

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 August 22, 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 in Case No. 12-2156-EL-ORD, et al. 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 March 6, 2019, the Commission granted a motion for waiver filed by FirstEnergy and extended the deadline for the filing of its EE/PDR portfolio plan to September 1, 2019.

{¶ 5} On August 12, 2019, FirstEnergy filed another motion for waiver. In the motion, FirstEnergy states that the newly-enacted Am. Sub. H.B. 6 (HB 6), which is scheduled to go into effect on October 22, 2019, directs the Commission to extend existing EE/PDR plans, with a proportional budget increase, through December 31, 2020. As a result, FirstEnergy claims that any plans filed on September 1, 2019, will become moot several

weeks later. Therefore, in the interest of administrative efficiency, FirstEnergy requests that the Commission indefinitely suspend the filing requirement for its new EE/PDR portfolio plans pending future Commission action under HB 6. In the alternative, if the Commission elects to set a new filing date, FirstEnergy proposes that it be extended to December 1, 2019.

{¶ 6} No memoranda contra to FirstEnergy's motion for waiver were filed.

{¶ 7} Upon review, the attorney examiner finds that FirstEnergy's request is reasonable and that the deadline to file EE/PDR portfolio plans should be set to December 1, 2019.

{¶ 8} It is, therefore,

{¶ 9} ORDERED, That FirstEnergy's motion for a waiver be granted, and the deadline to file EE/PDR portfolio plans be set to December 1, 2019. It is, further,

{¶ 10} 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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in

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

Summary: Attorney Examiner Entry granting the motion for a waiver and setting the deadline to file energy efficiency and peak demand portfolio plans to 12/1/19 electronically filed by Ms. Mary E Fischer on behalf of Anna Sanyal, Attorney Examiner, Public Utilities Commission