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Statewide

PUCO Orders Energy Efficiency Programs to Terminate on December 31, 2020

Summary: The PUCO agreed with the OMA and others, concluding that HB 6 and the public interest require all of the utilities' energy efficiency (EE) programs to continue through 2020. The PUCO, however, determined there should be an orderly wind-down of the programs beginning on September 30, 2020 to minimize any recovery of costs associated with the programs after 2020. The PUCO directed the utilities to honor any application for EE programs approved prior to September 30, 2020, and to cease accepting applications for direct rebate programs on the same date. The PUCO also ordered the utilities to notify customers beginning April 1, 2020 that EE applications will no longer be accepted as of September 30, 2020, and stated that any programs that do not involve a direct rebate to consumers should continue only until September 30, 2020 to ensure that all activities are completed by December 31, 2020.

PUCO Seeks Comments on Electric Vehicle Charging Service

Summary: The PUCO established a comment period to receive comments on whether an entity that provides electric vehicle charging service is a public utility subject to the jurisdiction of the PUCO. The PUCO explained that its staff has consistently taken the position that entities that provide electric vehicle charging services are neither electric light companies nor public utilities in this state, but the PUCO has never decided this specific issue. Interested persons may file comments and reply comments by March 23, 2020 and April 7, 2020, respectively.

FirstEnergy

PUCO Approved a Reduction to Rider NMB (Case Nos. 19-2120-EL-RDR, et. al)

Summary: The PUCO approved a reduction to FirstEnergy's Non-market Based Services Rider (Rider NMB) and stated that the rider will be subject to further adjustments following any audits. The demand-based charge allows for recovery of transmission-based costs, such as Network Integration Transmission Service charges.

Rider NMB for nonresidential customers will be reduced from \$5.3107 to \$5.2200 per kWh for GS customers and from \$7.2590 to \$6.3853 per kWh for GP customers. The reduced charges will become effective March 1, 2020.

FirstEnergy Solutions

FES Received Final Approval of its Bankruptcy Plan

Update: FES' Chapter 11 Bankruptcy Plan became effective February 27, 2020 after the bankruptcy court issued the final approval necessary on February 25, 2020, just days before FES' nuclear outage was scheduled. FES asked the court to issue an expedited ruling, claiming that it needed the plan to take effect prior to the scheduled nuclear outage on February 29, 2020. FES claimed (without providing detail) that a number of challenges existed, which could prevent the debtors from emerging from bankruptcy during a nuclear outage, if the plan was not approved prior to the outage. This means that FirstEnergy's shares in FES were cancelled and FES is now owned by the various bankruptcy creditors.