

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

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2007 MAY 14 PM 2:29  
PUCO

Buckeye Energy Brokers, Inc.  
Complainant,

v.

Ohio Edison Company,  
The Cleveland Electric Illuminating  
Company and FirstEnergy Corp.  
Respondents,

Case No. 06-835-EL-CSS

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**MEMORANDUM CONTRA TO RESPONDENT'S APPLICATION FOR REHEARING**

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Buckeye Energy Brokers, Inc. hereby opposes Respondents' May 4, 2007 Application for Rehearing of PUCO's April 4, 2007 Entry on Rehearing.

The time is not ripe for filing a rehearing request per the authorities cited by Respondents. The April 4, 2007 Entry does not make any findings modifying the Commission's February 7, 2007 Entry granting Respondents' Motion to Dismiss. Instead, the matter continues to be under consideration by PUCO. At the point when PUCO renders substantive findings—not now—Respondents may avail themselves of the rehearing process.

For the foregoing reasons, Complainant respectfully requests that the Commission deny the application for rehearing filed by Respondents on May 4, 2007.

Respectfully Submitted,

CAROL L. GASPER, ATTORNEY AT  
LAW, LLC.

By: 

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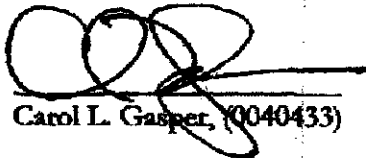
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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on May 14, 2007, a copy of the foregoing was forwarded by regular US mail to James W. Burk, Esq., FirstEnergy Service Company, 76 South Main Street, Akron, OH 44308, Helen L. Liebman, Esq., Jones Day, 325 John H. McConnell Boulevard, Suite 600, PO Box 165017, Columbus, Ohio 43216-5017.



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