

THE PUBLIC UTILITIES COMMISSION OF OHIO

**Respondent.**

Case No. 07-498-EL-CSS

**Respondent.**

**Case No. 07-514-EL-CSS**

**Respondent.**

Case No. 07-525-EL-CSS

## ENTRY

**The attorney examiner finds:**

- (1) On April 27, 2007, Gerald Giesler filed a complaint against Toledo Edison Company (TE) regarding the interconnection of his wind turbine with TE's system and TE's net-metering billing practices.
- (2) On April 30, 2007, Lester L. Lemke filed a complaint against TE regarding the interconnection of his wind turbine with TE's system and TE's net-metering billing practices.
- (3) On May 1, 2007, Brian A. and Christy Malott filed a complaint against Ohio Edison Company (OE) regarding the interconnection of their wind turbine with OE's system and OE's net-metering billing practices.
- (4) By entries dated January 23, 2009, the attorney examiner scheduled these cases for hearing. Subsequently, the parties requested continuances of the hearings in order to allow time for further settlement discussion regarding the issues raised by the complaints. A status report regarding the settlement discussions was provided to the attorney examiner on May 4, 2009.
- (5) On July 14, 2009, the office of the Ohio Consumers' Counsel (OCC) filed a motion to consolidate these cases, a motion for a prehearing conference and a motion for a procedural schedule, including a hearing date. OCC's motions were not opposed by any party.
- (6) The attorney examiner finds that the motion to consolidate these three cases should be granted. Further, the attorney examiner finds that the motion to establish a procedural schedule should be granted. Accordingly, the following procedural schedule is established for this proceeding:
  - (a) All discovery, except for notices of depositions, shall be served by September 4, 2009.
  - (b) All responses to discovery requests, except notices of depositions, shall be served by September 24, 2009.
  - (c) All motions to compel discovery, except for motions related to depositions, should be filed by September 25, 2009.

- (d) All expert testimony shall be pre-filed by October 7, 2009.
  - (e) All depositions should be completed by October 15, 2009.
  - (f) The hearing in this proceeding shall commence on October 21, 2009, at 10:00 a.m., at the offices of the Commission, 180 East Broad Street, Columbus, Ohio 43215.
- (7) Finally, the attorney examiner finds that OCC's motion for a prehearing conference should be denied. The attorney examiner has established a detailed procedural schedule which addresses all remaining procedural issues in this case. Further continuances or extensions to the procedural schedule will not be considered, absent extraordinary circumstances.

It is, therefore,

ORDERED, That OCC's motion to consolidate the above-captioned cases be granted. It is, further,

ORDERED, That OCC's motion for a procedural schedule, including a hearing date, be granted. It is, further,

ORDERED, That OCC's motion for a prehearing conference be denied. It is, further,

ORDERED, That a copy of this entry be served upon all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO



By: Gregory A. Price  
Attorney Examiner

geg  
/vrm

Entered in the Journal

AUG 20 2009



Renee J. Jenkins  
Secretary