

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE JOINT
APPLICATION OF OHIO POWER COMPANY
AND SOFIDEL AMERICA FOR APPROVAL OF
A SPECIAL ARRANGEMENT AGREEMENT.

CASE No. 17-43-EL-EEC

ENTRY

Entered in the Journal on June 28, 2017

{¶ 1} R.C. 4928.01(A)(19) defines a mercantile customer as a commercial or industrial customer that consumes more than 700,000 kilowatt hours of electricity per year or that is part of a national account involving multiple facilities in one or more states. R.C. 4928.66 imposes certain energy efficiency and peak demand reduction (EE/PDR) requirements upon Ohio's electric distribution utilities (EDUs), but also enables mercantile customers to commit their EE/PDR programs for integration with an EDU's programs in order to meet the statutory requirements. Ohio Adm.Code 4901:1-39-05(G) permits a mercantile customer to file, either individually or jointly with an EDU, an application to commit the customer's EE/PDR programs for integration with the utility's programs.

{¶ 2} On September 10, 2012, 2011 Ohio Am. Sub. S.B. 315 of the 129th General Assembly (S.B. 315) amended R.C. 4928.01(A)(40) and 4928.66 to include combined heat and power (CHP) systems as EE/PDR programs that mercantile customers may choose to commit for integration with an electric utility's programs.

{¶ 3} On July 17, 2013, the Commission adopted a pilot program in Case No. 10-834-EL-POR to provide for an expedited, automatic approval process for applications filed by mercantile customers under Ohio Adm.Code 4901:1-39-05(G), whereby applications conforming to the standard template are deemed to be approved 60 days after filing, unless suspended or otherwise ordered by the Commission or an attorney examiner. See, *In re Mercantile Customer Pilot Program for Integration of Customer Energy*

Efficiency or Peak-Demand Reduction Programs, Case No. 10-834-EL-POR, July 17, 2013, Finding and Order.

{¶ 4} On May 1, 2017, Ohio Power Company (OPC) and Sofidel America (Sofidel) jointly filed an application for a special arrangement between the parties, whereby Sofidel will allow its CHP system to count as an EE/PDR program toward OPC's EE/PDR programs. This Energy Efficiency Credits (EEC) application is subject to a 60-day automatic approval unless suspended under the pilot program established in Case No. 10-834-EL-POR.

{¶ 5} Staff has requested that this application be suspended for further review. Therefore, the attorney examiner finds good cause to suspend the 60-day automatic approval process for further review of this application.

{¶ 6} It is, therefore,

{¶ 7} ORDERED, That the automatic approval process established under the EEC Pilot program in Case No. 10-834-EL-POR be suspended for this application. It is, further,

{¶ 8} ORDERED, That a copy of this Entry be served upon each party of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/James Lynn

By: James M. Lynn
Attorney Examiner

JRJ/sc

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in

Case No(s). 17-0043-EL-EEC

Summary: Attorney Examiner Entry suspending the automatic approval process established under the EEC Pilot program in Case No. 10-834-EL-POR for this application. - electronically filed by Sandra Coffey on behalf of James Lynn, Attorney Examiner, Public Utilities Commission of Ohio