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BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

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

PUCO

Case No. 23-301-EL-SSO

**NORTHEAST OHIO PUBLIC ENERGY COUNCIL'S
REPLY MEMORANDUM IN SUPPORT OF
THE MOTION FOR INTERIM RELIEF TO CONDUCT SSO AUCTIONS
BY OHIO EDISON COMPANY, THE CLEVELAND ELECTRIC ILLUMINATING
COMPANY AND THE TOLEDO EDISON COMPANY**

The Northeast Ohio Public Energy Council ("NOPEC") strongly supports FirstEnergy's¹ motion for interim authority to conduct two full requirements standard service offer ("SSO") auctions, and for expedited treatment of the Motion. Market certainty is of paramount importance to a well-functioning Ohio competitive retail electric service ("CRES") marketplace. At this point in FirstEnergy's service territories, market certainty for the June 2024- May 2025 delivery year is woefully lacking for potential SSO suppliers and customers, as well as CRES providers. In its pending electric service plan proceeding ("ESP V"), FirstEnergy proposed to hold auctions in August 2023 and January 2024.² However, ESP V will not be concluded in sufficient time for FirstEnergy to conduct auctions under its proposed competitive bid process ("CBP") to meet its SSO obligations beginning June 1, 2024. Therefore, FirstEnergy seeks interim authority to conduct auctions in late January/early February and mid-March/early April, using the same CBP approved

¹ The FirstEnergy Ohio utility operating companies include Ohio Edison Company, The Toledo Edison Company and The Cleveland Electric Illuminating Company.

² See Direct Testimony of Robert J. Lee, Attachment RJL-9 (April 5, 2023).

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in its prior electric service plan proceeding (“ESP IV”). FirstEnergy’s motion is reasonable and should be granted on an expedited basis.

NOPEC is a regional council of governments established under R.C. Chapter 167 and serves hundreds of thousands of retail electric customers in over 200 member counties, townships and municipal corporations in 19 Ohio counties, primarily in the service territories of The Cleveland Electric Illuminating Company and Ohio Edison Company. NOPEC has been an active participant in each of the FirstEnergy Companies’ ESP proceedings including ESP V.

SSO auctions are used to determine FirstEnergy’s default service, or price to compare, which is used by NOPEC and other CRES providers to offer electricity products to benefit Ohio consumers. Under its ESP V application, auctions were proposed for August 2023 and January 2024. The absence of auction results undermines certainty in the competitive marketplace and can lead to rate volatility. The Commission recently recognized as much in granting Ohio Power Company’s similar request for interim relief in its ESP V proceeding. *In re Ohio Power Company*, Case No. 23-23-EL-SSO, Entry (September 20, 2023).

For these reasons, NOPEC urges the Commission to grant FirstEnergy’s motion for interim relief and to do so on an expedited basis.

Respectfully submitted,



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CERTIFICATE OF SERVICE

I certify that a true copy of the foregoing *Reply Memorandum in Support of Interim Relief to Conduct SSO Auctions* was served upon the persons below via electronic transmission on this 19th day of December 2023.



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