

Case No. 23-0301-EL-SSO

In the Matter of the Application of Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company for Authority to Provide for a Standard Service Offer Pursuant to R.C. § 4928.143 in the Form of an Electric Security Plan

ANSWERS TO INTERROGATORIES

OELC Set 01– INT-026 Referring to the “Energy Solutions for Business” program described on pages 22-25 of the testimony of Edward Miller filed in this Proceeding on April 5, 2023, please provide the following information:

- a) how FirstEnergy proposes to select the “implementation vendor” referred to in the program description;
- b) the estimated number of FirstEnergy employees that will have some responsibility for supporting the implementation and/or operation of the program; and
- c) the amount of revenue FirstEnergy anticipates or estimates will be generated for FirstEnergy from the “Energy Solutions for Business” program during the proposed term of ESP V, including, but not limited to, revenue associated with O&M costs, program administration costs or revenue from vendors.

Response:

- a) FirstEnergy Service Company’s Energy Efficiency (“EE”) Department is responsible for selecting and acquiring implementation vendors who will be responsible to administer, promote, and provide the programs and program services to customers. The EE Department selection process prioritizes criteria including, but not limited to the vendors’ experience delivering similar programs or initiatives, vendor resources and marketing strength and cost to select qualified third-party implementation vendors for delivery of its programs.
- b) The EE Department is responsible for the design, implementation and management of all energy efficiency and demand response programs across FirstEnergy’s various operating companies, including the Companies’ Energy Solutions for Business program. Key activities include acquiring and managing the program implementation vendors to ensure quality control and assurance over program implementation, conducting program evaluation, measurement and verification, tracking and reporting. Various members of the EE Department will spend a portion of their time to directly perform and/or support the operation of the Companies’ portfolio of programs including the Energy Solutions for Business Program. The Companies

anticipate that approximately 8-11 employees will be involved in this program.

- c) The Companies propose that their revenues will offset their costs, including carrying charges, and have the opportunity to retain 20% of revenues from its offers for eligible EE Resources from the programs into applicable PJM Base Residual Auctions (“BRAs”) and/or Incremental Auctions (“IAs”). See the direct testimony of Brandon S. McMillen for a description of the Companies’ cost recovery proposal and see the direct testimony of Edward Miller for the anticipated costs of the “Energy Solutions for Business” program.

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ANSWERS TO INTERROGATORIES

OELC Set 01– INT-024 Referring to page 25, lines 6-7, of the testimony of Edward Miller filed in this Proceeding on April 5, 2023, where Mr. Miller testified that “The Companies propose to develop and offer an opt-out process for Large Customers given the prior history in the state and based on feedback provided to the Companies”, please provide the following information:

- a) describe with specifics the “prior history in the state” referred to by Mr. Miller; and
- b) describe with specifics the “feedback provided to the Companies” including the identity of the person or entity providing such feedback, the date of the feedback and the substance of that feedback.

Response:

- a) The Companies object to this Request that purports to require a detailed, narrative response. Penn Central Transp. Co. v. Armco Steel Corp., 27 Ohio Misc. 76, 77 (C.P. 1971). Subject to and without waiving the foregoing objection, the reference to “prior history in the state” is referring to the experience of the Companies with implementation of the Mercantile Customer Self-Direct program during the period 2009 to 2020 where certain customers were able to opt-out of Rider DSE2 with completion of self-directed projects, as well as implementation of an opt-out provision beginning January 1, 2017 pursuant to Ohio R.C. 4928.6611 until 2020. Such history includes the Companies’ experience with administration and implementation of the opt-outs, including but not limited to application processing and verifying eligibility.
- b) Objection. This Request seeks information that is not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving the foregoing objections, the “feedback provided to the Companies refers to input received by the Companies during meetings with interested stakeholders on November 15, 2022 and February 24, 2023 to solicit input for planning ESP V, where certain stakeholders expressed a preference to have the ability to opt-out of utility

sponsored energy efficiency programs.

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DATA REQUESTS**

- PUCO DR-005** 1. On page 17 of the Third Supplemental Stipulation & Recommendation approved by the Commission in Case Nos. 14-1297-EL-SSO, et al. (12/1/15), the Companies agreed to the following provision: "During the period June 1, 2016 through May 31, 2024, the Companies will contribute \$3 million dollars per each 12-month period (totaling \$24 million over the eight-year period) of shareholder dollars to fund energy conservation programs in the Companies' service territories, and economic development and job retention programs in Ohio." Please provide a summary of the contributions made, to date, and how those contributions were used to fund specific energy conservation and economic development and job retention programs.

Response: In June 2016, the Companies incurred the full expense of this commitment and recorded a \$24 million liability. Presently, the Companies have made expenditures toward this commitment totaling \$2,170,943.73. Additionally, the Companies have budgeted an additional \$18.5 million toward recently launched energy conservation programs. Further, the Companies are planning to fund additional energy conservation programs and economic development projects with the goal of fulfilling the balance of the \$24 million commitment by May 31, 2024.

With respect to economic development and job retention programs, programs eligible for funding include, without limitation, customer-owned transformers or line extensions, redundant feeds, and substations.¹ The Companies have spent a total of \$1,648,169.76 to fund 18 different projects for commercial and industrial customers who are making capital investments and adding or retaining employment. The primary focus of the economic development contributions has been on traded sector companies which are companies that produce and/or sell products and services into markets beyond the local community for which domestic or international competition exists. Examples of programs that have received funding include:

¹ ESP IV Application, pp. 18-19.

- \$20,000 to Gorbett Enterprises in Solon for electric facilities supporting a new cold storage facility;
- \$80,000 to Marion Ethanol for electric facilities supporting a biorefinery project in Marion;
- \$100,000 to North Star BlueScope for electric facilities supporting new service to accommodate an expansion in Delta, including a new electric arc furnace;
- \$15,000 to American Nuts for electric facilities supporting new service for food processing in Brooklyn Heights;
- \$200,000 to B&W for electric facilities supporting a new headquarters in Akron;
- \$75,000 to Swagelok for electric facilities supporting a new headquarters in Solon; and
- \$500,000 to Sherwin-Williams for electric facilities supporting a new headquarters in Cleveland and a research and development facility in Brecksville.

The Companies will continue to responsibly evaluate opportunities to ensure they fund economic development projects that benefit the communities within the Companies' service territory, consistent with the terms and conditions of ESP IV.

With respect to energy conservation programs, as of July 31, 2023, the Companies have spent a total of \$522,773.97 on recently launched programs that are open to residential, commercial and/or industrial customers. These programs have remaining budgets totaling approximately \$18.5 million and include:

- A Residential Efficient Products Program, consisting of Appliance Rebates (budget ~\$5 million) and Appliance Recycling (budget ~\$5 million) with enhanced rebates to promote participation by income qualified customers;
- An Energy Solutions for Business Program, consisting of commercial and industrial lighting rebates (budget ~\$5.5M);
- In addition, the Companies have budgeted \$3 million for an energy conservation messaging campaign to educate customers about energy conservation.

Unfortunately, in August 2023, the Companies had to suspend their Residential Appliance Recycling Program, due to circumstances beyond the Companies' control. Suspension of this program negates the remaining planned expenditure of approximately \$5 million of the Residential Efficiency Products Program which the Companies will redeploy on other energy conservation programs. In addition to this re-deployment, the Companies are aiming to fulfill the remaining balance of the \$24 million commitment by May 31, 2024 through additional energy conservation programs and economic development projects.

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Ohio)	
Edison Company, The Cleveland Electric)	
Illuminating Company and The Toledo)	Case No. 23-0301-EL-SSO
Edison Company for Authority to)	
Provide for a Standard Service Offer)	
Pursuant to R.C. 4928.143 in the Form of)	
an Electric Security Plan		

**OHIO EDISON COMPANY, THE CLEVELAND ELECTRIC ILLUMINATING
COMPANY, AND THE TOLEDO EDISON COMPANY'S OBJECTIONS AND
RESPONSES TO THE THIRD SET OF INTERROGATORIES AND FOURTH SET
OF REQUESTS FOR PRODUCTION OF DOCUMENTS BY THE OHIO ENERGY
LEADERSHIP COUNCIL**

Pursuant to Rules 4901-1-16 through 4901-1-22 of the Ohio Administrative Code and in accordance with Ohio Rules of Civil Procedure 26, 33, and 34, Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company (the "Companies"), hereby submit these Objections and Responses to the Third Set of Interrogatories and Fourth Set of Requests for Production of Documents (the "Requests") served by the Ohio Energy Leadership Council ("OELC").

GENERAL OBJECTIONS

The Companies incorporate the following objections into each response below, as if fully restated therein.

1. These General Objections are incorporated by reference into the Companies' responses made with respect to each Request. The inclusion of any specific objection to a Request in a response below is not intended, nor shall in any way be deemed, as a waiver of any General Objection or any specific objection made herein or that may be asserted at another date.

2. The Companies object to each Request to the extent that it seeks information protected from disclosure by the attorney-client privilege, the attorney work product doctrine, or any other applicable statutory or common law privilege, prohibition, limitation, or immunity from disclosure. Nothing contained in the responses below is intended as a waiver of this objection.

3. The Companies object to each Request to the extent that it seeks information not relevant to the subject matter of this action and not reasonably calculated to lead to the discovery of admissible evidence.

4. The Companies object to each Request to the extent that it seeks production of information that is confidential business, commercial, or proprietary information belonging to the Companies or third parties.

5. The Companies object to each Request, definition, or instruction to the extent that it purports to impose upon the Companies obligations greater than, or different from, those contained in the Ohio Administrative Code.

6. The Companies object to each Request to the extent it seeks documents or information not in the Companies' possession, custody, or control.

7. Also, in responding to these Requests, the Companies do not admit the truth, validity, completeness, or merit of any of the requesting party's Definitions, Instructions, Requests, or any subparts thereof as set forth below.

8. A statement that documents will be produced is not intended to suggest that responsive documents exist within the Companies' possession, custody, or control; nor is it intended to suggest that the Companies will search every electronic and paper file within their possession, custody, or control, because that exercise would be unduly burdensome and prohibitively expensive and is not required under the rules. A statement that documents will be

produced means that the companies will search for documents in those places where the Companies reasonably anticipate they may be located and, if located and not subject to any privilege, the Companies will make them available for inspection and copying at a mutually agreeable time and place. Where applicable, the Companies will designate documents as confidential or competitively sensitive confidential and will release such documents only to parties with properly executed protective agreements.

9. The objections and responses contained herein and produced in response hereto are not intended to be, nor should they be, construed as waiving the Companies' right to object to these Requests or the information provided in response thereto for any purpose, including but not limited to discovery, motion practice, and hearing.

10. The objections and responses contained herein are not intended to be, nor should they be, construed as a waiver of the Companies' right to object to other discovery involving or relating to the subject matter of these Requests and responses.

11. The Companies object to these Requests to the extent they seek documents or information that is publicly available to, and thus equally accessible by, the requesting party.

12. The Companies object to those Requests that fail to include reasonable time parameters pursuant to which they are to be answered, on the basis that said requests are overly broad, unduly burdensome, expose the Companies to undue expense, and are designed to elicit information that is irrelevant and/or not likely to lead to the discovery of admissible evidence.

13. The Companies object to the definition of "Document" to the extent they seek to impose obligations on the Companies that are broader than, or inconsistent with, those imposed by the rules of the Ohio Administrative Code and the Ohio Rules of Civil Procedure. The Companies

construe the term “documents” to be synonymous in meaning and equal in scope to the usage of the term “documents” in Rule 34(A) of the Ohio Rules of Civil Procedure.

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ANSWERS TO INTERROGATORIES

OELC Set 03– INT-001 Referring to FirstEnergy’s response to PUCO DR-005, please provide the following information:

- a) Identify all of the reasons why FirstEnergy did not meet its commitment to contribute \$3 million dollars per each 12-month period during the term of ESP IV to fund energy conservation programs in FirstEnergy’s service territories and economic development and job retention programs in Ohio;
- b) Identify all of the reasons why FirstEnergy has only have made \$2,170,943.73 in expenditures toward the commitment described in subpart (a) above;
- c) Identify whether the \$2,170,943.73 in expenditures identified in subpart (b) above include the \$522,773.97 FirstEnergy has spent on “recently launched programs that are open to residential, commercial and/or industrial customers” or whether that \$522,773.97 is in addition to the \$2,170,943.73 in expenditures;
- d) Identify the exact date on which FirstEnergy “launched” the energy conservation programs for which FirstEnergy budgeted an additional \$18.5 million;
- e) Identify the exact date on which FirstEnergy budgeted the \$18.5 million described in subpart (d) above;
- f) Identify the “circumstances beyond the Companies’ control” that led FirstEnergy to “suspend their Residential Appliance Recycling Program”;
- g) For each of the 18 projects for commercial and industrial customers for which FirstEnergy spent a total of \$1,648,169.76, identify each of those 18 projects providing (i) the customer’s name, (ii) the dollar amount spent, and (iii) the specific uses of the expended funds;
- h) For the 18 projects for commercial and industrial customers for which FirstEnergy spent a total of \$1,648,169.76, did FirstEnergy develop any criteria, factors or application form(s) for those projects? If so, please identify those criteria, factors and/or application form(s);

- i) Has FirstEnergy developed any criteria, factors or application form(s) for any future projects that may receive funding as part of FirstEnergy's commitment in ESP IV to fund economic development and job retention programs in Ohio? If so, please identify those criteria, factors and/or application form(s); and
- j) As of the date of FirstEnergy's responses to this interrogatory, identify the exact dollar amount that FirstEnergy must spend to meet its \$24 million commitment made as part of ESP IV, and identify if all of that identified amount has been budgeted by FirstEnergy.

Response: Objection. Generally, the Companies object to this Request as it seeks information that is not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Further, this Request is vague and ambiguous in its failure to accurately describe the commitments made in ESP IV. Without waiving and subject to the foregoing objections, see Companies' responses to the subparts below.

- a) Objection. The Companies further object to this Request that purports to require a detailed, narrative response. *Penn Central Transp. Co. v. Armco Steel Corp.*, 27 Ohio Misc. 76, 77 (C.P. 1971). Subject to and without waiving the foregoing objections, the Companies have not failed to meet the commitment to contribute \$24 million over the term of ESP IV to fund economic development and energy conservation programs.
- b) Objection. The Companies further object to this Request as it purports to require a detailed, narrative response. *Penn Central Transp. Co. v. Armco Steel Corp.*, 27 Ohio Misc. 76, 77 (C.P. 1971). Subject to and without waiving the foregoing objections, some factors that have impacted the Companies' funding of eligible economic development and job retention programs and energy conservation programs include, but are not limited to, impacts to the local and global economy due to the COVID-19 pandemic as well as a general lack of opportunities presented by customers that qualify under the commitment.
- c) The \$2,170,943.73 in expenditures identified in subpart (b) above included the \$522,773.97 the Companies had spent as of July 31, 2023 on "recently launched programs that are open to residential, commercial and/or industrial customers," with the balance of \$1,648,169.76 being used to fund economic development and job retention programs as noted in response to PUCO DR-005.
- d) The Appliance Recycling component of the Residential Efficient Products program launched on May 22, 2023. The Appliance Rebate component launched on June 12, 2023. The Energy Solutions for Business program launched on June 1, 2023.
- e) Objection. The Companies further object as Request is vague and ambiguous in its use of the term "budgeted." Subject to and without waiving the foregoing objections, the Companies incurred the full expense

of the ESP IV commitment and recorded the \$24 liability in June 2016. In or around October 2022 the Companies planned to spend approximately \$15.5 million for the Residential Efficient Products Program and the Energy Solutions for Business Program. In August 2023 the Companies planned an additional \$3 million in funding for the energy conservation messaging campaign.

- f) Objection. The Companies further object to this Request that purports to require a detailed, narrative response. *Penn Central Transp. Co. v. Armco Steel Corp.*, 27 Ohio Misc. 76, 77 (C.P. 1971). Subject to and without waiving the foregoing objections, in or around late July 2023 the Companies became aware that the contractor for the appliance recycling component of the Residential Efficient Products Program was undergoing financing challenges that created a disruption in program services to customers. Shortly thereafter, the contractor suspended all appliance pick-ups, stopped taking new appointments and eventually customers had checks returned due to insufficient funds. As a result of the foregoing circumstances, the Companies have suspended the program.
- g) Objection. The Companies further object to this Request as it is overbroad and unduly burdensome in requesting the Companies identify “each of those 18 projects providing (i) the customer’s name, (ii) the dollar amount spent, and (iii) the specific uses of the expended funds.” This Request seeks information that is not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving the foregoing objections, see OELC Set 03-INT-001 – Attachment 1. In each instance, the contribution was to defray the cost of investment in electric infrastructure or line extensions to accommodate a capital investment in a new or expanded facility.
- h) Objection. The Companies further object as this Request is vague and ambiguous in its use of the terms “criteria, factors, or application form(s).” Subject to and without waiving the foregoing objections, see OELC Set 3-INT-01 - Attachment 2. The Companies note that the written policy/procedure became effective in 2022 however, each of the 18 projects related to economic development were evaluated based on the “criteria” set forth in OELC Set 3-INT-01 – Attachment 2.
- i) Objection. The Companies further object as this Request is vague and ambiguous in its use of the terms “criteria, factors, or application form(s).” Subject to the foregoing, See OELC Set 3-INT-01 – Attachment 2.
- j) Objection. The Companies further object as this Request is vague and ambiguous in its use of the term “budgeted.” Subject to and without waiving the foregoing objections, the Companies already incurred the full expense of this commitment and recorded the \$24 million liability in June 2016. As of September 30, 2023, the Companies have funded eligible economic development projects in the amount of \$1,648,169.76 and energy conservation programs in the amount of \$1,948,522.97, for a total

of \$3,596,692.73. Further, the Companies remain committed to funding additional economic development projects and energy conservation programs with the remaining \$20,403,307.274 over the term of ESP IV. The Companies had approved budgets totaling approximately \$19 million for energy conservation programs, which included:

- A Residential Efficient Products Program of approximately \$10.4 million, consisting of Appliance Rebates and Appliance Recycling;
- An Energy Solutions for Business Program of approximately \$5.6 million, consisting of commercial and industrial lighting rebates; and
- An Energy Conservation Messaging Campaign of approximately \$3 million, to educate customers about energy conservation.

Unfortunately, in August 2023, the Companies suspended their Residential Appliance Recycling Program, due to circumstances beyond the Companies' control, as explained in the response to subpart f, which otherwise would have comprised approximately \$5 million of the Residential Efficiency Products Program. The Companies are in process of finalizing plans to redeploy these funds on other energy conservation programs.

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ANSWERS TO INTERROGATORIES

OELC Set 03– INT-002 Please identify all of the past and expected future expenditures for FirstEnergy’s \$3 million “energy conservation messaging campaign” identified by FirstEnergy in response to PUCO DR-005.

Response: Objection. This Request seeks information that is not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving the foregoing objection, the Companies have not had any expenditures to date. Anticipated future expenditures under the program in the amount of \$3 million includes all campaign expenses including \$300,000 for concept ideation, creative development, production, and media planning and \$2.7 million for media buying (e.g. TV, digital media, radio, digital display ads, print advertising, paid social media, etc.). Further, as noted in the response to PUCO DR-005, the Companies are currently considering an increase in funding for additional energy conservation programs including a \$1 million increase to this program (\$4 million total), with the total budget of \$335,000 for concept ideation, creative development, production, and media planning and a total budget of \$3.665 million for media buying.

OELC Set 03
Answer Prepared By: Kurt Turosky
As to Objections: Trevor Alexander

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ANSWERS TO INTERROGATORIES

OELC Set 03– INT-003 Please identify the exact date that FirstEnergy launched its \$3 million “energy conservation messaging campaign” identified by FirstEnergy in response to PUCO DR-005.

Response: Objection. This Request seeks information that is not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving the foregoing objection, the campaign has not launched to date. At this time the Companies anticipate launching this campaign in late 2023 to early 2024.

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ANSWERS TO INTERROGATORIES

OELC Set 03– INT-004 Relating to FirstEnergy’s proposal to establish a volumetric risk cap on load migration back to SSO service, as described on pages 6 through 9 of the testimony of Robert J. Lee filed in this Proceeding, please provide the following information:

- a) Applying FirstEnergy’s proposal to the June 1, 2022 – May 31, 2023 planning year in order to illustrate the impact of the proposal on actual events, identify what the Peak Load Contribution (“PLC”) would have been per tranche as of June 1, 2022;
- b) Applying FirstEnergy’s proposal to the June 1, 2022 – May 31, 2023 planning year in order to illustrate the impact of the proposal on actual events, identify the daily PLC per tranche for each calendar day in that planning year;
- c) Applying FirstEnergy’s proposal to the June 1, 2022 – May 31, 2023 planning year in order to illustrate the impact of the proposal on actual events, identify each calendar day in that planning year on which the “benchmark plus 20 MW” volumetric risk cap would have been exceeded for SSO suppliers in that planning year;
- d) Applying FirstEnergy’s proposal to the June 1, 2022 – May 31, 2023 planning year in order to illustrate the impact of the proposal on actual events, for each of the calendar days identified in response to subpart (c) of this interrogatory identify:
 - i. the volume (in MWh) of electricity that FirstEnergy would have had to physically supply to its SSO customers on that day due to the volumetric risk cap;
 - ii. the real-time market prices FirstEnergy would have to pay for that volume of electricity; and
 - iii. how much per kWh FirstEnergy would have had to charge its SSO customers for that volume of electricity.

Response:

- a) Please see OELC Set 03-INT-004 Attachment 1.
- b) Please see OELC Set 03-INT-004 Attachment 1.
- c) Please see OELC Set 03-INT-004 Attachment 1.

d)

i. Please see OELC Set 03-INT-004 Attachment 1.

ii. Objection. Objection. This Request is overbroad and unduly burdensome in requesting “for each of the calendar days identified in response to subpart (c) of this interrogatory...the real-time market prices FirstEnergy would have to pay for that volume of electricity.” Subject to and without waiving the foregoing objection, please see OELC Set 03-INT-004 Attachment 1.

iii. Objection. This Request is overbroad and unduly burdensome in requesting “for each of the calendar days identified in response to subpart (c) of this interrogatory...how much per kWh FirstEnergy would have had to charge its SSO customers for that volume of electricity.” Subject to and without waiving the foregoing objection, please see OELC Set 03-INT-004 Attachment 1.

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RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS

OELC Set 04– RPD-001 Please produce all documents identified in response to OELC’s ROG-03-001.

Response: See OELC Set 03-INT-01 Attachment 1 and OELC Set 03-INT-01 Attachment 2.

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RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS

OELC Set 04– RPD-002 Please produce the document that provides the most comprehensive description of FirstEnergy’s “Residential Efficient Products Program” identified by FirstEnergy in response to PUCO DR-005; alternatively, if such a document does not exist, please produce all documents describing FirstEnergy’s “Residential Efficient Products Program” identified by FirstEnergy in response to PUCO DR-005.

Response: Objection. This Request seeks information that is not relevant and not reasonably calculated to admissible evidence. Additionally, this Request is overbroad and unduly burdensome in requesting “all documents describing FirstEnergy’s ‘Residential Efficient Products Program.’” Subject to and without waiving the foregoing objections, see OELC Set 04-RPD-002 Attachment 1, which inadvertently were executed without the removal of the watermark “final” and a claim of privilege. The Companies are not asserting any such privilege on this document.

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RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS

OELC Set 04– RPD-003 Please produce the document that provides the most comprehensive description of FirstEnergy’s “Energy Solutions for Business Program” identified by FirstEnergy in response to PUCO DR-005; alternatively, if such a document does not exist, please produce all documents describing FirstEnergy’s “Energy Solutions for Business Program” identified by FirstEnergy in response to PUCO DR-005.

Response: Objection. This Request seeks information that is not relevant and not reasonably calculated to the discovery of admissible evidence. Additionally, this request is overbroad and unduly burdensome in requesting the Companies’ produce “all documents describing FirstEnergy’s ‘Energy Solutions for Business Program.’” Subject to and without waiving the foregoing objections, see OELC Set 04-RPD-003 Attachment 1, which inadvertently were executed without the removal of the watermark “final” and a claim of privilege. The Companies are not asserting any such privilege on this document.

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RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS

OELC Set 04– RPD-004 Please produce the document that provides the most comprehensive description of FirstEnergy’s \$3 million “energy conservation messaging campaign” identified by FirstEnergy in response to PUCO DR-005; alternatively, if such a document does not exist, please produce all documents describing FirstEnergy’s \$3 million “energy conservation messaging campaign” identified by FirstEnergy in response to PUCO DR-005.

Response: Objection. This Request seeks information that is not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Additionally, this Request is overbroad and unduly burdensome in requesting “all documents describing FirstEnergy’s \$3 million “energy conservation message campaign.”” Subject to and without waiving the foregoing objections, see OELC Set 04-RPD-004 Attachment 1, which inadvertently was executed without the removal of a claim of privilege. The Companies are not asserting any such privilege on this document.

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RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS

OELC Set 04– RPD-005 Please produce a copy of FirstEnergy’s budget for its \$3 million “energy conservation messaging campaign” identified by FirstEnergy in response to PUCO DR-005.

Response: Objection. This Request is not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving the foregoing objection, see OELC Set 04-RPD-004 Attachment 1, which inadvertently was executed without the removal a claim of privilege. The Companies are not asserting any such privilege on this document.

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RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS

OELC Set 04– RPD-006 Please produce representative copies of all written campaign materials, whether in physical or electronic form, and all written scripts used in FirstEnergy’s \$3 million “energy conservation messaging campaign” identified by FirstEnergy in response to PUCO DR-005.

Response: Objection. This Request is overbroad and unduly burdensome in requestion “copies of all written campaign materials” as well as “all written scripts.” This Request seeks information that is not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving the foregoing objections, at this time, the Companies do not have any final written campaign materials.

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in the Form of an Electric Security Plan**

RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS

OELC Set 04– RPD-007 Please produce all studies, assessments, analyses, reports, or other documents relied on or referenced by FirstEnergy in developing its proposal to include a volumetric risk cap on load migration back to SSO service, as described on pages 6 through 9 of the testimony of Robert J. Lee filed in this Proceeding.

Response: The Companies have no responsive documents.

CERTIFICATE OF SERVICE

I certify that a true copy of the foregoing Objections and Responses to the Third Set of Interrogatories and Fourth Set of Requests for Production of Documents (the “Requests”) served by the Ohio Energy Leadership Council upon The Ohio Edison Company, the Cleveland Electric Illuminating Company, and The Toledo Edison Company was served upon the persons below via electronic transmission on this 24th day of October, 2023:

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Cleveland Electric Illuminating Company, and
The Toledo Edison Company*

**FirstEnergy Procedure for Use and Distribution of
ESP IV Shareholder Economic Development, Job Retention and Energy
Conservation Fund
Attachment 5
Energy Efficiency/Demand Response Program Funding Application**

Proposed Program: Efficient Products Program

Funding Amount: \$10,350,000

Program Description: The program promotes the purchase and installation of energy efficient appliances and/or the removal of older inefficient operating appliances to prevent them from being maintained as a second unit or transferred to another customer. The program is designed to provide easy access to energy efficient appliances through customers' preferred retailers and/or recycling of qualifying inefficient operating appliances. The program will provide marketing support, training and education to customers and retailers on the program, energy efficient appliances and the benefits of disposing of older inefficient appliances. This program will provide rebates for the purchase of select efficient appliances, and rebates for the pick-up and recycling of inefficient operating appliances to participating customers.

The target market for the program are all customers of FirstEnergy's-Ohio utilities', including income qualified customers, who purchase energy efficient qualifying appliances or have older inefficient operating appliances.

The program includes the following components:

- **Appliance Rebates** – This program component promotes the purchase and installation of ENERGY STAR efficient appliances. Rebates will be offered through a variety of channels including downstream rebates to customers and reduced point of sale costs for select appliances. Enhanced rebates will be provided on select measures to reduce the higher upfront cost of efficient appliances to income qualified customers. This program component will provide marketing support, training and education to customers and retailers on energy efficient appliances through multiple means such as but not limited to, point-of-sale materials, education to customers, and retailer training.
- **Appliance Recycling** – This program component provides a rebate, pick-up, and recycle service to customers for turning in qualifying, inefficient, operating appliances. Enhanced rebates will be provided to further promote participation by income qualified customers. Qualifying appliances will be picked up at the customer's residence and recycled in a compliance with the U.S. Environmental Protection Agency's ("EPA") Responsible Appliance Disposal ("RAD") program criteria. In addition, periodic events may be offered at drop-off locations where customers can drop off qualified inefficient operating appliances. This program component will provide marketing support and education to customers and retailers on the benefits of recycling

older inefficient appliances through multiple means such as but not limited to, point-of-sale materials, education to customers, and retailer training.

Customer engagement and sales channels under this program includes:

- **Post Purchase (Downstream) Rebates:** Rebates will be made available to customers. Applications will be available online and/or in stores to submit either electronically or in hard copy with proof-of-purchase.
- **Point of Sale Rebates:** Prescriptive rebates will be made available at the point of sale for selected products. Point of sale rebates are paid to a retailer or manufacturer who apply the rebate to reduce the retail price paid by the customer in the retail store.
- **Appliance Recycling:** Rebates will be provided to customers for recycling qualifying, inefficient, operating appliances. Offering a rebate for the drop off or pick-up and removal of an appliance prevents the appliance from being maintained as a second unit or being transferred to another customer. Customers can schedule an appointment by phone or online.

The following chart provides the program measures that will be eligible for customer rebate under the Efficient Products program and Components which has been shown to be cost-effective in other jurisdictions:

Program	Component	Measure
Efficient Products	Appliance Recycling	Freezer Recycling
		Refrigerator Recycling
		Mini Refrig Recycling
		Room Air Conditioner Recycling
		Dehumidifier Recycling
	Appliance Rebate	Clothes Washer
		Refrigerators
		Freezers
		Clothes Dryer
		Air Purifier / Cleaner
		Room Air Conditioner
		Dehumidifiers
		Water Heater - Heat Pump

Program Term: Q1 2023 – May 31, 2024

Implementation Method: The Companies will contract with experienced implementation vendors who will directly administer and manage delivery of Appliance Rebates and Appliance Recycling. The Companies will perform overall administration and oversight of these program components.

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Appliance Rebates will be delivered through an implementation vendor that specializes in marketing and delivery of rebates for efficient appliances. Implementation activities for Appliance Rebates will include marketing the program through multiple channels, validating customer eligibility, processing rebates, and conducting outreach to and securing partnerships with retailers to ensure customers are able to easily purchase energy efficient qualified appliances through the program.

Appliance Recycling will be delivered through an implementation vendor that specializes in proper appliance recycling. The implementation vendor will be responsible for marketing, scheduling appointments, picking up / recycling of qualified working appliances, processing rebates, and handling customer inquiries. The implementation vendor will also market, schedule, staff, and manage the pick-up and recycling of qualified working appliances at special events. Each unit collected is disposed of in an environmentally responsible way, in compliance with EPA's RAD criteria.

Expected Program Benefits: The following table provides the projected participation and energy and demand savings for this program:

Program	Component	# Units	Energy Savings (MWH)	Demand Savings (MW)
Efficient Products	Appliance Recycling	21,000	21,000	3
	Appliance Rebate	53,000	9,000	2
	Total	74,000	30,000	5

Program Budget Breakdown: The following table provides the projected budget for this program:

Program	Component	FirstEnergy Administration	Vendor Administration	Rebates	Total
Efficient Products	Appliance Recycling	\$310,000	\$3,150,000	\$1,900,000	\$5,360,000
	Appliance Rebate	\$90,000	\$900,000	\$4,000,000	\$4,990,000
	Total	\$400,000	\$4,050,000	\$5,900,000	\$10,350,000

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FIRSTENERGY AUTHORIZATION

*Attach e-mail documentation

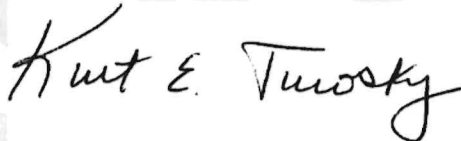
Date reviewed and concurred by:

Rates 10/14/22 Santino L. Fanelli (see attached)

Legal 10/13/22 Brian J. Knipe (see attached)

Compliance 10/13/22 Deandra Williams-Lewis (see attached)

Operating Company Representatives 10/11/22 Edward L. Shuttleworth (see attached) and
10/13/22 Bradley S. Gillespie (see attached)



FirstEnergy Authorized Signatures/Dates – PJ Kelly (Director, Economic Development) and KE Turosky (Director, Energy Efficiency Compliance & Reporting)



MA Jones

Title: Vice President, Customer Engagement Date

Approved: _____



MR Henry

Title: Senior Vice President, Customer Experience Date

Approved: 10/18/22

**This foregoing document was electronically filed with the Public Utilities
Commission of Ohio Docketing Information System on**

12/1/2023 9:22:24 AM

in

Case No(s). 23-0301-EL-SSO

Summary: Exhibit OELC 5, 6, 7, 8, 9 electronically filed by Mr. Ken Spencer on
behalf of Armstrong & Okey, Inc..