

FILE

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Ebony L. Miller
Attorney

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*Via Federal Express
And Facsimile (614-466-0313)*

January 31, 2007

Ms. Renee J. Jenkins
Director, Administration Department
Secretary to the Commission
Docketing Division
The Public Utilities Commission of Ohio
180 East Broad Street
Columbus, OH 43215-3793


Dear Ms. Jenkins:

Re: *Motion to Dismiss*
Jack Vasi v. Ohio Edison Company
Case No. 07-0032-EL-CSS

Enclosed for filing, please find the original and twelve (12) copies of the *Motion to Dismiss* and related memorandum in support regarding the above-referenced case. Please file the enclosed documents, time-stamping the two extras and returning them to the undersigned in the enclosed envelope.

Thank you for your assistance in this matter. Please contact me if you have any questions concerning this matter.

Very truly yours,


Ebony L. Miller

mmw
cc: Parties of Record

Enclosures

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BEFORE THE
PUBLIC UTILITIES COMMISSION OF OHIO

JACK VASI
618 OBERLIN ROAD
ELYRIA, OHIO 44035

COMPLAINANT,

vs.

OHIO EDISON COMPANY

RESPONDENT.

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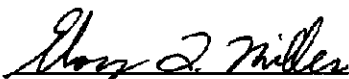
CASE NO. 07-0032-EL-CSS

MOTION TO DISMISS

Comes now Ohio Edison Company, by and through counsel, and respectfully moves this Commission for an order dismissing the Complaint filed by Jack Vasi on the grounds that Complainant has been provided with electric utility service, and that this Commission lacks subject matter jurisdiction over the Criminal Report entitled "Legal Notice of Criminal Report Pursuant to ORC 2921.22 By Victims and Witnesses of Criminal Activity" that Complainant attached and incorporated in his Complaint.

This Motion is supported by the attached Memorandum in Support

Respectfully submitted,



Ebony L. Miller (0077063)

Attorney

FirstEnergy Corp.

76 South Main Street

Akron, Ohio 44308

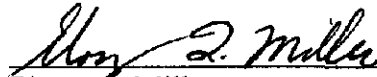
Phone: 330-384-5969

Fax: 330-384-3875

On behalf of Ohio Edison Company

CERTIFICATE OF SERVICE

THIS IS TO CERTIFY that a copy of the foregoing Motion to Dismiss of Ohio Edison Company was served by regular U.S. Mail, postage prepaid, Jack Vasi, 618 Oberlin Road, Elyria, Ohio 44035, this 31st day of January, 2007.


Ebony L. Miller
Attorney

BEFORE THE
PUBLIC UTILITIES COMMISSION OF OHIO

JACK VASI
618 OBERLIN ROAD
ELYRIA, OHIO 44035

COMPLAINANT,

vs.

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RESPONDENT.

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CASE NO. 07-0032-EL-CSS

MEMORANDUM IN SUPPORT OF MOTION TO DISMISS

Ohio Edison Company hereby files this Memorandum in Support of its Motion to Dismiss in the above-referenced case. In support thereof, the Respondent states as follows:

1. Complainant commenced this action on or about January 12, 2007. The relief Complainant sought was two-fold, Complainant sought to have electricity service established at 618 Oberlin Road, Elyria Ohio 44035 (the "Commercial Premises"), and second to report a number of alleged criminal offenses.

2. On January 18, 2007 Ohio Edison discovered that a representative for Complainant provided the wrong account number when paying the security deposit. Ohio Edison transferred the security deposit to Complainant's account and in accordance with the Commission's order entered on January 25, 2007, electric utility service was connected at the Commercial Premises in Complainant's name.

3. Ohio Edison Company will continue to provide electric utility service to Complaint at the Commercial Premises in accordance with its Tariff, PUCO No. 11, on file with the Public Utilities Commission of Ohio, as well as all rules and regulations as promulgated by the

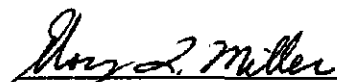
Public Utilities Commission of Ohio, the laws existing in the State of Ohio, and accepted standards and practices in the electric utility industry.

4. Ohio Edison avers that the miscellaneous criminal offenses contained in the Criminal Report attached and incorporated in the Complaint are not only blatantly false and unsupported by the evidence, but also clearly outside of the scope of the Commission's jurisdiction. Therefore, the Criminal Report should be dismissed.

5. Given the Complainant has already received the entirety of the relief sought in the Complaint in which the Commission has jurisdiction, it does not appear that any reasonable grounds for the Complaint exist.

WHEREFORE, Ohio Edison requests that this matter be dismissed, and that it be granted any other relief that this Commission may deem just and reasonable.

Respectfully submitted,



Ebony L. Miller (0077063)

Attorney

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Akron, Ohio 44308


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