

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE APPLICATION OF
OHIO EDISON COMPANY, THE
CLEVELAND ELECTRIC ILLUMINATING
COMPANY, AND THE TOLEDO EDISON
COMPANY FOR A WAIVER OF OHIO
ADM.CODE 4901:1-39-04.

CASE NO. 19-363-EL-WVR

ENTRY

Entered in the Journal on March 6, 2019

{¶ 1} Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company (collectively, FirstEnergy) are public utilities, pursuant to R.C. 4905.02, and are, therefore, subject to the jurisdiction of this Commission.

{¶ 2} Pursuant to Ohio Adm.Code 4901:1-39-04, electric utilities are required to submit an application for new energy efficiency and peak demand (EE/PDR) portfolio plans by April 15, 2019.

{¶ 3} On December 19, 2018, the Commission issued a Finding and Order adopting proposed amendments to Ohio Adm.Code Chapters 4901:1-39 and 4901:1-40 regarding the Commission's rules for energy efficiency and renewable energy portfolio standards. The rules have not taken effect yet and remain subject to finalization.

{¶ 4} On February 13, 2019, FirstEnergy filed a motion for a waiver pursuant to Ohio Adm.Code 4901:1-39-02(B) and an expedited ruling pursuant to Ohio Adm.Code 4901:1-12(C). In the motion, FirstEnergy states that its current EE/PDR portfolio plan was approved November 21, 2017, for the period including January 1, 2017 through December 31, 2019. Pursuant to the Commission's directive, FirstEnergy states that its portfolio programs may continue beyond December 31, 2019, until such time that the Commission orders otherwise. FirstEnergy further states that proposed Ohio Adm.Code 4901:1-39-04, which is subject to finalization, contemplates the filing of EE/PDR portfolio plans on September 1 annually. FirstEnergy states that it would be administratively inefficient for it to file a portfolio plan for the next three years on April 15, 2019, under the current Ohio

Adm.Code 4901:1-39-04 if proposed Ohio Adm.Code 4901:1-39-04 were to be finalized soon. As a result, FirstEnergy states that the most expedient way for it to move forward is for the Commission to grant FirstEnergy a waiver of the April 15 filing requirement.

{¶ 5} Upon review, the attorney examiner finds that FirstEnergy's request is reasonable and that FirstEnergy should be afforded additional time to file its EE/PDR portfolio plan. Accordingly, the attorney examiner waives FirstEnergy's April 15, 2019 deadline for the filing of its EE/PDR portfolio plan. FirstEnergy should file its portfolio plan on September 1, 2019.

{¶ 6} It is, therefore,

{¶ 7} ORDERED, That FirstEnergy's motion for a waiver of the due date to file its EE/PDR portfolio plan be granted and the plan be due on September 1, 2019. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/ Anna Sanyal

By: Anna Sanyal
Attorney Examiner

JRJ/mef

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Case No(s). 19-0363-EL-WVR

Summary: Attorney Examiner Entry granting motion for waiver and setting a new due date of 9/1/19 for energy efficiency and peak demand portfolio plans electronically filed by Ms. Mary E Fischer on behalf of Anna Sanyal, Attorney Examiner, Public Utilities Commission