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January 5, 2009

Renee J. Jenkins
Secretary
The Public Utilities Commission of Ohio
180 East Broad Street
Columbus, OH 43215

2009 JAN -5 AM 11:55

**RE: In the Matter of the Application of The Ohio Edison Company, The Cleveland Electric Illuminating Company and The Toledo Edison Company for Authority to Establish a Standard Service Offer Pursuant to Sections 4928.143, Revised Code, in the Form of an Electric Security Plan.
Case No. 08-935-EL-SSO**

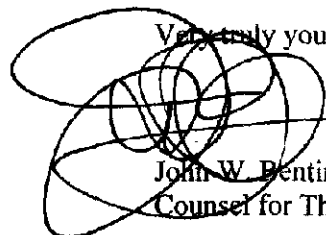
Dear Secretary Jenkins:

On December 23, 2008, in Case No. 08-935-EL-SSO, the Ohio Consumer and Environmental Advocates ("OCEA") filed a Motion to Reject Applicant's Rate Filings Under The Default Provisions For Standard Service Offers Pursuant To R.C. Chapter 4928 and a Motion For A Commission Order Directing Applicants To Submit Tariffs Consistent With Default Provisions. Consistent with the Public Utility Commission of Ohio's ("Commission") Entry dated December 26, 2008, in Case No. 08-935-EL-SSO, The Kroger Co. notes its support of the above referenced motions filed by the OCEA.

Upon withdrawal of its Electric Security Plan ("ESP") Application, The Ohio Edison Company ("Ohio Edison"), The Cleveland Electric Illuminating Company ("CEI") and The Toledo Edison Company ("Toledo Edison") (Collectively "FirstEnergy") must continue to provide electric service to customers under the terms and conditions of their respective current standard service offers ("SSO"). The transition charges in Ohio Edison's and Toledo Edison's current SSOs expired December 31, 2008. Ohio Revised Code 4928.141(A) requires the exclusion of transition charges from FirstEnergy's SSO on the date they are set to expire under the current SSO; therefore transition charges should be excluded from customer's bills in the Toledo Edison and Ohio Edison service territory starting January 1, 2009.

The Kroger Co. respectfully requests that the Commission grant OCAE's motions filed on December 23, 2008 in Case No. 08-935-EL-SSO.

Very truly yours,



John W. Bentine
Counsel for The Kroger Co.

JWB/MSW/kem

cc: Hon. Gregory A. Price, Attorney Examiner
Parties of Record

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