

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of First-)
Energy Corp. on Behalf of Ohio Edison)
Company, The Cleveland Electric Illumi-) Case No. 99-1212-EL-ETP
nating Company, and The Toledo Edi-) Case No. 99-1213-EL-ATA
son Company for Approval of Their) Case No. 99-1214-EL-AAM
Transition Plans and for Authorization)
to Collect Transition Revenues.)

In the Matter of the Application of The)
Cincinnati Gas & Electric Company for) Case No. 99-1658-EL-ETP
Approval of its Electric Transition Plan,) Case No. 99-1659-EL-ATA
Approval of Tariff Changes and New) Case No. 99-1660-EL-ATA
Tariffs, Authority to Modify Current) Case No. 99-1661-EL-AAM
Accounting Procedures, and Approval) Case No. 99-1662-EL-AAM
to Transfer its Generating Assets to an) Case No. 99-1663-EL-UNC
Exempt Wholesale Generator.)

In the Matter of the Application of the)
Dayton Power and Light Company for)
Approval of its Transition Plan, for) Case No. 99-1687-EL-ETP
the Opportunity to Receive Transition) Case No. 99-1688-EL-AAM
Revenues, for Approval to Change) Case No. 99-1689-EL-ATA
Accounting Methods, and Approval to)
Amend its Tariff.)

In the Matter of the Applications of)
Columbus Southern Power Company) Case No. 99-1729-EL-ETP
and Ohio Power Company for Approval) Case No. 99-1730-EL-ETP
of Their Electric Transition Plans and)
for Receipt of Transition Revenues.)

In the Matter of the Application of)
Monongahela Power Company dba) Case No. 00-02-EL-ETP
Allegheny Power for Approval of an)
Electric Transition Plan.)

In the Matter of the Establishment of)
Electronic Data Exchange Standards and) Case No. 00-813-EL-EDI
Uniform Business Practices for the)
Electric Utility Industry.)

ENTRY

The Commission finds:

- (1) By entry issued November 30, 1999, in Case No. 99-1141-EL-ORD, this Commission directed Ohio's investor-owned electric utilities and interested stakeholders to participate in a taskforce for the development of uniform business rules and practices, including electronic data interchange protocols, such as those developed by the Coalition for Uniform Business Rules (Electric Generation Suppliers). As noted therein, the adoption of consistent standard protocols and uniform business practices for the exchange of electronic data and customer information across all Ohio service territories is a cornerstone for the development of a competitive electric industry in this state. *In re the Commission's Promulgation of Rules for Electric Transition Plans and Consumer Education Plan, Pursuant to Chapter 4928, Revised Code, Case No. 99-1141-EL-COI, November 30, 1999, at 26-27.*
- (2) Pursuant to such directive, the Commission's staff created the Ohio Operational Support and Data Exchange Work Groups (OSPO and OSPOData, respectively) which are comprised of representatives from each Ohio utility, various potential marketers, and other interested parties. These groups have conducted numerous meetings and have established electronic mail distribution lists for the sharing of information and documents.
- (3) On May 15, 2000, staff and numerous OSPO participants filed a stipulation (OSPO stipulation) and *pro forma* certified supplier tariff for this Commission's consideration. While the stipulation was not signed by all of the OSPO participants, it does represent the broadest consensus achievable by such a diverse group given the short time period, and sets forth six specific issues, which will require a Commission determination. The stipulation requests that a generic docket be established and that the Commission order expedited comment periods for quick resolution of the issues.

- (4) We first note our appreciation for the efforts of all OSPO participants in attempting to reach consensus on uniform operational support practices, particularly in light of the simultaneous negotiations and events in the five utility transition cases. As requested in the stipulation, we will hereby establish a separate generic proceeding in Case No. 00-813-EL-EDI to consider all electronic data interchange (EDI) and operational support issues. We would, however, remind all parties that the primary focus of this proceeding will be to provide the business rules and EDI standards needed to allow customers to choose electricity suppliers on January 1, 2001, against the backdrop of a rapidly changing technological environment and emerging competitive electric industry. Any standards and practices established in this proceeding must be flexible and subject to any modifications necessary to foster an efficient and reliable market. It appears highly improbable to us that any operational guidelines adopted at the present time will not require changes or adjustments in light of actual experience after power begins to flow in the competitive marketplace.
- (5) The signatory parties request Commission approval of the stipulation and resolution of the specified issues listed in paragraph 6 of the stipulation by June 15, 2000. In order to provide expedited treatment of these matters, we will adopt the following process and use of the OSPO electronic document distribution system for this proceeding:

Any parties desiring to comment upon the stipulation should file comments by May 25, 2000. Parties wishing to file reply comments should do so by May 31, 2000. All comments and replies should be filed only in Case No. 00-813-EL-EDI, not the utilities transition cases.

All OSPO participants should serve all other OSPO participants by sending their documents to the OSPO ListServe (ospo@pucolists.state.oh.us). Any party who has not subscribed to the OSPO ListServe, but desires to file or receive comments, is advised to subscribe to the ListServe; instructions for doing so can be found under the electric restructuring section of our website at <http://www.puc.state.oh.us/>.

To facilitate evaluation of the comments, parties are directed to first address the six open issues specified in

paragraph 6 of the stipulation, in the order presented in the stipulation. The signatory parties are not obligated to address any issues beyond those specified in paragraph 6 of the stipulation and as set forth in this entry. OSPO participants who did not join the stipulation should identify all provisions within the stipulation to which they are opposed and the reason for such opposition, as well as their positions on the six open issues. Each utility should also identify any differences between the OSPO stipulation and *pro forma* tariff and any stipulations filed in their respective transition cases. All parties are also directed to address the following questions:

- (a) Please explain the basis for a mandatory 12-month period that a returning large commercial and industrial customer must stay with the utility. Please detail the legal authority for the Commission to adopt this provision and its consistency with the policies set forth in Section 4928.02, Revised Code;
- (b) Is it preferable to adopt a market-based solution for the provision of default service to a large commercial or industrial customer, rather than a mandatory time period for remaining with default service? Does this provision limit the Commission's authority to adopt such a solution, absent consent of the utility, in lieu of the 12-month mandatory stay provision?
- (c) Is your answer the same as to residential and small commercial customers?
- (d) If the Commission adopts this provision of the stipulation, to what extent does the policy rationale of it extend to residential and small commercial customers? Is there any difference in policy rationale except the size of the customer?
- (e) What is considered a large commercial or industrial customer? How will an aggregated group of commercial or industrial customers be

considered for purposes of application of this provision?

- (f) How does the utilities' recovery of transition costs under Amended Substitute Senate Bill No. 3 for generating plants impact the question of entitlement to a 12-month revenue stream associated with default service to large commercial and industrial customers? Is the answer the same for residential and small commercial customers? Please explain your response.
 - (g) What is the justification for significantly different levels of consumption for mandatory interval meters? What is the policy rationale for such different treatment among utilities?
- (6) Finally, the Commission notes that paragraph 6 issues include "(e) electronic data requirements," but that paragraph 7 of the stipulation appears to indicate that the OSPO working group may not meet again until March 1, 2001. We also observe that the data exchange group has submitted a list of EDI-related issues, which may not be addressed by adoption of the stipulation or our resolution of the other paragraph 6 issues. As emphasized above, we believe that the development of a responsive and efficient process for resolving EDI and operational issues will play a key role in the building a competitive electric market in Ohio. Accordingly, the parties should submit for our consideration a method by which EDI and operational issues can be resolved in a timely manner without resorting to the traditional process of hearing and Commission order. In their replies, utilities and marketers should indicate which of the methods proposed by other parties would be acceptable to them. In addition, we do not interpret paragraph 7 of the stipulation to preclude OSPO meetings prior to March 2001 if circumstances warrant further discussions between the parties, and we would expect the active participation and cooperation of all utilities and potential marketers at that time.


It is, therefore,

ORDERED, That the OSPO stipulation and *pro forma* certified supplier tariff filed on May 15, 2000, in each of the above-captioned utility transition cases, also be docketed with a copy of this entry in Case No. 00-813-EL-EDI. It is further,

ORDERED, That parties file comments to the stipulation in Case No. 00-813-EL-EDI by May 25, 2000, and reply comments May 31, 2000, in accordance with Finding 5 of the entry. It is further,

ORDERED, That a copy of this entry be served upon all parties of record in the above-captioned cases.

THE PUBLIC UTILITIES COMMISSION OF OHIO



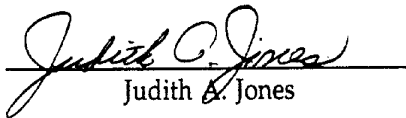
Alan R. Schriber, Chairman



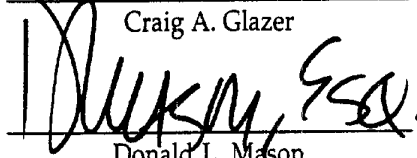
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Gary E. Vigorito
Secretary