

FILE

May. 28. 2009 2:33PM

Legal Department

No. 0125 P. 2

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**FirstEnergy**

76 South Main Street  
Akron, Ohio 44308

Mark A. Hayden  
Attorney

330-761-7735  
Fax: 330-384-3876

**FAX**

*Via Federal Express  
and Facsimile (614-466-0313)*

May 28, 2009

Ms. Renee J. Jenkins  
Director, Administration Department  
Secretary to the Commission  
Docketing Division  
The Public Utilities Commission of Ohio  
180 East Broad Street  
Columbus, OH 43215-3793

PUCO

2009 MAY 28 PM 5:16

RECEIVED-DOCKETING DIV

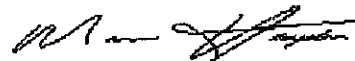
Dear Ms. Jenkins:

Re: *Answer*  
*Paul M. Benak v. The Cleveland Electric Illuminating Company*  
*Case No. 09-406-EL-CSS*

Enclosed for filing, please find the original and twelve (12) copies of the *Answer* regarding the above-referenced case. Please file the enclosed *Answer*, time-stamping the two extras and returning them to the undersigned in the enclosed envelope.

Thank you for your assistance in this matter. Please contact me if you have any questions concerning this matter.

Very truly yours,



MAH/kli

Enclosures

cc: Parties of Record

This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business  
Technician AD Date Processed 5/29/09



4. CEI avers that the account was properly billed and metered at the service address in accordance with applicable tariffs, rules, regulations and laws of the state of Ohio.

5. With respect to the information contained in the Complaint regarding use of appliances, CEI denies the allegations for lack of knowledge or information sufficient to form a belief as to the truth of the allegations.

6. CEI generally denies all allegations, to the extent any exist; set forth in the Complaint that were not otherwise specifically addressed hereinabove.

**For its affirmative defenses, CEI further avers that:**

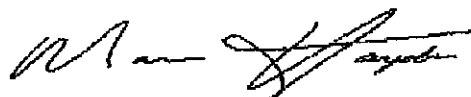
7. CEI has breached no legal duty owed to Complainant.

8. Complainant has failed to state reasonable grounds for complaint or upon which its requested relief may be granted.

9. CEI has at all times acted in accordance with its Tariff, PUCO No. 13, on file with the Public Utilities Commission of Ohio, as well as all rules and regulations as promulgated by the Public Utilities Commission of Ohio, the laws existing in the State of Ohio, and accepted standards and practices in the electric utility industry.

WHEREFORE, having fully answered the Complaint, Respondent, CEI, respectfully requests that the instant action be dismissed, and that it be granted any other relief that this Commission may deem just and reasonable.

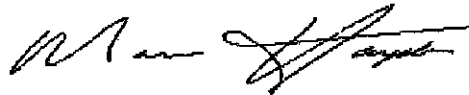
Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mark A. Hayden", written over a horizontal line.

Mark A. Hayden  
Attorney  
FirstEnergy Service Company  
76 South Main Street  
Akron, Ohio 44308  
Phone: 330-761-7735  
Fax: 330-384-3875  
On behalf of CEI

**CERTIFICATE OF SERVICE**

THIS IS TO CERTIFY that a copy of the foregoing Answer to the Complaint of CEI was served by regular U.S. Mail, postage prepaid, to Paul M. Benak, PO Box 110, Jefferson Ohio, 44047, this 28 day of May, 2009.



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Mark A. Hayden  
Attorney