

**UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION**

American Transmission Systems, Inc.	:	Docket Nos.	ER09-1589-000
	:		ER09-1589-001
FirstEnergy Service Company	:		
	:		EL10-6-000
v.	:		
	:		
PJM Interconnection, L.L.C.	:		

**NOTICE OF WITHDRAWAL
SUBMITTED ON BEHALF OF THE
PUBLIC UTILITIES COMMISSION OF OHIO**

On August 28, 2009, the Public Utilities Commission of Ohio (“Ohio Commission”) filed its motion to intervene in this investigation. On September 25, 2009, the Ohio Commission docketed at FERC its protest challenging various aspects of ATSI’s proposed integration with PJM and exit from the Midwest ISO. On December 17, 2009, FERC issued its decision approving FirstEnergy’s RTO realignment request.

On January 19, 2010, the Ohio Commission filed at FERC its request for rehearing concerning FERC’s conditional approval of ATSI’s request to integrate with PJM. On February 11, 2010, FERC issued an order in the above-captioned proceedings granting rehearing for further consideration.

On August 25, 2010, the Ohio Commission issued an opinion and order in Case No. 10-388-EL-SSO approving a settlement agreement, which consisted of a stipulation

and two supplemental stipulations (“combined stipulations”), for the implementation of the FirstEnergy companies’ electric security plan (“ESP”).¹ Among other things, the Ohio Commission’s opinion and order states that:

The Signatory Parties and the Commission will withdraw from FERC cases FirstEnergy Service Co. v. PJM, Docket No. EL10-6-000 and American Transmission Systems, Inc., ER09-1589, and the Commission will close the *RTO Realignment Case*.²

On February 9, 2011, the Ohio Commission issued its order on rehearing in Case No. 10-388-EL-SSO denying all applications for rehearing.

Consistent with the terms and conditions of the Ohio Commission’s August 25, 2010 opinion and order and the combined stipulations in Case No. 10-388-EL-SSO, the Ohio Commission withdraws its September 25, 2009 protest and January 19, 2010 request for rehearing filed in the above-captioned proceedings pursuant to 18 C.F.R. Section 385.216.

¹ *In the Matter of the Application of Ohio Edison Company, The Cleveland Electric Illuminating Company, and the Toledo Edison Company for Authority to Establish a d Standard Service Offer Pursuant to Section 4928.143, Revised Code in the Form of a Electric Security Plan*, PUCO Case No. 10-388-EL-SSO.

² *Id.* (Opinion and Order at 17, ¶ 31) (August 25, 2010).

Respectfully submitted,

/s/ Thomas W. McNamee

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing have been served in accordance with 18 C.F.R. Sec. 385.2010 upon each person designated on the official service list compiled by the Secretary in this proceeding.

/s/ Thomas W. McNamee

Thomas W. McNamee

Dated at Columbus, Ohio this 23rd day of February, 2011.

Submission ID 285963

Submission Description Notice of Withdrawal submitted on behalf of the Public Utilities Commission of Ohio under ER09-1589-000, et. al..

Submission Date 2/23/2011 12:31:16 PM

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Current Status Pending

Docket	Description
ER09-1589-000	Request for termination approval status as a transmission operator
ER09-1589-001	Request for Clarification and Reconsideration of December 17, 2009 Order
EL10-6-000	Complaint of FirstEnergy Service Company Against PJM Interconnection, L.L.C.
EL10-6-001	Request for Rehearing of the December 17, 2009

Files	Security Level	Filename
	Public	Notice of Withdrawal 022311.pdf

Filing Party/Contacts	Filing Party	Signer (Representative)	Other Contacts (Principal)
	Public Utilities Commission of Ohio	thomas.mcnamee@puc.state.oh.us	daniel.shields@puc.state.oh.us

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in

Case No(s). 93-7000-EL-FAD

Summary: Notice of withdrawal submitted to the FERC on behalf of the Commission by Thomas McNamee on February 23, 2011 to be filed in FERC Docket Nos. ER09-1589-000, ER09-1589-001, EL10-6-000, EL10-6-001, In re American Transmission Systems, Inc.: FirstEnergy Service Company v. PJM Interconnection LLC electronically filed by Kimberly L Keeton on behalf of Public Utilities Commission of Ohio