

**BEFORE THE
PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Filing by Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company of a Grid Modernization Business Plan)	
)	
)	Case No. 16-481-EL-UNC
)	
)	
In the Matter of the Filing by Ohio Edison Company, The Cleveland Electric Illuminating Company and The Toledo Edison Company Application for Approval of a Distribution Platform Modernization Plan)	
)	
)	Case No. 17-2436-EL-UNC
)	
)	
)	
In the Matter of the Application of Ohio Edison Company, The Cleveland Electric Illuminating Company and The Toledo Edison Company to Implement Matters Relating to the Tax Cuts and Jobs Act of 2017)	
)	
)	Case No. 18-1604-EL-UNC
)	
)	
In the Matter of the Application of Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company for Approval of a Tariff Change)	
)	
)	Case No. 18-1656-EL-ATA

**OHIO EDISON COMPANY, THE CLEVELAND ELECTRIC ILLUMINATING, AND
THE TOLEDO EDISON COMPANY’S MOTION TO CONSOLIDATE**

Pursuant to Rule 4901-1-02(A)(6) and Rule 4901-1-12, Ohio Administrative Code (“O.A.C.”), Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company (collectively, the “Companies”) move the Public Utilities Commission of Ohio (“Commission”) for an order consolidating the above-captioned matters into a single proceeding for purposes of considering the adoption and approval of the Stipulation and Recommendation – signed by Staff, the Companies, Direct Energy Services, LLC, Direct Energy Business, LLC, Interstate Gas Supply, Inc., Ohio Energy Group, Industrial Energy Users-Ohio,

Ohio Cable Telecommunications Association, Ohio Hospital Association, and Environmental Defense Fund (collectively, the “Signatory Parties”) – that resolves all issues raised in the above-captioned proceedings. As set forth more fully in the Memorandum in Support, consolidating these proceedings will avoid duplication, conserve the resources of the parties and the Commission, achieve additional process and administrative efficiencies, and recognize the common and interrelated nature of the cases at issue. Additionally, the Companies request that the intervening parties in the above-captioned cases be joined as parties in all dockets. As set forth in the Stipulation, the Signatory Parties agree these four proceedings should be consolidated.

For the foregoing reasons and those set forth in the Memorandum in Support, the Companies respectfully request that the Commission grant this Motion and consolidate the above-captioned cases into a single proceeding and grant party status to all intervening parties in the above-captioned cases.

Respectfully Submitted,

/s/ Brian J. Knipe

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ATTORNEYS FOR OHIO EDISON COMPANY,
THE CLEVELAND ELECTRIC ILLUMINATING
COMPANY, AND THE TOLEDO EDISON
COMPANY

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MEMORANDUM IN SUPPORT

The Companies move the Commission for an order consolidating the above-captioned cases into a single proceeding to review and approve the Stipulation and Recommendation (“Stipulation”) that resolves all outstanding issues in each of the four dockets. The common and interrelated issue in the above-captioned proceedings concerns the Stipulation, which addresses the Tax Cuts and Jobs Act of 2017 (“TCJA”), as well as the Companies’ proposed programs to modernize their electric distribution systems. By considering these cases together, the Commission will avoid duplication, conserve the resources of the parties and the Commission, and achieve additional process and administrative efficiencies so that customers realize savings

associated with the Stipulation and the TCJA and the benefits associated with modernizing the electric distribution grid as soon as possible. As a related matter, the Companies request that the intervening parties in the above-captioned cases be joined as parties in all dockets.

On November 9, 2018, Staff, the Companies, and Direct Energy Services, LLC, Direct Energy Business, LLC, Interstate Gas Supply, Inc., Ohio Energy Group, Industrial Energy Users-Ohio, Ohio Cable Telecommunications Association, Ohio Hospital Association, and Environmental Defense Fund signed a Stipulation and Recommendation (“Stipulation”) that resolves all issues raised in the above-captioned proceedings. Specifically, the Stipulation provides for the Companies to refund to customers all tax savings associated with the TCJA, and to implement grid modernization plans so that customers in all three service areas will benefit from grid modernization investments, including advanced metering infrastructure; a Meter Data Management System with associated processes needed to enable advanced data access; distribution automation and Integrated Volt/Volt-Ampere Reactive Control.

Given that the Stipulation will resolve all issues raised in the above-captioned proceedings, the Commission should consolidate the dockets. Consolidation will streamline and ensure an expeditious process to consider the terms of the Stipulation. Moreover, consolidation will prevent undue waste and expense from the duplication of efforts across four individual dockets that are all related to the Stipulation and concern or otherwise implicate the TCJA and distribution grid modernization. Further, consolidation of the proceedings into one will conserve the resources of the Commission and the parties. As set forth in the Stipulation, the Signatory Parties agree these four proceedings should be consolidated.

The Companies also respectfully request that all parties that have been granted intervention in any of the above-captioned cases be deemed to have intervened as parties of

record in the single consolidated proceeding. In so doing, the Commission will ensure consolidation does not prejudice any party, while also avoiding potentially duplicative motions to intervene. In short, the consolidation of the cases will benefit all parties (including the Commission) and prejudice none.

Finally, the Commission has granted consolidation in cases like this one where there are common issues in multiple dockets and where doing so achieves process and administrative efficiencies.¹ As one recent example, the Commission granted Duke Energy Ohio's motion to consolidate ten proceedings to review a stipulation proposed to resolve the utility's then-pending ESP and distribution rate cases, approve tariffs and accounting changes, modify the utility's Price Stabilization Rider, amend its supplier tariff, defer vegetation management costs, and establish reliability performance standards.² Similarly, the Commission recently granted AEP Ohio's motion to consolidate TCJA-related cases into one proceeding for the purpose of considering a stipulation that purported to resolve the common TCJA-related issues in those cases.³ For the same reasons, the Commission should grant this Motion.

¹ See, e.g., *In the Matter of the Application of The East Ohio Gas Company d/b/a Dominion East Ohio for Authority to Increase Rates for its Gas Distribution Service et al.*, Case No. 07-829-GA-AIR *et al.*, 2008 Ohio PUC LEXIS 213, at ¶ 8 (granting consolidation to "conserve resources"); *In the Matter of the Applications of Columbia Gas of Ohio, Inc. to Establish a Uniform Rate for Natural Gas Service within the Company's Lake Erie Region; Northwestern Region; Central Region; Eastern Region; Southeastern Region et al.*, Case No. 88-716-GA-AIR *et al.*, 1989 Ohio PUC LEXIS 329, Entry, at ¶ 10 (Apr. 18, 1989) (granting consolidation to "promote hearing efficiency"); *In the Matter of the Joint Application of Ohio Edison Company, The Cleveland Electric Illuminating Company and The Toledo Edison Company for Approval of a Generation Charge Adjustment Rider et al.*, Case No. 05-704-EL-ATA *et al.*, 2005 Ohio PUC LEXIS 503, Entry, at ¶ 9 (Sept. 27, 2005).

² *In the Matter of the Application of Duke Energy Ohio, Inc., for an Increase in Electric Distribution Rates*, Case Nos. 17-32-EL-AIR, *et al.*, Entry, at ¶ 8 (May 9, 2018). As is the case here, Duke Energy Ohio filed its motion to consolidate on the same day it filed its stipulation.

³ *In the Matter of the Ohio Power Company's Implementation of the Tax Cuts and Jobs Act of 2017 et al.*, Case Nos. 18-1007-EL-UNC, 18-1451-EL-ATA, Finding and Order, at ¶ 21 (Oct. 3, 2018). The Commission has recommended that utilities follow the process in these AEP proceedings as an example. Case No. 18-47-AU-COI, Finding and Order, at ¶ 30 (Oct. 24, 2018).

In conclusion, the Companies respectfully request that the Commission enter an order consolidating the above-captioned proceedings into a single proceeding for purposes of considering the adoption and approval of the Stipulation, which resolves all contested issues raised in each of the four individual dockets. Additionally, the Companies request that the intervening parties in the above-captioned cases be joined as parties in all dockets to ensure no party is prejudiced by consolidation.

Respectfully Submitted,

/s/ Brian J. Knipe

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ATTORNEYS FOR OHIO EDISON COMPANY,
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CERTIFICATE OF SERVICE

I certify that the foregoing Motion to Consolidate and Memorandum in Support was filed electronically through the Docketing Information System of the Public Utilities Commission of Ohio on this 9th day of November, 2018. The PUCO's e-filing system will electronically serve notice of the filing of this document on counsel for all parties.

/s/ James F. Lang
One of the Attorneys for Ohio Edison
Company, The Cleveland Electric
Illuminating Company, and The Toledo
Edison Company

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Case No(s). 16-0481-EL-UNC, 17-2436-EL-UNC, 18-1604-EL-UNC, 18-1656-EL-ATA

Summary: Motion to Consolidate electronically filed by Mr. James F Lang on behalf of Ohio Edison Company and The Cleveland Electric Illuminating Company and The Toledo Edison Company