## BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

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ELIZABETH MILENKOVICH, Complainant, v. THE CLEVELAND ELECTRIC ILLUMINATING COMPANY Respondent. Case No. 10-195-EL-CSS

**RECEIVED-DOCKETING** 

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## THE CLEVELAND ELECTRIC ILLUMINATING COMPANY'S MOTION TO DISMISS

The Complaint filed by Elizabeth Milenkovich ("Complainant") against Respondent The Cleveland Electric Illuminating Company ("CEI") alleges simply that Complainant is unhappy with the Commission-approved rate that she is being charged, after the elimination of her discounted all-electric rate. Complainant does not claim that she is being charged the wrong rate. Nor does she allege that CEI has violated any statute, tariff provision, or any rule, regulation, or order of the Commission. Further, the Commission has already begun to exercise jurisdiction over disputes like Complainant's in Case No. 10-176-EL-ATA. As explained in the attached Memorandum in Support, the grounds for such complaint are patently insufficient, and the Commission should dismiss this case.

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COI-1436829v1

Dated: March 8, 2010

Respectfully submitted,

Grant W. Garber (0079541) (Counsel of Record) JONES DAY Mailing Address: P.O. Box 165017 Columbus, OH 43216-5017 Street Address: 325 John H. McConnell Boulevard, Suite 600 Columbus, OH 43215-2673 Telephone: (614) 469-3939 Facsimile: (614) 461-4198 gwgarber@jonesday.com

David A. Kutik (0006418) JONES DAY North Point 901 Lakeside Avenue Cleveland, OH 44114 Telephone: (216) 586-3939 Facsimile: (216) 579-0212 dakutik@jonesday.com

Ebony L. Miller (0077063) FirstEnergy Service Company 76 South Main Street Akron, OH 44308 Telephone: (330) 384-5969 Facsimile: (330) 384-3875 elmiller@firstenergycorp.com

ATTORNEYS FOR RESPONDENT THE CLEVELAND ELECTRIC ILLUMINATING COMPANY

## **CERTIFICATE OF SERVICE**

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I hereby certify that a copy of the foregoing Motion to Dismiss With Prejudice was sent

by first class U.S. mail, postage prepaid, to the following this 8th day of March, 2010.

Elizabeth Milenkovich 7986 Wright Road Broadview Heights, Ohio 44147

An Attorney for Respondent