

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

**In the Matter of the Complaint of
Lewis C. Zajac,**

Complainant,

V.

Ohio Edison Company,

Respondent.

Case No. 10-2310-EL-CSS

ENTRY

The attorney examiner finds:

- (1) By entry issued March 30, 2011, a prehearing settlement conference was held in this matter on April 18, 2010. At the prehearing conference, the parties were unable to resolve this matter.
- (2) By entry issued April 19, 2011, an evidentiary hearing in this matter was scheduled to occur on June 9, 2011.
- (3) On June 3, 2011, the parties filed a joint motion for continuance of the hearing, requesting that it be rescheduled to occur July 22, 2011. The parties assert that the additional time requested will allow further settlement discussions, will allow the complainant to retain counsel, and will permit the parties to complete discovery.
- (4) The attorney examiner finds that the parties' joint motion for continuance of the hearing should be granted.
- (5) Accordingly, the hearing currently scheduled to occur on June 9, 2011, is postponed and rescheduled to take place on July 22, 2011, at 10:00 a.m., in Hearing Room 11-C, on the 11th Floor of the Commission offices, 180 East Broad Street, Columbus, Ohio 43215-3793.
- (6) Any party intending to present direct, expert testimony should comply with Rule 4901-1-29(A)(1)(h), Ohio Administrative Code,

which requires that all such testimony to be offered in this type of proceeding be filed and served upon all parties no later than seven days prior to the commencement of the hearing.

- (7) As is the case in all Commission complaint proceedings, the complainant has the burden of proving the allegations of the complaint. *Grossman v. Public Util. Comm.* (1966), 5 Ohio St.2d 198.

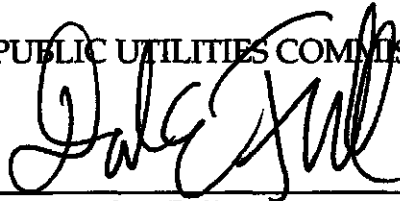
It is, therefore,

ORDERED, That the hearing in this case be rescheduled as indicated in Finding (5). It is, further,

ORDERED, That any party intending to present direct, expert testimony comply with Finding (6). It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO



By: Daniel E. Fullin
Attorney Examiner

ST/dah

Entered in the Journal

JUN 08 2011



Renee J. Jenkins
Secretary