions at this time.

CERTIFICATE OF SERVICE

I certify that on May 5, 2017, I served a true copy of the foregoing Testimony of Mike Spacek upon Carrie M Dunn, First Energy Service Company, 76 S. Main St., Akron, OH 44308, cdunn@firstenergycorp.com and Joshua R. Eckert, FirstEnergy Service Company, 76 South Main Street, Akron, Ohio 44308, jeckert@firstenergycorp.com.

/s/ David W. T. Carroll

MICHAEL D. SPACEK

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SUMMARY OF QUALIFICATIONS

Certified Energy Manager
 Distributed Generation Certified Professional
 Certified Energy Auditor
 Registered Professional Engineer – Ohio and Pennsylvania

WORK EXPERIENCE

Wilkes & Company	
Engineered Process Systems, Huron, Ohio	2001 to Present
Director of Energy Services	
Effective Utility Services, Huron, Ohio	2015 to Present
Managing Partner	

Provide electrical design, energy efficiency and utility rate integration consulting. Major customers include PCC Airfoils, Sherwin Williams, Windsor Mold Group, Brecksville Broadview Schools, City of Huron CertainTeed. Conceived, managed and implemented projects in Windsor, Canada, Fort Erie Canada, Queretaro, Mexico, Juarez, Mexico and 11-states. Projects included complete electrical, mechanical systems design-build and natural gas, electric and water utility acquisition consulting and rate optimization and implementation. Founded Effective Utility Services to design, build, own, operate and maintain cost effective systems that lower our customers' energy costs

FirstEnergy Corp. Akron, Ohio	1980 to 2001
Substation Maintenance, Division Engineering,	
Environmental and Special Projects	
Corporate Distribution Engineering	
National Account Executive	

1980-1983 – Youngstown Substation Maintenance and Distribution Engineering
 1983-1987 – Akron Corporate Office Environmental and Special Projects, EPA Air Quality Compliance and Distribution Design
 1987 -1990 – Marion – Distribution Engineering Supervisor
 1990 – 2001 – Sandusky – Energy Application Engineer and National Account Executive

In the early years, learned the physical operation of an electric utility system
 In the mid-80's acquired corporate operation skills
 In the late 80's to retirement, managed customer relations from local services to national account sales and innovation strategies including tariff implementation and special rates and projects

United States Navy	1974 to 1978
Electricians Mate, USS Spiegel Grove, LSD 32	

EDUCATION

B.S. Electrical Engineering Technology, Youngstown State University	May 1987
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LANGUAGES

English: Native language
Spanish: Novice Listener & Speaker. Self-pacing via Rosetta Stone

ACTIVITIES AND AFFILIATIONS

Boy Scout assistant leader, Milan, Ohio. Lead troop to Philmont
 Youth baseball coach
 Association of Energy Engineers, Cleveland Chapter, Board Member. Chairman for annual GlobalCon Conference scheduled for 2020 in Cleveland
 City of Huron Economic Development Committee member

REFERENCES

Available upon request

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ELECTRIC SERVICE REGULATIONS

I. GENERAL PROVISIONS

- A. Filing:** The Schedule of Rates and the Electric Service Regulations for the supply of electric service throughout the territory served by the Company are filed with The Public Utilities Commission of Ohio ("PUCO" or "Commission").
- B. Revisions:** The Company's Schedule of Rates and the Electric Service Regulations as herein contained may be terminated, amended, supplemented or otherwise changed from time to time in accordance with law and the rules promulgated thereunder by The Public Utilities Commission of Ohio.
- C. Applicability:** These Electric Service Regulations, together with the provisions of the applicable rate schedule, are a part of every service contract entered into by the Company.

II. APPLICATIONS AND CONTRACTS

- A. Service Application:** For each class of service requested by an individual or an entity, before such service is supplied by the Company, the individual or entity must apply for service following the process required by the Company or enter into another form of contract between the Company and the individual or entity. Service will not be supplied by the Company until the Company accepts the application or supplies service according to the provisions of the application. This requirement generally applies to, but is not limited to, new installations, installations where service is to be re-established, a change in the class of service to be provided to the customer, or to a change in the identity of the customer to be served.
- B. Acceptance Of Application:** When the application for service is accepted by the Company or service is supplied according to the provisions of the application, the application constitutes a service contract between the Company and the customer for the supply of electric service subject to these Electric Service Regulations. Additional contracts may be required by tariff, which shall be incorporated in the service contract. Upon acceptance of the application or contract, the individual or entity is now a customer.
- C. Service Contract:** The service contract shall constitute the entire agreement between the customer and the Company and no promise, agreement, or representation of any agent, representative or employee of the Company shall be binding upon it unless the same shall be incorporated in the service contract.
- D. Refusal Of Application:** The Company may refuse to provide electric service, consistent with Ohio law, including without limitation, for those reasons specified in Chapters 4901:1-10 and 4901:1-18 of the Ohio Administrative Code. Specifically among these reasons, the Company may refuse to furnish electricity to a customer's premises on account of arrearages due it for electricity furnished to persons or entities formerly receiving services at the same premises as customers of the Company, provided the former customers are continuing to reside or do business at such premises.
- E. Same Day Connection:** If the customer requests service for the same day on which the request has been made and the service is presently not connected, the Company will charge the customer pursuant to the Company's Tariff Sheet 75, Miscellaneous Charges, Same Day Connection Charge. This fee may be charged at the time of the request or charged with the customer's next monthly billing, at the Company's discretion, and only if the Company provides the service on the date requested. (The Same Day Connection Charge does not apply to requests for reconnection after nonpayment which are governed by Electric Service Regulations, Sheet 4, Section XI, Paragraph D).

Filed pursuant to Orders dated January 21, 2009 and March 31, 2016, in Case Nos.07-551-EL-AIR and
14-1297-EL-SSO, before

The Public Utilities Commission of Ohio

ELECTRIC SERVICE REGULATIONS

- F. Seasonal Or Temporary Discontinuance Of Service:** When service has been disconnected at the customer's request because of seasonal occupancy of the premises or when the same customer has moved in and out of the same premise within a 12 month period without another party signing for service during that 12 month period, the Company will charge the customer pursuant to the Company's Tariff Sheet 75, Miscellaneous Charges, Reconnection Charge, to reconnect the service.
- G. Large Capacity Arrangements:** Existing customers who seek to substantially (by at least 1,000 kW) increase or decrease (including the effects of the addition of onsite generation) their existing capacity requirements and new customers who seek to purchase substantial capacity (at least 1,000 kW) from the Company shall negotiate agreements with the Company containing equitable arrangements both as to the term of the contract and other terms and conditions requiring special consideration, in recognition that serving such increases in capacity may require changes in area facilities or rearrangement of facilities owned by the Company and/or the customer. These arrangements may be subject to the approval of The Public Utilities Commission of Ohio.

III. CREDITWORTHINESS AND DEPOSITS

- A. Establishment Of Creditworthiness:** Applicants are required to establish creditworthiness, which may include providing a cash deposit, as a condition to furnishing or continuing to furnish service.
- B. Deposits:** For those applicants making a cash deposit to establish creditworthiness, interest will be paid on the deposit as prescribed by Chapter 4901:1-17 of the Ohio Administrative Code. Deposits plus accrued interest will be returned to the customer in accordance with the provisions of the Ohio Administrative Code.

IV. CHARACTERISTICS OF SERVICE

- A. Type:** Except as otherwise provided in the Company tariffs, electric service supplied by the Company will be 60-Hz alternating current delivered at the standard voltages available adjacent to the premises where the customer is located.
- B. Continuity:** The Company will endeavor, but does not guarantee, to furnish a continuous supply of electric energy and to maintain voltage and frequency within reasonable limits. The Company shall not be liable for damages which the customer may sustain due to variations in service characteristics or phase reversals. If supply voltage is unsatisfactory for particular customer applications or for special apparatus requiring close regulation, then the customer shall install regulative apparatus at the customer's own expense.

The standard secondary voltages are 120/240 volt three wire single phase, 208Y/120 volt four wire three phase and 480Y/277 volt four wire three phase. The Company designs its system so that under normal operating conditions the sustained service voltage is within a range of plus or minus 5% of the normal voltage level for that service. Whenever voltages shall be known to exist outside of such ranges, the Company will take steps to promptly initiate corrective action to restore the sustained voltage level within said ranges.

For primary, subtransmission and transmission voltage services, the Company provides standard voltages that are available from existing facilities. The Company designs its system so that under normal operating conditions the sustained service voltage is within a range of plus or minus 10% of the normal voltage level for that service.

ELECTRIC SERVICE REGULATIONS

- C. Delivery Voltage:** Subject to the provisions of paragraph IV.B above, and after the Company determines that facilities of adequate capacity are available and adjacent to the premises to be served, the types of service available with the nominal voltages are:

1. **Secondary Service** - Less than or equal to 600 volts
2. **Subtransmission Service** - 11,000 volts three wire and 36,000 volts three wire
3. **Transmission Service** - Greater than or equal to 69,000 volts
4. **Primary Service** - All other available voltages

Delivery voltage will be specified by the Company and will be based upon the availability of lines in the vicinity of the customer's premises and commensurate with the size of the customer's load. Customers with demands in excess of twenty-five hundred (2,500) kW will generally be served at Transmission Service

V. RATE SCHEDULE ALTERNATIVES

- A. Selecting Rate Schedule:** Where two or more alternative rate schedules are applicable to the same class of service, the Company, upon request, will assist a customer in selecting an appropriate rate schedule to be applied. The customer, however, shall select from the alternative rate schedules and such selection shall be the basis for the application or contract for service. No refund will be made representing the difference in charges under different rate schedules applicable to the same class of service except as required by law.
- B. Changing Rate Schedule:** Subject to limitations in the service contract or applicable rate schedule, the customer may change to an alternative applicable rate schedule, except that a customer contracting for a specified capacity served at available primary or transmission voltage shall not be eligible to recontract for service at secondary voltage, unless a secondary voltage circuit of adequate capacity is available adjacent to the premises and the customer complies with all of the provisions of the applicable secondary rate schedule.

VI. BILLING AND PAYMENT

- A. Billing Periods:** Bills for electric service will be rendered monthly or at the Company's option at other regular intervals. Bills rendered monthly shall typically cover a period of approximately 30 days.
- B. Due Dates:** For residential customers, bills are due and payable to the Company on or before fourteen (14) days from the date the bill is mailed to said customer. Governmental customers' bills are due and payable to the Company on or before thirty (30) days from the date the bill is mailed to said customer. All other customers' bills are due and payable to the Company on or before twenty-one (21) days from the date the bill is mailed to said customer. When the due date for payment falls on Saturday, Sunday or a holiday the due date for payment is extended to the next business day. Remittances mailed by the customer for the amount(s) due shall be accepted by the Company as tendered within the period to avoid late payment charges if such payment is received by the Company no more than five (5) days after the due date of the bill.

ELECTRIC SERVICE REGULATIONS

- C. Late Payment Charges:** If remittances are received by the Company offices more than five (5) days after the due date of the bill, an additional amount equal to 1.5% may be charged on any unpaid balance existing after the due date. This provision is not applicable to unpaid account balances of customers enrolled on income payment plans pursuant to 4901:1-18 of the Ohio Administrative Code.
- D. Transfer Of Final Bill:** If the customer fails to pay in full any final bill for service rendered by the Company at one location, and if the customer is receiving Like Service at a second Company location, the Company may transfer such unpaid balance of the final bill to the service account for such second location. "Like Service" refers to an end use within the broad categories of residential, commercial or industrial service, without regard to whether the customer is receiving generation service from the Company. Such transferred amount shall maintain its original due date at such second location and be subject to collection and disconnection action in accordance with Ohio law, which includes without limitation Chapter 4901:1-18 of the Ohio Administrative Code.
- E. Meter Readings Not To Be Combined:** Even if used by the same person, firm or corporation, electricity delivered and metered separately or at different locations will not be combined for bill calculation purposes, except that under the following conditions meter registrations of two or more installations on the same premises may be combined for billing purposes:
1. Where the applicable schedule of rates specifically authorizes the combination of meter registrations, or
 2. Where the Company elects, for administrative reasons or engineering reasons affecting the supply of its service, to install or maintain at one or more locations on one premises two or more service connections with separate metering equipment for furnishing service at the same or different voltage levels or number of phases.
- F. Equal Payment Plan:** The Company has available for residential customers a plan providing for equal monthly payments for electric service. The equal payment plan amount will be reviewed quarterly and will be adjusted if the customer's recent bills indicate a significant change from past history.
- G. Estimated Bills:** The Company attempts to read meters on a regular basis but there are occasions when it is impractical or impossible to do so. In such instances the Company will render an estimated bill based upon past use of service. Where the customer has a load meter and the actual load reading when obtained is less than the estimated load used in billing, the account will be recalculated using the actual load reading.
- H. Returned Payment:** When the Company reverses the customer's payment because the payment transaction has been dishonored, the Company shall charge the customer pursuant to the Company's Tariff Sheet 75, Miscellaneous Charges, Returned Payment Charge. This charge shall be rendered with the customer's next monthly billing.
- I. Rate Pricing Changes:**
1. **Seasonal Price Changes:** For billing purposes, unless otherwise specified the winter rates shall be applicable beginning with service rendered September 1 through service rendered for May 31. The summer rates unless otherwise specified shall apply in all other billing periods.
 2. **Non-Seasonal Price Changes:** For billing purposes, non-seasonal price changes will begin with service rendered on the effective date of the price change.

ELECTRIC SERVICE REGULATIONS
VII. SERVICE CONNECTIONS AND LINE EXTENSIONS

A. Secondary Voltage Service Connection

1. **Overhead Connection:** Where overhead distribution facilities are available, the Company will install a suitable overhead service drop to a point of attachment on the customer's premises as designated by the Company.
2. **Underground General Service Network Connection:** Where underground distribution facilities are available in commercial areas where network service is available, the Company will install underground service connections from its mains to a point, as designated by the Company, located immediately inside the customer's building wall except where, because of the distance between the customer's building and the Company's mains, an equitable arrangement for prorating the cost of installing these facilities may be required. Where underground service cable and conduit are required within the building to reach a customer's service terminals, the customer will be required to pay the cost of these facilities. Such underground service connection facilities paid for by the customer shall be owned by the customer and maintained at the customer's expense and, when required, replaced by the customer.

Customers requiring underground service from overhead or underground distribution facilities shall at their own expense install and maintain the underground facilities in accordance with the Company's specifications from the meter location on the customer's premises to the Company's distribution wires to which connections are to be made by the Company. The customer shall own such underground facilities and maintain and replace such facilities when required.

3. **Change In Service Connection Facilities:** Should any change in the Company's service connection facilities be necessary due to the erection of, remodeling of or change in any structure on the premises of the customer, or the condition of the customer's premises, or due to any ordinance, governmental action, or any other cause beyond the Company's control, the entire cost of the change in the service connection facilities shall be borne by the customer.
4. **Temporary Service Drop Connection:** When requested by a customer, the Company may provide a Temporary Service Drop Connection. A Temporary Service Drop Connection shall mean the installation of single-phase service up to 200 amps from existing secondary conductors. The charge for a Temporary Service Drop Connection shall be that set forth in the Company's Tariff Sheet 75, Miscellaneous Charges, Temporary Service Drop Connection.
5. **Temporary Facilities:** Temporary Facilities are any separate installations that the Company does not expect to be permanent or where a substantial risk exists that the Company's facilities will be used and useful for a period substantially shorter than their normal expected life, or in which the customer or consumer has no substantial permanent investment. When Temporary Facilities are required for any purpose, the applicant shall deposit with the Company the total estimated cost of construction, plus the total estimated cost of removal, minus the estimated salvage value of all equipment and materials. The amount of the deposit shall be adjusted by a refund or an additional payment when the cost of construction and removal, less the salvage value is determined. No interest will be paid on deposits covering the cost of constructing facilities for temporary electric service. (Temporary Facilities shall not include Temporary Service Drop Connections as defined in paragraph 4 above.)

ELECTRIC SERVICE REGULATIONS

B. Line Extensions

1. Definitions:

Contribution in aid of construction - any amount of money or property contributed to the Company to the extent that the purpose of the contribution is to provide for Line Extensions for new or expanded customer loads.

Cost estimate - the detailed projected expenditure, including material costs and overhead, equipment costs and overhead, labor costs and overhead, and all taxes associated with each major material and service component, required for a Line Extension.

General service installation - any Line Extension request by a commercial or industrial customer, builder, or developer, or any other Line Extension that is not a Residential installation. Customers in a development may be required to have their own General service installation in order to be connected to the Company's distribution system.

Line Extension - the provision of facilities (including, but not limited to, poles, fixtures, wires and appurtenances) necessary for delivering electrical energy from the point where a Line Extension connects with and receives energy from any existing transmission or distribution equipment (the nearest practical point to the customer(s) to be served by the Line Extension at which the appropriate voltage level is available) to one of a customer's points of delivery.

Multi-family installation - any Line Extension to a new residential dwelling that will have two or more dwelling units, where each unit has a separate account for electric service with the Company.

Non-standard multi-family installation - any Line Extension to a new residential dwelling that will have two or more dwelling units, where each unit has a separate account for electric service with the Company where the Company's cost to build the Line Extension is greater than \$2,500, excluding any Premium installation cost.

Non-standard single family installation - any Line Extension to a new home (or home site) with one account for electric service with the Company where the Company's cost to build the Line Extension is greater than \$5,000, excluding any Premium installation cost.

Premium installation - any Line Extension that is in excess of the standard construction and requirements necessary to provide electric service to the customer, including, but not limited to, customer-requested oversizing of facilities, underground construction, Residential Installations exceeding 200 amps and three phase Residential installations.

Premium installation cost - the sum of the Company's cost to provide Premium installation minus the sum of the Company's cost of the standard construction and requirements necessary to provide electric service to the customer.

Residential installation - a Standard single family installation, a Non-standard single family installation, a Standard multi-family installation, or a Non-standard multi-family installation for a single phase Line Extension.

Standard multi-family installation - any Line Extension to a new residential dwelling that will have two or more dwelling units, where each unit has a separate account for electric service with the Company where the Company's cost to build the Line Extension is less than or equal to \$2,500 excluding any Premium installation cost.

ELECTRIC SERVICE REGULATIONS

Standard single family installation - any Line Extension to a new home (or home site) with one account for electric service with the Company where the Company's cost to build the Line Extension is less than or equal to \$5,000, excluding any Premium installation cost.

2. Terms And Conditions:

Residential installations:

a. Non-standard single family installation:

The customer shall make arrangements with the Company for the payment to the Company of the Company's cost to build the Non-standard single family installation that exceeds \$5,000, excluding any Premium installation cost. The individual homeowner (non-developer) has the option of paying such costs, plus carrying costs based on the rate of return approved in the Company's then most recent distribution rate case, on a prorated monthly basis for up to fifty months.

b. Non-standard multi-family installation:

The customer shall make arrangements with the Company for the payment to the Company of the Company's cost to build the Non-standard multi-family installation that exceeds \$2,500, excluding any Premium installation cost.

General service installations:

A customer requesting a General service installation shall make an up-front payment to the Company equal to 40% of the Company's estimated cost for construction of the Line Extension, plus any and all Premium installation cost.

Premium installation:

For any Premium installation the customer shall make an up-front payment to the Company equal to the estimated Premium installation cost for the project. If a project is cancelled after the customer has made the up-front payment for the Premium installation costs, any costs incurred by the Company up to and including the date of cancellation, including without limitation material, labor, design, overheads, taxes, and restocking of materials returned to stock shall be deducted from the premium payment amount, and any remaining funds returned to the customer.

Future customers:

A customer may be entitled to a refund of a portion of the amounts such customer paid for a Line Extension, other than for Premium Installation. Any amounts refunded shall be paid in accordance with the following:

If a new customer ("Customer 2"), utilizes, within fifty months of the completion of a Line Extension project, all or part of the Line Extension facilities for which contribution in aid of construction ("CIAC") has been paid by a previous customer (the "Original customer"), then the Original customer who paid the CIAC may be entitled to a refund which represents a pro rata portion of the original CIAC, calculated to equitably share the CIAC responsibility for the Line Extension facilities used in service by both Customer 2 and the Original customer. If any new additional customer ("Customer 3"), utilizes, within fifty months of the completion of the Line Extension project, all or part of the Line Extension facilities for which CIAC has been paid by

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the Original customer and Customer 2, then Customer 2 who paid an equitable portion of the CIAC may also be entitled to a refund.

- 3. Line Extensions On Private Property:** Customers that require Line Extensions to be constructed on their private property shall, in all cases, provide, without cost to the Company, land clearance, trenching and backfilling (including excavation for and installation of vaults), and an easement for right-of-way in a form acceptable to the Company before the Company's construction is started. The expectation that property will be dedicated to the public use at the conclusion of construction shall not preclude such property from being deemed the customer's private property for purposes of this subsection 3. All Line Extensions shall be the property of and shall be operated and maintained by the Company. The Company shall have the right to use such Line Extension in furnishing service to any applicant located adjacent to such Line Extension and the further right to construct other extensions from the distribution facilities so constructed. Except as provided herein, no customer or third party installation of Line Extension facilities will be permitted on private property or public right-of-way.
- 4. Relocation For Residential, Commercial Or Industrial Customer:** A change in location of an overhead or underground service for the customer's convenience shall be made at the customer's expense.
- 5. Relocation For Highway, Street Or Public Works Project:** A change in location of an overhead or underground service to provide space necessary for highway, street, or public works projects shall be made in accordance with the contractual agreement with the government entity involved.
- 6. Other Items:**
 - a. The Company shall not be required to begin construction on any Line Extension until all required applications have been made by the customer, developer, or builder, as applicable.
 - b. The Company shall not be required to install Line Extensions using rear lot line construction. The Company may elect, however, to use rear lot line construction at no additional cost to the customer.
 - c. Line Extension cost estimates should not include costs normally incurred by the utility to maintain, protect, or upgrade its distribution system. Nor should system improvements required for the general distribution system that serves multiple customers, which are driven by the customer's load addition, be factored into the Line Extension calculations.

VIII. USE OF SERVICE

- A. Increased Loads:** The customer shall notify the Company of any significant additions or modifications to the customer's facilities that will affect the customer's load characteristics so that the Company may provide facilities sufficient to maintain adequate service.
- B. Individual Customer Metering:** Service will be supplied under the appropriate rate schedule, to each separate dwelling (single or part of a multiple unit), apartment, farm, commercial or industrial establishment as one customer through one meter or one unified set of meters for each rate schedule.

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C. Resale:

1. Electric service is provided for the sole use of the customer, who shall not sell any of such service to any other person, or permit any other person to use the same, without the written consent of the Company.
2. The above provision does not apply to service provided to a landlord for resale or redistribution to tenants where such resale or redistribution takes place only upon property owned by the landlord and where the landlord is not otherwise operating as a public utility.

D. Parallel Operation: The Company shall provide service in parallel with a customer's generating facilities if the customer has adequate protective and regulating equipment and has sufficient trained personnel to perform the necessary operations, and further, at the Company's option, if the customer provides electronic communications with the offices of the Company's load dispatcher. Net Energy Metering Rider customers shall not be required to provide electronic communications or install a telephone line. The Company will not furnish service in parallel with a customer's generating facilities when, in the opinion of the Company, such parallel operation may create a hazard or disturb, impair or interfere with the Company's service to other customers.

E. Regulation Of Power Factor: The Company may require the customer to maintain a power factor in the range of 85% to 100% for secondary, primary and subtransmission service and 90% to 100% for transmission service, coincident with the customer's maximum monthly peak demand and to provide, at the customer's expense, any corrective equipment necessary in order to do so. The Company may inspect the customer's installed equipment and/or place instruments on the premises of the customer in order to determine compliance with this requirement, as deemed appropriate by the Company. The Company may charge the customer the Company's installation cost incurred for corrective devices necessary for compliance with this provision. The Company is under no obligation to serve, or to continue to serve, a customer who does not maintain a power factor consistent with the parameters set forth in this provision.

F. Unbalanced Loads: The customer shall not use three phase electric service in such a manner as to impose an unreasonable unbalance between phases.

G. Interference: The Company reserves the right to discontinue service to any customer if the service is used in a manner that disturbs or impairs the operation of the Company's system, or interferes with the service to other customers. When such interference occurs due to the use of any apparatus installed upon a customer's premises, the customer must either remove said apparatus, or provide the equipment necessary to alleviate such interference. The Company may discontinue service until such adverse conditions are alleviated.

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IX. METERS, TRANSFORMERS AND SPECIAL FACILITIES

- A. Installation:** The Company will furnish and maintain one meter or one unified set of meters and metering equipment capable of producing data necessary to bill the customer under Company tariffs. Service will normally be metered at the Company's supply voltage. The customer shall provide, at no cost to the Company and close to the point of service entrance, suitable space for the installation of meters, transformers, protective equipment, and other equipment required by the Company. Meters, transformers, protective equipment, and other equipment required by the Company shall be placed at locations in accordance with Company standards and such locations shall be maintained by the customer at the customer's expense consistent with reasonable Company standards. Additional or special transformers required by the customer for the customer's convenience shall be furnished and maintained by the customer at the customer's expense. Any metering equipment required by the customer to accommodate requirements of a Certified Supplier will be installed, owned and maintained by the Company and paid for by the customer.

When a transformer vault, customer substation mat, or similar facility is necessary, said vault, mat or other facility shall be furnished and maintained by the customer at the customer's expense consistent with reasonable Company standards.

- B. Equipment Ownership:** Unless otherwise agreed between the Company and the customer, all equipment furnished by the Company shall remain its exclusive property and the Company shall have the right to remove the same after termination of service for any reason whatsoever.
- C. Meter Testing:** The Company tests its meters for accuracy and mutual protection consistent with Chapter 4901:1-10 of the Ohio Administrative Code.

In addition, the Company will test a meter at the request of the customer. If the accuracy of the meter is found to be within the tolerances specified in Chapter 4901:1-10 of the Ohio Administrative Code, the Company may charge the customer a meter test fee as provided in the Company's Tariff Sheet 75, Miscellaneous Charges, Meter Test Charge, except that the customer shall not be charged for the first test at the customer's request within the period specified in Chapter 4901:1-10 of the Ohio Administrative Code.

- D. Meter Failure:** If it is determined that a meter, transformer, or any equipment or wiring associated therewith fails for any reason to operate correctly or accurately measure a customer's electricity use, the customer shall pay for the service furnished during such period an estimated amount based upon: (1) the results of a test, or (2) energy usage during a comparable period, or (3) a combination of both of these methods. For residential customers, the estimated amount determined by the Company shall be billed consistent with Chapter 4933.28 of the Ohio Revised Code. For non-residential customers the estimated amount determined by the Company shall be billed consistent with Chapter 4901:1-10 of the Ohio Administrative Code.
- E. Customer Responsibility:** The customer shall permit only Company employees, other authorized agents of the Company, or other persons authorized by law, to inspect, test or remove Company equipment located on the customer's premises. If this equipment is damaged or destroyed due to the negligence or willful act of the customer or tampered with by the customer, the cost of repairs or replacement shall be payable by the customer. The Company may also bill the customer for the costs of electric service that was utilized, but not billed for, as a result of the tampering.

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- F. Special Facilities:** All costs (including, without limitation, any government imposed fees) for any special services, facilities, or instrumentation which may be rendered or furnished by the Company for a customer at the customer's request or at the direction of any governmental authority, and not provided for in the Company's rate schedules and not ordinarily necessary or directly involved in the furnishing of electric service, shall be paid for by the customer for whom such services, facilities, or instrumentation are furnished, or by the customers residing within the boundaries of the governmental entity for whom such services, facilities, or instrumentation are furnished. Any such costs shall be in addition to the charges for electric service provided for in the applicable rate schedule, and may be itemized on the electric bill to such customer(s) or billed separately by the Company. Upon request by the customer and in the sole discretion of the Company, such special services, facilities, or instrumentation may be supplied and maintained by the customer at the customer's expense.
- G. Access To Premises:** The customer or, if applicable, the landlord, property manager or owner, shall grant Company's employees and authorized agents access to the customer's premises at all reasonable hours for the purpose of reading, inspecting, testing, repairing, maintaining, replacing, installing, analyzing or removing meters or other Company property. In the event of an emergency, the Company's employees and authorized agents shall have access to customer's premises at any time.

If a customer, landlord, property manager or owner fails to grant access for reasons described above, and judicial or legal redress is necessary to secure such access, the Company may collect from the customer, landlord, property manager or owner any and all costs incurred to secure such access.

X. CUSTOMER'S WIRING, EQUIPMENT AND SPECIAL SERVICES

- A. Installation:** The customer shall supply all wiring on the customer's side of the point of attachment as designated by the Company. All of the customer's wiring and electrical equipment should be installed so as to provide not only for immediate needs but for reasonable future requirements and shall be installed and maintained by the customer to meet the provisions of the National Electrical Code, the regulations of the governmental authorities having jurisdiction over such installations and the reasonable requirements of the Company. As required by Chapter 4901:1-10 of the Ohio Administrative Code, before the Company connects service for any new installations, such installation must be inspected and approved by the local inspection authority or, when there is no local inspection authority, by a licensed electrician. An inspection is also necessary for any changes in wiring on the customer's premises.
- B. Limitation Of Liability:** The Company shall not be liable for any loss, cost, damage or expense that the customer may sustain 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, interruptions in service, variations in service characteristics, high or low voltage, phase failure, phase reversal, the use of electrical appliances or the presence of the Company's property on the customer's premises whether such damages are caused by or involve any fault or failure of the Company or otherwise except such damages that are caused by or due to the willful and wanton misconduct of the Company. The Company shall not be liable for damage to any customer or to third persons resulting from the use of the service on the customer's premises or from the presence of the Company's appliances or equipment on the customer's premises.

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

Filed pursuant to Orders dated January 21, 2009 and March 31, 2016, in Case Nos. 07-551-EL-AIR and
14-1297-EL-SSO, before

The Public Utilities Commission of Ohio

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Any customer desiring protection against interruptions in service, variations in service characteristics, high or low voltage, phase failure, phase reversal, the use of electrical appliances or the presence of the Company's property on the customer's premises, shall furnish, at the customer's expense, any equipment desired by the customer for such purpose. Interruptions in service shall not relieve the customer from any charges provided in the rate schedule.

- C. Special Customer Services:** The Company may furnish customers special customer services as identified in this section. No such special customer service shall be provided except where the Company has informed the customer that such service is available from and may be obtained from other suppliers. A customer's decision to receive or not receive special customer services from the Company will not influence the delivery of competitive or non-competitive retail electric service to that customer by the Company. Such special customer services shall be provided at a rate negotiated with the customer, but in no case at less than the Company's fully allocated cost. Such special customer services shall only be provided when their provision does not unduly interfere with the Company's ability to supply electric service under the Schedule of Rates and Electric Service Regulations.

Such special customer services include: design and construction of customer substations; resolving power quality problems on customer equipment; providing training programs for construction, operation and maintenance of electrical facilities; performing customer equipment maintenance, repair or installation; providing service entrance cable repair; providing restorative temporary underground service; providing upgrades or increases to an existing service connection at customer request; performing outage or voltage problem assessment; disconnecting a customer owned transformer at customer request; loosening and refastening customer owned equipment; determining the location of underground cables on customer premises; disconnecting or reconnecting an underground pedestal at customer request; covering up lines for protection at customer request; making a generator available to customer during construction to avoid outage; providing pole-hold for customer to perform some activity; opening a transformer at customer request for customer to install an underground elbow; providing a "service saver" device to provide temporary service during an outage; resetting a customer-owned reclosure device; providing phase rotation of customer equipment at customer request; conducting an evaluation at customer request to ensure that customer equipment meets standards; or upgrading the customer to three phase service.

XI. COLLECTION OF PAST DUE BILLS AND DISCONNECTION OF SERVICE

- A. Procedures:** The Company's procedures for collecting past due bills and disconnecting service are set forth in the Ohio Administrative Code, except as permitted by the Order in Case No. 02-1944-EL-CSS.
- B. Field Collection:** When a customer has a delinquent bill, as defined in Chapter 4901:1-18 of the Ohio Administrative Code, the Company may make a field collection visit to attempt to collect the delinquent amount.

Whenever a field collection visit is made by a Company employee or authorized agent of the Company, the Field Collection Charge included in the Company's Tariff Sheet 75, Miscellaneous Charges, shall either be collected during the field collection visits, or assessed on the customer's next bill. Such Field Collection Charges shall be limited to once per billing cycle.

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- C. Disconnection Of Service:** Employees or authorized agents of the Company who actually perform the disconnection of service at the meter shall be authorized to accept payment in lieu of disconnection. If payment is made prior to disconnection, service that otherwise would have been disconnected shall remain connected. Any such payment shall include a Field Collection Charge consistent with Field Collection procedures described above. In the event that the Company employee or authorized agent is unable to gain access or is denied access to the meter and it becomes necessary to disconnect service at the pole, the employee or authorized agent disconnecting service shall not accept payment in lieu of disconnection.
- D. Reconnection:** When service has been disconnected pursuant to any of these Electric Service Regulations, a charge for reconnection pursuant to the Company's Tariff Sheet 75, Miscellaneous Charges, Reconnection Charge, will be required.
- E. Unauthorized Use Of Service:** In the event of fraudulent practice, tampering, or theft of service by the customer, consumer or other person, the Company will comply with the provisions of Chapters 4901:1-10 and 4901:1-18 of the Ohio Administrative Code. In these instances, the Company will assess a charge pursuant to the Company's Tariff Sheet 75, Miscellaneous Charges, Unauthorized Use Investigation Charge.

XII. CERTIFIED SUPPLIERS - CHANGE OF SUPPLIER

Certified Supplier shall mean all of the entities set forth in Ohio Revised Code, Section 4928.08(A) and (B) which have received certification from the Public Utilities Commission of Ohio under Ohio Revised Code, Section 4928.08 and have otherwise complied with the requirements set forth in the Company's Supplier Tariff. The Company shall change the customer's Certified Supplier only upon receipt of notice instructing such change with respect to the individual customer from a Certified Supplier.

Such notice to the Company will be as provided in the Supplier Tariff and customer instructions that the Certified Supplier is designated to provide services for a minimum time period of one month.

The Company shall develop, update, and maintain a list of Certified Suppliers that offer electric service within the Company's service territory and shall publish such list on the Company's website. All applicants for new service, customers returning from a Certified Supplier and any customer upon request will be directed to the location of this list on the Company's website.

The timing of the change of a customer to a different Certified Supplier shall occur only at the end of a customer's billing month based on and determined by the Company's meter reading schedule.

A customer may have only one Certified Supplier per account for any billing month. A customer may not split non-interruptible generation supply between two Certified Suppliers or between the Company's standard-offer service and service by a Certified Supplier during a billing month.

Except in the event of the default of the customer's Certified Supplier, the Company shall not be obligated to process a change of the customer's selected Certified Supplier more frequently than once every billing month. For purposes of these Electric Service Regulations, default by a Certified Supplier shall mean a failure to deliver services as defined in the Ohio Revised Code, Section 4928.14.

XIII. RETURN TO STANDARD SERVICE OFFER SUPPLY

- A.** If a customer that has been receiving service from a Certified Supplier subsequently seeks to have the Company resume providing generation service, the Company will provide service at standard offer rates provided that sufficient notice of such return has been provided to the Company.

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- B.** There shall be no minimum stay requirements for customers electing to return to the Company's standard service offer.
- C.** For all customers, return to the Company's standard service offer may only occur on regularly scheduled meter reading dates, unless otherwise agreed by the Company and subject to the Company's Supplier Tariff. In the event of default of a Certified Supplier, this provision shall not apply.
- D.** Subject to the other terms of this Section XIII and the Company's Supplier Tariff, there shall be no notice requirement for customers electing to return to the Company's standard service offer.
- E.** Customers returning to the Company's standard service offer as a result of either Certified Supplier Non-Compliance or default on the part of the customer's Certified Supplier are eligible for standard service offer per Revised Code Section 4928.14. Any costs incurred by the Company as a result of either Certified Supplier Non-Compliance or default on the part of the customer's Certified Supplier shall be recoverable under the appropriate recovery mechanism.

XIV. CERTIFIED SUPPLIERS - BILLING AND PAYMENT

- A. Billing:** The Company will bill the customer directly for services provided by a Certified Supplier unless the Company receives electronic notice from such supplier that it will bill the customer directly for services provided by the Certified Supplier. If the Company bills the customer for the services provided by a Certified Supplier, the Company will collect the funds from the customer and remit the same to the Certified Supplier.

The Company shall not be liable for the Certified Supplier's default or failure to provide service to a customer, nor shall it be responsible for a customer's failure to pay for its services received from a Certified Supplier as a consequence of the Company performing this role.

- B. Payments To The Company:** Payments to the Company will be applied to the customer's account in accordance with Ohio Administrative Code, except as permitted by the Order in Case No. 02-1944-EL-CSS. The payment hierarchy specified by this Order is available on the Company website.
- C. Disputes:** If the Company bills for services provided by the Certified Supplier, such bills will be based on information supplied to the Company by the Certified Supplier. The Company will have no responsibility to verify the appropriateness of such information, or to resolve any disputes or disagreements over the amount, timing or any other aspect of the billing or payment of charges, other than to confirm amounts billed to the customer, amounts received from the customer and amounts remitted to the Certified Supplier.
- D. Non-Payment Or Partial Payment:** Regardless of whether the Company bills customers for the services provided by the Certified Supplier, any failure by the customer to pay any and all charges due the Company in a timely manner shall be subject to any and all applicable provisions of these Electric Service Regulations, including, without limitation, collection, late fees, and termination of service.
- E. Late Payment Fees:** The Company may impose late payment fees on that portion of a customer's bill that pertains to services provided by the Company. Pursuant to the Order in Case No. 02-1944-EL-CSS, the Company may also charge late fees on past due amounts due and owing the Certified Supplier.

ELECTRIC SERVICE REGULATIONS

- F. Collection Activity:** Except as set forth in the Order in Case No. 02-1944-EL-CSS, the Company shall not be responsible for collection of amounts due from a customer to a Certified Supplier. Pursuant to the Order in Case No. 02-1944-EL-CSS, in situations where a customer is dropped by a Certified Supplier or the customer drops the Certified Supplier, the Certified Supplier's past due amounts will remain on the Company's bill, when applicable, for at least nine billing cycles or until the customer is disconnected or terminated by the Company, whichever occurs first.

XV. CERTIFIED SUPPLIERS - CUSTOMER AGGREGATION

Customers may be aggregated for purposes of purchasing services from a Certified Supplier. Aggregation of customers is not restricted by the number or class of customers within an aggregated group. Accordingly, any customer may be represented by an aggregator. However, an aggregator is not a customer of the Company by virtue of its position as an aggregator. Each customer that is a member of an aggregated group shall remain an individual customer of the Company for purposes of billing under each customer's applicable rate schedule. The consumption of individual members of an aggregated group shall not be combined for billing purposes. No charge of a tariffed service will be affected by a customer's aggregation status, and aggregation of load cannot be used for qualification under a tariff.

ELECTRIC SERVICE REGULATIONS

XVI. EMERGENCY ELECTRICAL PROCEDURES

A. General

Emergency electrical procedures are deemed necessary if there is a shortage in the electrical energy supply to meet the demands of the Company's customers. It is recognized that such deficiencies can be short term (up to a few days) or long term (a few days or more) in duration; and in view of the difference in nature between short and long term deficiencies, different and appropriate procedures should be adopted for each.

The systems of the Company and its electric utility affiliates are fully integrated and operated as a single electric system to the mutual advantage of the companies and their customers. Each company endeavors to operate and maintain its electric facilities in accordance with accepted utility practices. Because of the method of operating the companies' systems, an emergency arising on the system of one of those companies may affect the system of the others. Should this occur, a company may from time to time be providing assistance to one or more of the others in order to continue to operate most effectively as a single electric system.

1. Procedures related to short-term capacity shortages shall, insofar as the situation permits, give special consideration to the following types of customers and such other customers or types of customers which the Commission may subsequently identify for the protection of the public's health and safety:
 - a. "Hospitals" and other institutions which provide medical care to patients and where surgical procedures are performed.
 - b. "Governmental detention institutions" which shall be limited to those facilities used for detention of persons.
 - c. "Police and fire stations" which shall be limited to publicly owned, attended facilities.
 - d. "Federal facilities" essential to national defense.
 - e. "Water pumping facilities" essential to the supply of potable water to a community.
 - f. "Radio, television and newspaper facilities" utilized for transmittal of emergency messages and public information relating to these procedures.
 - g. "Sewage treatment facilities" essential to the collection, treatment or disposal of a community's sewage.
 - h. "Life support equipment," such as a kidney machine or respirator, used to sustain the life of a person.
 - i. "Air terminal facilities" essential to the control of aircraft in flight.

Although these types of customers will be given special consideration in the application of the manual load shedding provisions of this procedure, the Company cannot assure that service to such customers will not be interrupted, and accordingly they should install emergency generation equipment if continuity of service is essential. In case of customers supplied from two Company sources, only one source will be given special consideration. Other customers who, in their opinion, have critical equipment should install emergency battery or auxiliary generating equipment.

2. Procedures related to long-term capacity or fuel shortages shall, insofar as the situation permits, give special consideration to "priority uses of electricity", which shall mean the amount of electrical energy necessary for protection of the public's health and safety and to prevent unnecessary or avoidable damage to buildings and facilities, for the customers identified in Section (A)(1) and at:

ELECTRIC SERVICE REGULATIONS

- a. Residences (homes, apartments, nursing homes, institutions and facilities for permanent residents or transients);
- b. Electric power generating facilities, telephone central office and central heating plants serving the public;
- c. Local, intrastate and interstate transportation facilities;
- d. Production and refining or processing facilities for fuels;
- e. Pipeline transmission and distribution facilities for fuels;
- f. Production, processing, distribution and storage facilities for dairy products, meat, fish, poultry, eggs, produce, bread, livestock and poultry feed;
- g. Buildings and facilities limited to uses protecting the physical plant and structure, appurtenances, product inventories, raw materials, livestock, and other personal or real property; and
- h. Other similar uses as may be determined by the Commission.

The Company shall promptly advise the Commission of the nature, time and probable duration of all implemented emergency conditions and procedures which affect normal service to customers. The Commission may order the implementation of additional procedures or the termination of the procedures previously employed when circumstances so require.

In addition, each year before March 1, the Company will apprise the Commission of the state of electric supply in its service area.

As may be appropriate in accordance with the nature of the occurring anticipated emergency and of the Company's load and generating, transmission and distribution facilities, the Company shall initiate the following procedures.

B. Short-Term Capacity Shortages:

As may be appropriate in accordance with the nature of the occurring emergency, the Company shall initiate the following procedures:

1. Sudden or Unanticipated Short-Term Capacity Shortages.

In the event of a sudden decline of frequency on all or a portion of the Company's system caused by a significant imbalance of load and generation, whether such imbalance occurs in the Company's system or on another system:

- a. Automatic load shedding will take place if the decline in frequency is of the magnitude such as to jeopardize the entire affected area. Ten percent of the load in the affected area will be shed automatically at a frequency of 58.9 hertz. In the event such action does not restore the frequency to a proper level, manual load shedding will be employed. Service so interrupted shall be of selected distribution circuits and lines serving customers throughout the affected area. Such interruptions shall be, where practical, for short periods of time. When the frequency in the affected area recovers to 59.0 hertz or above any action necessary will be taken in the affected area to permit resynchronization to the main network. Such action may include additional manual load shedding. Such automatic and manual load shedding and restoration will be as set forth in ECAR Document No. 3, dated October 31, 1968 as amended.

2. Anticipated or predictable Short Term Capacity Shortages.

ELECTRIC SERVICE REGULATIONS

As soon as it is determined that a critical situation exists on the Company's system which may require implementation of any of the emergency procedures listed below, the Company shall confer by telephone with the Commission Staff. Also, the Commission Staff shall be kept informed when any such emergency procedures are implemented.

In the event an emergency condition of short term duration is anticipated or predicted which cannot be relieved by sources of generation available to the Company within the interconnected area, the following steps will be taken at the appropriate time and in the order appropriate to the situation.

- a. The internal demand of premises owned by the Company will be reduced to the largest extent consistent with the continuity of service.
- b. Voluntary load reductions will be requested of major commercial and industrial customers by procedures established in their respective load reduction plans;
- c. Voluntary load reductions will be requested of all other customers through appropriate media appeals.
- d. Manual load shedding of customer loads will be initiated. Service so interrupted shall, be to customers supplied from (1) selected distribution circuits throughout the area affected by the emergency, and (2) transmission and subtransmission circuits that can be directly controlled from the Company's dispatching offices. Such interruptions shall be consistent with the criteria established in section (A)(1) to protect the public health and safety and shall, insofar as practicable, be alternated among circuits. The length of an interruption of any selected distribution circuit should not exceed two hours and the total interruption should not exceed four hours in any 24 hour period without prior notification to the Commission. Records will be maintained to ensure that, during subsequent capacity shortages, service interruptions may be rotated throughout the area in an equitable manner.

C. Long Term Capacity Shortages:

The following actions shall be implemented until it is determined by the Company that any or all actions may be terminated. The public shall be immediately advised through appropriate media sources of the implementation of these procedures.

1. Long Term Capacity Shortages.

If an emergency situation of long term duration arises out of a long term capacity shortage on the Company's system, the following actions shall be taken, as required:

- a. Curtail, during hours of maximum system demand, non-priority electric use on premises controlled by the Company including parking, large area and interior lighting, except lighting required for security and safety.
- b. Initiate voluntary load reduction by all customers during the hours of maximum system demand as specified by the Company by:
 - i. Direct contact of customers with an electric demand of 500 kW or higher requesting them to implement their voluntary electric load reduction plans.

ELECTRIC SERVICE REGULATIONS

- ii Requesting, through mass communication media, voluntary curtailment of electric use by all other customers by suggesting actions to be taken such as: lowering thermostat settings for electric heating in the winter; discontinuing the use of air conditioning in the summer; shutting off electric water heaters; discontinuing use of dishwashers, outside lights, electric clothes dryers and entertainment appliances; reducing the use of interior lighting; reducing the use of refrigeration; discontinuing sign lighting and decorative lighting; reducing the use of elevators and poker ventilation equipment; and rescheduling hours of operation for stores and factories.
- c. Implement procedures for interruption of selected distribution circuits during the period of maximum system demand on a rotational basis minimizing interruption to facilities which are essential to the public health and safety. The length of an interruption of any selected circuit should not exceed two hours, and the total interruption should not exceed four hours in any 24 hour period without prior notification to the Commission.
- d. Notify customers with an electric demand of 500 kW or higher to curtail non-priority use of electricity during hours of maximum system demand as specified by the Company to levels not less than 70 percent of the customer's "monthly base period demand." The Company will establish an adjusted curtailment level when the customer can document that their priority use of electricity exceeds the curtailment level as specified. The Company will notify the Commission prior to such notification of customers.

"Monthly base period demand" is the customers billing demand established during the same month of the preceding year provided, however, that if:

- i. The "monthly base period demand" of a customer was abnormal due to such things as strikes or breakdown of major equipment, upon application by the customer and agreement by the Company, "monthly base period demand" for such customer shall be adjusted to reflect the abnormality.
- ii. A customer has experienced a major change in load or in load use pattern between the same month of the preceding year and the month of notification of curtailment, the "monthly base period demand" shall be multiplied by an adjustment factor equal to the sum of the billing demands of the three consecutive months prior to the month of notification of curtailment divided by the sum of the billing demands of the corresponding months in the prior 12 month period. If the load change occurred within the three monthly billing periods prior to the notification, only the months which include the changed load condition and the corresponding months of the previous year shall be used to calculate the adjustment factor.
- iii. A customer has recently been connected or has received a commitment from the Company to supply a new load or a major load addition expected to be connected subsequent to the initiation of the curtailment, the "monthly base period demand" will be negotiated between the customer and the Company.

Upon prior arrangement and mutual agreement with the Company, customers may effect their electric demand reduction on a corporate basis.

- e. Upon notification to the Commission, increase the total hours of interruption of selected distribution circuits during the hours of maximum system demand from four hours to a maximum of eight hours.

ELECTRIC SERVICE REGULATIONS

2. Customers who do not curtail service during long term capacity shortages within 30 days after notification by the Company pursuant to (C)(1)(d) may, following notification to the Commission, be wholly disconnected from service until the emergency is past.

D. Short Term Capacity Shortages in Neighboring Control Areas:

Service to the Company's customers shall not be interrupted in order to provide emergency service to suppliers of electric energy in neighboring interconnected control areas. Emergency assistance to such suppliers will not be given unless agreed to be provided on a reciprocal basis by such supplier to the Company.

The neighboring control area seeking assistance shall be requested to reduce its takings of electric energy if such takings endanger the reliability of bulk power supply in the Company area. If such neighboring control area fails to reduce its takings and the reliability of bulk power supply in the Company's area is endangered, steps shall be taken to relieve the burden on the Company area including, as a last resort, opening of appropriate interconnections.

E. Emergency Procedures for Municipal Wholesale Customers:

The Company also provides electric service to certain municipal Wholesale customers. In order to distribute fairly the burden of an electrical emergency between the Company's retail customers and the retail consumers served by its municipal wholesale customers, each such municipal wholesale customer shall adopt emergency electric procedures designed to curtail service to its consumers to the same extent as service to the Company's consumers would be curtailed under the Emergency Electrical Procedures contained herein. Such procedures shall be implemented by each wholesale customer when notified to do so by the Company.

RESIDENTIAL SERVICE - (RATE "RS")

AVAILABILITY:

Available for residential service to installations served through one meter for each family unit in a residence or apartment.

When service is used through the same meter for both residential and commercial purposes the applicable general service rate schedule shall apply.

This rate schedule is not available for service to a commercial, institutional or industrial establishment. The hallways and other common facilities of an apartment building or apartment complex are to be billed on the appropriate general service rate.

SERVICE:

Service is provided per the Electric Service Regulations at a secondary voltage.

RATE:

All charges under this rate schedule shall be calculated as described below and charged on a monthly basis.

Distribution Charges:

Service Charge:	\$4.00
-----------------	--------

Energy Charges:	
All kWh, per kWh	2.9510¢

SPECIAL METERS:

Time-Of-Day Metering is available from the Company. Charges for such service are specified in the Miscellaneous Charges, Tariff Sheet 75.

APPLICABLE RIDERS:

The charges included with the applicable riders as designated on the Summary Rider, Tariff Sheet 80 shall be added to the Rates and charges set forth above.

ELECTRIC SERVICE REGULATIONS:

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

Case No. 16-2213-EL-CCS
In The Matter Of The Complaint of PCC Airfoils, LLC v.
The Cleveland Electric Illuminating Company

RESPONSE TO REQUEST

PCC Set 1 – CEI has adequate capacity via adjacent facilities to service PCC Airfoils, LLC with sub
RFA-1 transmission service at Rate GSU.

Response: Objection. This request is vague and ambiguous as to the information it seeks. Subject to and without waiving the foregoing objection, and assuming the term “adjacent facilities” is referring to Circuit R-16&17-LY-G-X, and assuming the term “adequate capacity” is referring to The Cleveland Electric Illuminating Company’s Electric Service Regulations, Part IV, C, Delivery Voltage, The Cleveland Electric Illuminating Company admits that it has subtransmission facilities of adequate capacity available adjacent to PCC Airfoils premises.

PCC Airfoils, LLC v. The Cleveland Electric Illuminating Company
Public Utilities Commission of Ohio, Case No. 16-2213-EL-CSS

PCC Set 2

Answered by: Dean Philips
As to Objections: Carrie M. Dunn

**PCC Set 2 –
INT-015**

How many CEI customers receive subtransmission service where the customers have a demand:

- a. less than 2500 kW.
- b. Less than 3000 kW.
- c. Less than 3500 kW.
- d. Less than 4000 kW.

Response:

Objection. This request is overbroad and unduly burdensome and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Moreover, this request is vague and ambiguous as to the information it seeks. Subject to and without waiving the foregoing objections, and assuming this question is requesting how many CEI customers are on Rate GSU:

- a. 489
- b. 502
- c. 514
- d. 519

Case No. 16-2213-EL-CCS
In The Matter Of The Complaint of PCC Airfoils, LLC v.
The Cleveland Electric Illuminating Company

RESPONSE TO REQUEST

**PCC Set 1 –
RFA-4** Except for the transformer which would be provided at PCC Airfoils' cost, the facilities necessary to provide PCC Airfoils with sub transmission service at Rate GSU are adjacent to the PCC Airfoils property.

Response: Objection. This request is vague and ambiguous as to the information it seeks. Subject to and without waiving the foregoing objection, The Cleveland Electric Illuminating admits that Circuit R-16&17-LY-G-X is adjacent to PCC Airfoils property.

Mike Spacek

From: Haldi, Jennie M. <jmhaldi@firstenergycorp.com>
Sent: Wednesday, August 17, 2016 8:47 AM
To: aberger@mkcinc.com
Cc: Capek, Mike; Hrdy, Michael R.; Delligatti, Ralph N.; Becks, Jean A.; Mike Spacek
Subject: WR #58219736 - PCC Airfoils @29501 Clayton Ave., Wickliffe
Attachments: pri mtr-10-347.pdf; pri mtr-10-340.pdf

Al, After consulting with our Planning Engineers it was determined that the existing load at PCC Airfoils, 29501 Clayton Ave., is adequately served from the distribution circuit and a transfer to the sub-transmission circuit is not warranted. The customer does have the option to switch to the GP(General Primary) rate. Please see the attached specs for a new primary meter pole. Customer to install the primary meter pole. CEI to furnish, wire and assemble the CT's and PT's. Customer to install the PT's and CT's on the primary meter pole.

Mike Capek, please let me know if you would like us to pursue the GP installation.

I am still waiting for the arc flash hazard analysis you had requested and as soon as I receive the information I will send it to you.

Any questions? Please call..

Thanks, have a great day..

Jennie M. Haldi
Account Manager
The Illuminating Company
7755 Auburn Rd.,
Concord, Ohio 44057

O: 440-358-4989
M: 216-346-1942
F: 330-436-8083

jmhaldi@firstenergycorp.com
<https://www.firstenergycorp.com>

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From: Capek, Mike <Mike.Capek@PCCAIRFOILS.COM>
Sent time: Wednesday, October 26, 2016 8:42:30 AM
To: Haldi, Jennie M.
Cc: Mike Spacek; Eli Auerbach; Hrdy, Michael R.
Subject: RE: *EXTERNAL* RE: WR #58219736 - PCC Airfoils @29501 Clayton Ave., Wickliffe
Attachments: image002.png image003.jpg

Jennie,

I finally had some time to get back to this issue.

Your message states that there were no "engineering reasons" to change service. It's an "accounting reason". We want the lower rate.

So I would like to meet with your engineers to discuss any perceived obstacles to my goal and how we will work together to overcome them.

As was stated previously, "The customer, however, shall select from the alternative rate schedules...."

I will include Mike Spacek and Al Berger on my side of the table.

Let me know who to include from your team and I will schedule a meeting.

Mike

From: Haldi, Jennie M. [mailto:jmhaldi@firstenergycorp.com]
Sent: Monday, September 12, 2016 12:09 PM
To: Capek, Mike
Cc: Mike Spacek; Eli Auerbach; Hrdy, Michael R.
Subject: RE: *EXTERNAL* RE: WR #58219736 - PCC Airfoils @29501 Clayton Ave., Wickliffe

Mike

After careful consideration, The Illuminating Company will stand by our original response to deny your request to change your rate schedule to rate GSU. There is not a valid engineering reason that would necessitate moving your current load onto our sub-transmission system. In addition, the tariff indicates that the voltage level of service is at the discretion of the Company. You do however have the ability to make the necessary changes in transformer ownership to change your rate to rate GP. We will continue to work with Mike Spacek and Al Berger on this project.

Thanks

Jennie M. Haldi
Account Manager
The Illuminating Company
7755 Auburn Rd.,
Concord, Ohio 44057

O: 440-358-4989
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F: 330-436-8083

jmhaldi@firstenergycorp.com
<https://www.firstenergycorp.com>

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From: Capek, Mike [<mailto:Mike.Capek@PCCAIRFOILS.COM>]
Sent: Thursday, August 25, 2016 4:08 PM
To: Haldi, Jennie M. <jmhaldi@firstenergycorp.com>
Cc: Mike Spacek <Mike@bestuseofenergy.com>; Eli Auerbach <eauebach@energyplanners.com>
Subject: *EXTERNAL* RE: WR #58219736 - PCC Airfoils @29501 Clayton Ave., Wickliffe

Jennie,

Thank you for the response. We do not agree with your assessment that PCC does not have the right to change rates to GSUB. It is a filed and available tariff and your facilities are in the vicinity. Our request is for GSUB and that is what we want. Please provide more specifics in regard to your refusal to allow our company access to a filed tariff.

Based on your new meters, our plant load is greater than 4,000-kW. Your Sheet 4 of 21 Section C states that, "Customers with demands in excess of twenty five hundred (2,500) kW will generally be served at Transmission Service." Also Section C, Item 2 defines Subtransmission Service voltages as 11,000 volts three wire and 36,000 volts three wire. We believe this is the voltage you would select. Since only 33,000 volts is in the vicinity, that is the selected voltage.

Also on page 4 Section V. discusses Rate Schedule Alternatives.

The below Clearly states, "the company will assist a customer in selecting an appropriate rate schedule to be applied. The customer, however, shall select from the alternative rate schedules..."

V. RATE SCHEDULE ALTERNATIVES

- **Selecting Rate Schedule:** Where two or more alternative rate schedules are applicable to the same class of service, the Company, upon request, will assist a customer in selecting an appropriate rate schedule to be applied. The customer, however, shall select from the alternative rate schedules and such selection shall be the basis for the application or contract for service. No refund will be made representing the difference in charges under different rate schedules applicable to the same class of service except as required by law.
- **Changing Rate Schedule:** Subject to limitations in the service contract or applicable rate schedule, the customer may change to an alternative applicable rate schedule, except that a customer contracting for a specified capacity served at available primary or transmission voltage shall not be eligible to recontract for service at secondary voltage, unless a secondary voltage circuit of adequate capacity is available adjacent to the premises and the customer complies with all of the provisions of the applicable secondary rate schedule.

Furthermore, the distribution circuit is exposed to more nuisance events such as animal contact and vehicular accidents than the subtransmission circuit. We understand that protecting our system from your system's momentary voltage excursions is our responsibility and expense. We would like to spend our money by reducing the number of events and use the savings to harden our system further.

In the interim we request two things to keep this project moving forward:

1. We will pursue to GP since our utilization voltage off the sub-transmission will be 13.2-kV, we can continue in this realm.
 - a. We expect our BDC to continue if we use GP service. We understand BDC is reduced to \$0.005/kWh with GP.
2. Our engineering experts in this project are Effective Utility Services and Engineered Process Systems, in particular Mike Spacek and Al Berger. We expect you to work with them and treat them with same deference you would treat the CEO of PCC. This group will keep PCC informed of the project's status. We have a plant to run. EPS and EUS will take care of our high voltage needs.

Mike Capek

From: Haldi, Jennie M. [<mailto:jmhaldi@firstenergycorp.com>]
Sent: Wednesday, August 17, 2016 8:47 AM
To: abberger@mkcinc.com
Cc: Capek, Mike; Hrdy, Michael R.; Delligatti, Ralph N.; Becks, Jean A.; Mike Spacek
Subject: WR #58219736 - PCC Airfoils @29501 Clayton Ave., Wickliffe

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also have the option to attach to the GP (General Primary) meter. Please see the attached specs for a new primary meter pole. Customer to install the primary meter pole. CEI to furnish, wire and assemble the CT's and PT's. Customer to install the PT's and CT's on the primary meter pole.

Mike Capek, please let me know if you would like us to pursue the GP installation.

I am still waiting for the arc flash hazard analysis you had requested and as soon as I receive the information I will send it to you.

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Thanks, have a great day..

Jennie M. Haldi
Account Manager
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in

Case No(s). 16-2213-EL-CSS

Summary: Testimony Testimony of Mike Spacek with exhibits electronically filed by Mr. David W. Carroll on behalf of PCC Airfoils, LLC