

FILE

BEFORE

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THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of Ohio)
Edison Company, The Cleveland Electric)
Illuminating Company, and The Toledo) Case No. 08-124-EL-ATA
Edison Company for Authority to Modify) Case No. 08-125-EL-AAM
Certain Accounting Practices and for Tariff)
Approvals.)

ENTRY

The attorney examiner finds:

- (1) On March 27, 2008, a prehearing settlement conference was conducted at the offices of the Public Utilities Commission of Ohio (Commission), in compliance with an attorney examiner entry issued February 29, 2008.
- (2) At the prehearing settlement conference, Commission staff requested additional time to analyze the data from The Cleveland Electric Illuminating Company, Ohio Edison Company, and the Toledo Edison Company (collectively, FirstEnergy or the Companies) before issuing a staff report and proceeding to hearing in this matter. After discussion by the parties, the following procedural schedule established:
 - (a) Staff Report filed no later than June 4, 2008.
 - (b) FirstEnergy and intervenor testimony filed no later than June 20, 2008.
 - (c) Motions for intervention filed no later than June 20, 2008.
 - (d) Discovery requests submitted no later than July 1, 2008.
 - (e) Staff testimony filed no later than July 3, 2008.
 - (f) Evidentiary hearing to begin on July 15, 2008.
- (3) This case should be scheduled for a hearing to begin on July 15, 2008, at 10:00 a.m. in hearing room 11-C at the Commission offices, 180 East Broad Street, 11th floor, Columbus, Ohio 43215-3793.
- (4) In addition, the following procedures were established with respect to discovery and pleadings:

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- (a) Discovery responses will be submitted within 14 days of service of the discovery request.
 - (b) Service of discovery requests and the responses will be completed electronically.
 - (c) Service of pleadings will be completed electronically.
- (5) With respect to the pending motions for intervention filed by Nucor Steel Marion, Inc. (Nucor) on March 13, 2008, and by Ohio Partners for Affordable Energy (OPAE) on March 21, 2008, as stated at the prehearing, both motions should be granted. Further, regarding the pending motions for Garrett A. Stone and Michael A. Lavanga to appear before the Commission *pro hac vice* in this proceeding on behalf of Nucor and for David C. Rinebolt to appear *pro hac vice* before the Commission in this proceeding on behalf of OPAE, as stated at the prehearing, both motions should be granted.

It is, therefore,

ORDERED, That the procedural schedule set forth in Finding (2) be adopted. It is, further,

ORDERED, That the hearing be scheduled to begin on July 15, 2008, in accordance with Finding (3). It is, further,

ORDERED, That the parties comply with the discovery and pleading procedures in Finding (4) above. It is, further,

ORDERED, That the motions to intervene filed by Nucor Steel Marion, Inc. and Ohio Partners for Affordable Energy are granted. It is, further,

ORDERED, That the motions for Garrett A. Stone and Michael A. Lavanga to appear before the Commission *pro hac vice* on behalf of Nucor and for David C. Rinebolt to appear *pro hac vice* before the Commission on behalf of OPAE are granted. It is, further,

ORDERED, That a copy of this Entry be served upon FirstEnergy and all other interested persons of record in this case.

THE PUBLIC UTILITIES COMMISSION OF OHIO

By: Janet K. Stoneking
Attorney Examiner

RPG
JKS:ct

Entered in the Journal

APR 4 2008

Renee J. Jenkins

Renee J. Jenkins
Secretary