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November 21, 2008

Ms. Betty McCauley, Docketing Chief
Docketing Division
Public Utilities Commission of Ohio
180 East Broad Street, 13th Floor
Columbus, OH 43215

RE: Case No. 08-935-EL-SSO

To Whom It May Concern:

Please find enclosed an original and 20 copies of the corrected cover page (p. 1), introductory page (p. 2), and certificate of service (p. 17) to the *Post-Hearing Brief of Citizen Power and Ohio Partners for Affordable Energy* in the above-referenced docket. I apologize for the errors in the original filing.

If you have any questions regarding this document, please feel free to contact me.

Sincerely,


David C. Rinebolt
Counsel

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**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Ohio)	
Edison Companies, The Cleveland Electric)	Case No. 08-935-EL-SSO
Illuminating Companies and The Toledo)	
Edison Companies for Authority to Establish a)	
Standard Service Offer Pursuant to)	
R.C. 4928.143 in the Form of an Electric)	
Security Plan.)	

**POST-HEARING BRIEF OF CITIZEN POWER AND
OHIO PARTNERS FOR AFFORDABLE ENERGY**

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November 21, 2008

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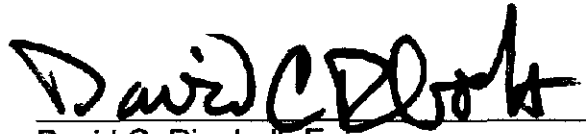
Introduction

On July 31, 2008, Governor Strickland signed Am. Sub. SB 221 ("SB 221"), which overhauled the legislative framework governing monopoly utilities in Ohio. The statute fundamentally changed the requirements placed on regulated monopoly distribution utilities to serve as the provider of last resort to customers for whom a competitive option does not exist. This default service, defined in the legislation as a standard service offer ("SSO"), can be provided through two mechanisms: 1) a market rate option ("MRO"); or, 2) an Electric Security Plan ("ESP"). Both options are clearly within the purview of the Public Utilities Commission of Ohio ("PUCO" or "Commission") to regulate, in a manner prescribed by SB 221.

Opinions clearly differ about how the new statute should be implemented. This is apparent from the wide-ranging comments to the three sets of proposed rules designed to implement the statute. Thus, this is a case of first impression as to what elements an ESP must include to comply with SB 221.

CERTIFICATE OF SERVICE

I hereby certify that a copy of this *Post-Hearing Brief of Citizen Power and Ohio Partners for Affordable Energy* was served electronically upon the parties of record identified below on this 21st day of November, 2008.



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