

FILE

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of
Praxair, Inc.,

Complainant,

v.

The Cleveland Electric Illuminating
Company,

Respondent.

Case No. 09-88-EL-CSS

ENTRY

The attorney examiner finds:

- (1) On February 5, 2009, Praxair, Inc. (complainant) filed a complaint against The Cleveland Electric Illuminating Company (CEI). The complainant states that it is both a firm and a nonfirm customer of CEI and that its contract with CEI continues as long as CEI collects regulatory transition charges. According to the complaint, CEI has notified the complainant that, effective January 1, 2009, CEI would "alter its economic curtailment practices and significantly increase the frequency and duration of interruptions and the [complainant's] cost of replacement electricity." Therefore, the complainant alleges that CEI had confiscated the benefits of its contract and deprived the complainant of its rights under the contract.
- (2) On February 5, 2009, pursuant to Rule 4901-9-01, Ohio Administrative Code (O.A.C.), the secretary of the Commission served a copy of the complaint on CEI and directed CEI to file an answer to the complaint with the Commission within 20 days, along with any responsive motions, and to serve a copy of the answer and any motions upon the complainant.
- (3) On February 20, 2009, CEI filed a motion requesting an extension of time, until March 27, 2009, to file its answer in this case. CEI states that it contacted counsel for the complainant and complainant has consented to the extension. The attorney

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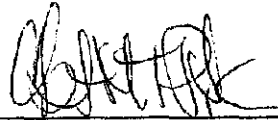
examiner finds that CEI's request is reasonable and should be granted.

It is, therefore,

ORDERED, That CEI's request for an extension of time, until March 27, 2009, to file its answer be granted. It is, further,

ORDERED, That a copy of this entry be served upon each party of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO



By: Christine M.T. Pirik
Attorney Examiner

jet/vrm

Entered in the Journal

MAR 20 2009



Renee J. Jenkins
Secretary