

FILE

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FAX TRANSMISSION**FAX**

TO: PUCO Docketing

FAX NO.: 614-466-0313

FROM: Ebony L. Miller

DATE: April 2, 2007

RE: Case No. 07-280-EL-CSS

NO. OF PGS, INCLUDING COVER SHEET: 5

Attached is the *Answer* and *Motion to Dismiss* regarding the above case. The originals and the required number of copies will be sent via overnight mail for delivery Tuesday, April 3, 2007. Please call me if you have any questions. Thank you.

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

April 2, 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: *Answer and Motion to Dismiss of Ohio Edison Company
Helen Dye v. Ohio Edison Company
Case No. 07-280-EL-CSS***

Enclosed for filing, please find the original and twelve (12) copies of the *Answer* and *Motion to Dismiss* regarding the above-referenced case. Please file the enclosed *Answer*, 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

BEFORE THE
PUBLIC UTILITIES COMMISSION OF OHIO

Helen Dye)	
Complainant,)	
)	
vs)	Case No. 07-280-EL-CSS
)	
Ohio Edison Company)	
Respondent.)	

**ANSWER AND MOTION TO DISMISS OF
OHIO EDISON COMPANY**

Comes now Respondent, Ohio Edison Company, by counsel, and for its Answer to the Complaint filed in the instant action says that:

1 The Ohio Edison Company ("Ohio Edison") is a public utility, as defined by §4905 03(A)(4), O.R.C. and is duly organized and existing under the laws of the State of Ohio.

2. While the Formal Complaint Form filed by the Complainant includes a number of attachments, including photographs, a real property deed, a plat record, a series of letters to and from various parties, and newspaper articles, there are no specific allegations set forth in the text of the Complaint. It appears from the attachments that the Complaint relates to Ohio Edison's vegetation management work. Ohio Edison admits to performing vegetation management work in its utility right of way across the Complainant's property in February 2007. Ohio Edison denies any allegations set forth in the Complaint and avers that its vegetation management work was performed consistent with all legal rules and regulations and company policies.

3. Ohio Edison generally denies all allegations set forth in the Complaint that were not otherwise specifically addressed hereinabove.

For its affirmative defenses, the Company further avers that:

4. Ohio Edison has at all times acted 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, and Ohio Edison denies that its practices or services are unjust or unreasonable.

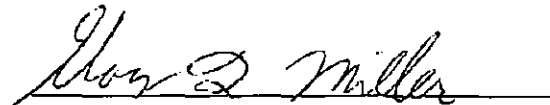
For its Motion to Dismiss, the Company states:

5. Ohio Edison breached no legal duty owed to Complainant, and Complainant failed to state reasonable grounds upon which relief may be granted.

6. Complainant has not identified any Commission rule or regulation that it believes Ohio Edison has violated.

WHEREFORE, having fully answered the Complaint, Respondent, Ohio Edison Company, respectfully requests that the instant action be dismissed, and that it be granted any other relief that this Commission may deem just and reasonable.

Respectfully submitted,



Ebony Miller (0077063)

Attorney

FirstEnergy Service Company

76 South Main Street

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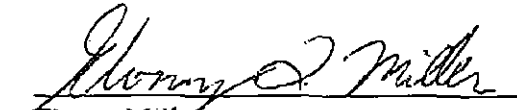
Phone: 330-384-5969

Fax: 330-384-3875

On behalf of Ohio Edison Company

CERTIFICATE OF SERVICE

THIS IS TO CERTIFY that a copy of the foregoing Answer and Motion to Dismiss of Ohio Edison Company was served by regular U.S. Mail, postage prepaid, upon Helen Dye, 2395 Ferguson Road, Mansfield, Ohio 44906-1149, this 2nd day of April, 2007.


Ebony Miller
Attorney