

## THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE 2021 REVIEW OF  
THE DELIVERY CAPITAL RECOVERY  
RIDER OF OHIO EDISON COMPANY, THE  
CLEVELAND ELECTRIC ILLUMINATING  
COMPANY, AND THE TOLEDO EDISON  
COMPANY.

CASE NO. 21-1038-EL-RDR

### ENTRY

Entered in the Journal on April 10, 2023

{¶ 1} In this Entry, the attorney examiner sets forth a comment period for the above captioned annual rider audit. Initial comments are to be filed by June 1, 2023, and reply comments are to be filed by June 15, 2023.

{¶ 2} Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company (collectively, FirstEnergy) are electric distribution utilities as defined by R.C. 4928.01(A)(6), and public utilities as defined in R.C. 4905.02, and, as such, are subject to the jurisdiction of this Commission.

{¶ 3} On August 25, 2010, the Commission approved FirstEnergy's second electric security plan. *In re Ohio Edison Co., The Cleveland Elec. Illum. Co., and the Toledo Edison Co. for Authority to Establish a Std. Serv. Offer Pursuant to Section 4928.143, Revised Code, in the Form of an Elec. Security Plan*, Case No. 10-388-EL-SSO, Opinion and Order (Aug. 25, 2010) (*ESP II Case*). In that Order, the Commission approved a joint stipulation, as modified, authorizing FirstEnergy to establish a delivery capital recovery rider (Rider DCR) effective January 1, 2012. Additionally, under the terms of the stipulation, FirstEnergy agreed to submit to an annual audit review process of Rider DCR. Thereafter, on July 18, 2012, in Case No. 12-1230-EL-SSO, the Commission issued an Order approving a joint stipulation extending, with modification, the terms of the joint stipulation approved by the Commission in the *ESP II Case*. *In re Ohio Edison Co., The Cleveland Elec. Illum. Co., and the Toledo Edison Co. for Authority to Provide for a Std. Serv. Offer Pursuant to Section 4928.143, Revised Code, in the Form of an Elec. Security Plan*, Case No. 12-1230-EL-SSO, Opinion and Order (July 18, 2012). Thereafter, by Order issued on March 31, 2016, in Case No. 14-1297-EL-SSO, the Commission approved an

extension, with modification, of FirstEnergy's Rider DCR. *In re Ohio Edison Co., The Cleveland Elec. Illum. Co., and the Toledo Edison Co. for Authority to Provide for a Std. Serv. Offer Pursuant to Section 4928.143, Revised Code, in the Form of an Elec. Security Plan*, Case No. 14-1297-EL-SSO, Opinion and Order (Mar. 31, 2016).

{¶ 4} On November 3, 2021, the Commission issued an Entry directing Staff to issue a request for proposal for the audit services necessary to assist with the compliance audit of FirstEnergy. Prospective bidders were directed by the Commission to submit proposals to Staff by December 3, 2021.

{¶ 5} On November 23, 2021, the Office of the Ohio Consumers' Counsel (OCC) moved to intervene. No memoranda contra were filed. The attorney examiner finds that the motion is reasonable and should be granted.

{¶ 6} On December 3, 2021, OCC filed an application for rehearing of the Commission's November 3, 2021 Entry seeking audit services. FirstEnergy filed a memorandum contra the application for rehearing on December 13, 2021. On December 15, 2021, the Commission issued an Entry on Rehearing denying OCC's application for rehearing.

{¶ 7} By Entry issued December 15, 2021, the Commission selected Blue Ridge Consulting Services, Inc. (Blue Ridge) from the submitted proposals to complete the required audit services.

{¶ 8} On May 18, 2022, Blue Ridge filed its final audit report with the Commission.

{¶ 9} The attorney examiner finds it appropriate to set a comment period. Accordingly, all interested parties should file initial and reply comments regarding the auditor's report by June 1, 2023, and June 15, 2023, respectively. To be clear, the case dealing with the 2020 Rider DCR audit has been stayed, and comments have already been submitted in that case. *See In re the Matter of the 2020 Review of the Delivery Capital Recovery Rider of FirstEnergy*, Case No. 20-1629-EL-RDR, Entry (March 8, 2023). The Commission will consider

the comments submitted in that case when the stay is lifted. At this time, we seek comments only for the 2021 review of FirstEnergy's Rider DCR.

{¶ 10} It is, therefore,

{¶ 11} ORDERED, That the motion to intervene in this proceeding filed by OCC be granted. It is, further,

{¶ 12} ORDERED, That all interested parties file initial and reply comments as directed in Paragraph 9. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/ Jacky Werman St. John

By: Jacky Werman St. John  
Attorney Examiner

MJA/dr

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Summary: Attorney Examiner Entry granting the motion to intervene of OCC and requesting that interested parties file initial comments and reply comments regarding the auditor's report by June 1, 2023 and June 15, 2023, respectively electronically filed by Debbie S. Ryan on behalf of Jacky Werman St. John, Attorney Examiner, Public Utilities Commission of Ohio.