

**BEFORE THE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Ohio Power Company and Columbus Southern Power Company for Authority to Merge and Related Approvals	)	Case No. 10-2376-EL-UNC
In the Matter of the Application of Columbus Southern Power Company and Ohio Power Company for Authority to Establish a Standard Service Offer Pursuant to §4928.143, Ohio Rev. Code, in the Form of an Electric Security Plan.	)	Case No. 11-346-EL-SSO Case No. 11-348-EL-SSO
In the Matter of the Application of Columbus Southern Power Company and Ohio Power Company for Approval of Certain Accounting Authority	)	Case No. 11-349-EL-AAM Case No. 11-350-EL-AAM
In the Matter of the Application of Columbus Southern Power Company to Amend its Emergency Curtailment Service Riders	)	Case No. 10-343-EL-ATA
In the Matter of the Application of Ohio Power Company to Amend its Emergency Curtailment Service Riders	)	Case No. 10-344-EL-ATA
In the Matter of the Commission Review of the Capacity Charges of Ohio Power Company and Columbus Southern Power Company.	)	Case No. 10-2929-EL-UNC
In the Matter of the Application of Columbus Southern Power Company for Approval of a Mechanism to Recover Deferred Fuel Costs Ordered Under Ohio Revised Code 4928.144	)	Case No. 11-4920-EL-RDR
In the Matter of the Application of Ohio Power Company for Approval of a Mechanism to Recover Deferred Fuel Costs Ordered Under Ohio Revised Code 4928.144	)	Case No. 11-4921-EL-RDR

**FIRSTENERGY SOLUTIONS CORP.’S MOTION FOR LEAVE TO FILE SUR-
REBUTTAL TESTIMONY AND REQUEST FOR EXPEDITED RULING**

Pursuant to Rules 4901-1-12, 4901-1-27 and 4901-1-29 of the Ohio Administrative Code, FirstEnergy Solutions Corp. (“FES”) requests leave to file sur-rebuttal testimony in response to the rebuttal testimony filed by the Signatory Parties. The rebuttal testimony contains misrepresentations regarding the proper functioning of a discount program for Percentage of Income Payment Plan customers, and in the interests of providing a full and complete record for the Commission sur-rebuttal testimony is necessary.

FES further requests, pursuant to Rule 4901-1-12 of the Ohio Administrative Code, that an expedited ruling be issued. A memorandum in support of this motion is attached hereto and incorporated herein.

Respectfully submitted,

/s/ Laura C. McBride
Mark A. Hayden (0081077)
FIRSTENERGY SERVICE COMPANY
76 South Main Street
Akron, OH 44308
(330) 761-7735
(330) 384-3875 (fax)
haydenm@firstenergycorp.com

James F. Lang (0059668)
Laura C. McBride (0080059)
N. Trevor Alexander (0080713)
CALFEE, HALTER & GRISWOLD LLP
1400 KeyBank Center
800 Superior Ave.
Cleveland, OH 44114
(216) 622-8200
(216) 241-0816 (fax)
jlang@calfee.com
lmcbride@calfee.com
talexander@calfee.com

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

Allison E. Haedt (0082243)
JONES DAY
P.O. Box 165017
Columbus, OH 43216-5017
(614) 469-3939
(614) 461-4198 (fax)
aehaedt@jonesday.com

Attorneys for FirstEnergy Solutions Corp.

**BEFORE THE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Ohio Power Company and Columbus Southern Power Company for Authority to Merge and Related Approvals	) ) ) )	Case No. 10-2376-EL-UNC
In the Matter of the Application of Columbus Southern Power Company and Ohio Power Company for Authority to Establish a Standard Service Offer Pursuant to §4928.143, Ohio Rev. Code, in the Form of an Electric Security Plan.	) ) ) ) ) )	Case No. 11-346-EL-SSO Case No. 11-348-EL-SSO
In the Matter of the Application of Columbus Southern Power Company and Ohio Power Company for Approval of Certain Accounting Authority	) ) ) )	Case No. 11-349-EL-AAM Case No. 11-350-EL-AAM
In the Matter of the Application of Columbus Southern Power Company to Amend its Emergency Curtailment Service Riders	) ) ) )	Case No. 10-343-EL-ATA
In the Matter of the Application of Ohio Power Company to Amend its Emergency Curtailment Service Riders	) ) ) )	Case No. 10-344-EL-ATA
In the Matter of the Commission Review of the Capacity Charges of Ohio Power Company and Columbus Southern Power Company.	) ) ) )	Case No. 10-2929-EL-UNC
In the Matter of the Application of Columbus Southern Power Company for Approval of a Mechanism to Recover Deferred Fuel Costs Ordered Under Ohio Revised Code 4928.144	) ) ) ) )	Case No. 11-4920-EL-RDR
In the Matter of the Application of Ohio Power Company for Approval of a Mechanism to Recover Deferred Fuel Costs Ordered Under Ohio Revised Code 4928.144	) ) ) ) )	Case No. 11-4921-EL-RDR

**MEMORANDUM IN SUPPORT OF FIRSTENERGY SOLUTIONS CORP.'S
MOTION FOR LEAVE TO FILE SUR-REBUTTAL TESTIMONY AND REQUEST FOR
EXPEDITED RULING**

On October 21, 2011, Columbus Southern Power Company and Ohio Power Company (collectively “AEP Ohio”) and Staff filed rebuttal testimony in response to testimony from various intervenors, including FirstEnergy Solutions Corp. (“FES”). The AEP Ohio and Staff rebuttal witnesses were made available for cross-examination beginning October 26, 2011 (yesterday). Unfortunately, sur-rebuttal testimony is needed because misrepresentations were made in connection with AEP Ohio’s rebuttal testimony that must be corrected to provide a complete and accurate record for the Commission’s consideration.

Specifically, AEP Ohio’s witness William Allen misrepresented the impact of FES’ offer to serve PIPP customers on all AEP Ohio customers for the first time during his cross-examination on October 26th. Mr. Allen testified during cross-examination that FES’ offer for PIPP customers would increase costs to other SSO customers through increases in AEP Ohio’s fuel adjustment clause (the “FAC”). There was no reason for FES to address such a misrepresentation in its original testimony, as the errors had not yet been made and it could not have been anticipated that AEP Ohio would link FES’ offer for discounted service for PIPP customers only to the FAC charges for all SSO customers. Accordingly, FES requests leave to file narrowly tailored sur-rebuttal testimony from FES witness Tony Banks to respond to this misrepresentation and to correct the record for the Commission’s determination.

It is a well-established principle of Commission practice to allow sur-rebuttal testimony. “It is common, in proceedings before this Commission, to allow the presentation of rebuttal and

sur-rebuttal testimony, following the parties' cases in chief." S.G. Foods, Inc. v. Cleveland Elec. Illuminating Co., 2007 WL 4334650, Case No. 04-28-EL-CSS, ¶14 (Ohio P.U.C., December 12, 2007); see also Re Columbia Gas of Ohio, Inc., 2008 WL 5158185, p.*10, Case No. 08-72-GA-AIR (Ohio P.U.C., Dec. 3, 2008) (granting leave to file sur-rebuttal testimony); In re American Mun. Power-Ohio, Inc., 06-1358-EL-BGN, ¶3 (Ohio P.U.C., Jan. 16, 2008) (leave to file sur-rebuttal testimony granted); In re the Review of Ameritech Ohio's Economic Costs for Interconnection, Unbundled Network Elements, and Reciprocal Compensation for Transport and Termination of Local Telecommunications Traffic, No. 96-922-TP-UNC (Entry, Mar. 27, 1997) (permitting the introduction of sur-rebuttal evidence after the presentation of new evidence on rebuttal).

FES respectfully requests that it be granted leave to file sur-rebuttal testimony to address the limited issue raised by Mr. Allen's rebuttal testimony and to clarify the record for the Commission. FES' proposed sur-rebuttal testimony is attached hereto and Mr. Banks will be made available for cross-examination as early as Friday, October 28th (tomorrow). As such, the submission of sur-rebuttal testimony also will not unduly delay this proceeding. To the contrary, the presentation of this sur-rebuttal testimony will benefit this proceeding because it will allow the Commission to consider all relevant information when making its decision and avoid the undue prejudice which would result from allowing these errors to remain uncorrected.

Respectfully submitted,

/s/ Laura C. McBride
Mark A. Hayden (0081077)
FIRSTENERGY SERVICE COMPANY
76 South Main Street
Akron, OH 44308
(330) 761-7735
(330) 384-3875 (fax)
haydenm@firstenergycorp.com

James F. Lang (0059668)
Laura C. McBride (0080059)
N. Trevor Alexander (0080713)
CALFEE, HALTER & GRISWOLD LLP
1400 KeyBank Center
800 Superior Ave.
Cleveland, OH 44114
(216) 622-8200
(216) 241-0816 (fax)
jlang@calfee.com
lmcbride@calfee.com
talexander@calfee.com

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

Allison E. Haedt (0082243)
JONES DAY
P.O. Box 165017
Columbus, OH 43216-5017
(614) 469-3939
(614) 461-4198 (fax)
aehaedt@jonesday.com

Attorneys for FirstEnergy Solutions Corp.

**BEFORE THE
PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Ohio Power Company and Columbus Southern Power Company for Authority to Merge and Related Approvals	) ) ) )	Case No. 10-2376-EL-UNC
In the Matter of the Application of Columbus Southern Power Company and Ohio Power Company for Authority to Establish a Standard Service Offer Pursuant to §4928.143, Ohio Rev. Code, in the Form of an Electric Security Plan	) ) ) ) ) )	Case No. 11-346-EL-SSO Case No. 11-348-EL-SSO
In the Matter of the Application of Columbus Southern Power Company and Ohio Power Company for Approval of Certain Accounting Authority	) ) ) )	Case No. 11-349-EL-AAM Case No. 11-350-EL-AAM
In the Matter of the Application of Columbus Southern Power Company to Amend its Emergency Curtailment Service Riders	) ) ) )	Case No. 10-343-EL-ATA
In the Matter of the Application of Ohio Power Company to Amend its Emergency Curtailment Service Riders	) ) ) )	Case No. 10-344-EL-ATA
In the Matter of the Commission Review of the Capacity Charges of Ohio Power Company and Columbus Southern Power Company	) ) ) )	Case No. 10-2929-EL-UNC
In the Matter of the Application of Columbus Southern Power Company for Approval of a Mechanism to Recover Deferred Fuel Costs Ordered Under Ohio Revised Code 4928.144	) ) ) ) )	Case No. 11-4920-EL-RDR
In the Matter of the Application of Ohio Power Company for Approval of a Mechanism to Recover Deferred Fuel Costs Ordered Under Ohio Revised Code 4928.144	) ) ) ) )	Case No. 11-4921-EL-RDR

**SUR-REBUTTAL TESTIMONY
IN OPPOSITION TO THE PARTIAL STIPULATION OF
TONY C. BANKS
ON BEHALF OF FIRSTENERGY SOLUTIONS CORP.**

I. INTRODUCTION & BACKGROUND

Q. PLEASE STATE YOUR NAME, BUSINESS ADDRESS, AND POSITION.

A. My name is Tony C. Banks. My business address is 341 White Pond Drive, Akron, Ohio 44320. I am employed by FirstEnergy Solutions Corp. ("FES") as the Vice President of Competitive Market Policies.

Q. ARE YOU THE SAME TONY BANKS WHO SUBMITTED DIRECT TESTIMONY ON BEHALF OF FES IN OPPOSITION TO THE PARTIAL STIPULATION?

A. Yes.

Q. WHAT IS THE PURPOSE OF YOUR SUR-REBUTTAL TESTIMONY IN THIS PROCEEDING?

A. I am testifying in response to Rebuttal Testimony offered by AEP Ohio witness William Allen, and specifically Mr. Allen's incorrect testimony regarding the benefits of FES' offer to provide the load for Percent of Income Payment Plan ("PIPP") customers at a reduced price.

1 **II. FES' OFFER TO SERVE PIPP CUSTOMERS**
2 **WILL BENEFIT ALL CUSTOMERS**

3 **Q. WHAT WAS FES' OFFER REGARDING PIPP CUSTOMERS?**

4 A. In my Direct Testimony, I presented FES' recommendation that the Commission
5 should ensure that the Revised ESP provides benefits to low-income customers,
6 whose representatives do not support the Revised ESP. If the Commission
7 determines that the Revised ESP should be approved (and it should not), it must be
8 substantially modified. One modification should incorporate benefits to low-income
9 customers. To that end, FES offered to serve AEP Ohio's PIPP customers through a
10 bilateral wholesale contract at 5% off the price-to-compare, if such customers
11 received RPM-priced capacity and if this allotment of RPM-priced capacity does not
12 count towards the RPM set-asides proposed in the Revised ESP.

13 **Q. ARE YOU FAMILIAR WITH AEP OHIO WITNESS ALLEN'S TESTIMONY**
14 **THAT FES' OFFER TO SERVE AEP OHIO'S PIPP CUSTOMERS**
15 **THROUGH A WHOLESALE CONTRACT WOULD ACTUALLY RAISE**
16 **RATES FOR ALL AEP OHIO CUSTOMERS?**

17 A. Yes.

18 **Q. DO YOU AGREE WITH HIS CONCLUSION?**

19 A. No, not at all. It is hard to fathom how an offer to provide discounted service to PIPP
20 customers would result in an increase in rates for all non-PIPP customers. A properly
21 designed program would provide benefits to the PIPP customers and would reduce
22 the Universal Service Fund ("USF") charges to AEP Ohio's other customers. The
23 benefit of the discounted SSO service for PIPP customers would be provided by FES.

1 **Q. WOULD FES' OFFER DRIVE UP THE COSTS FOR OTHER AEP OHIO**
2 **CUSTOMERS, AS MR. ALLEN CLAIMED?**

3 A. No. As proposed, the costs associated with serving the AEP Ohio PIPP customers
4 would be separated from the costs associated with serving the non-PIPP AEP Ohio
5 customers. These costs would not be included in the AEP Ohio fuel adjustment
6 clause or any other generation tariff or rider that is the responsibility of non-PIPP
7 customers. As a result, the program provides a benefit to the PIPP customers, as well
8 as all other customers of AEP Ohio.

9 **Q. HOW SHOULD FES' OFFER TO SERVE THE PIPP LOAD BE**
10 **STRUCTURED?**

11 A. As a part of this proceeding, the Commission would authorize AEP Ohio to purchase
12 the wholesale supply necessary to serve the full requirements load of the AEP Ohio
13 PIPP customers via a bilateral wholesale contract with FES. Of course, as I testified
14 to earlier in this proceeding, this offer is contingent on these customers receiving
15 RPM-priced capacity and the allotment of RPM-priced capacity for these customers
16 not counting toward the RPM set-asides included in the Partial Stipulation.

17 **Q. WOULD PIPP CUSTOMERS BECOME RETAIL CUSTOMERS OF FES?**

18 A. No, PIPP customers would remain retail generation customers of AEP Ohio, but their
19 retail load and usage would no longer be supplied by AEP generation assets. Instead,
20 it would be supplied via a wholesale bilateral contract between AEP Ohio and FES.
21 Under this agreement, FES would supply power to AEP Ohio at wholesale in an
22 amount sufficient to meet the requirements of all PIPP customers taking service under
23 AEP Ohio's tariffs and riders for generation. This arrangement would have the effect

1 of separating AEP Ohio's residential SSO customers from a generation sourcing
2 perspective into a PIPP pool and a non-PIPP pool. While these two pools of
3 residential customers would have different supply sources, both residential customer
4 pools would remain retail customers of AEP Ohio. Under this arrangement, AEP
5 Ohio would have additional energy "freed-up" because it would no longer need to use
6 its own energy to supply PIPP customers.

7 **Q. HOW WOULD THE PIPP LOAD BE SEPARATED?**

8 A. Customers would be placed into the PIPP pool if they are a PIPP customer as of
9 January 1, 2012, and they would remain in the PIPP pool through the term of the
10 ESP. Any customer who is enrolled in the PIPP program any time after January 1,
11 2012, through the end of the Revised ESP term would also be added to the PIPP pool
12 at the time of their enrollment for purposes of this agreement. All other residential
13 SSO customers would remain in the non-PIPP pool.

14 **Q. HOW WOULD CUSTOMERS IN THE PIPP POOL BE BILLED?**

15 A. AEP Ohio should create a separate PIPP generation tariff or some similar tariff
16 mechanism to reflect the discount provided as a result of this proposal. That tariff
17 would include all the base generation and related riders that are included in AEP
18 Ohio's residential price-to-compare, but at a 5% discount. As I see it, it would mirror
19 the existing SSO tariffs for generation service (price-to-compare) minus a 5%
20 discount. PIPP customers would be billed in accordance with the PIPP generation
21 tariff, instead of being billed the base generation rate and the generation-related riders
22 that would normally comprise the price-to-compare.

1 **Q. WOULD THE RATE DESIGN NEED TO CHANGE WITH THIS PROPOSAL?**

2 A. No, not at all. I think the PIPP generation rider would reflect the same SSO rate
3 design that would exist as a result of this proceeding. The only difference is this rider
4 would be priced at a 5% discount to the generation-related rates and riders that would
5 comprise an SSO customer's price-to-compare.

6 **Q. HOW WOULD FES BE REIMBURSED FOR SERVING THE LOAD?**

7 A. The details would be included in the wholesale contract, but at the simplest level FES
8 would be paid an amount equal to the charges AEP Ohio includes on the current
9 monthly PIPP customer bills (pursuant to the PIPP generation tariff described above)
10 times the amount of metered load of PIPP customers.

11 **Q. IF AEP OHIO CREATES A PIPP GENERATION TARIFF, WON'T THE**
12 **PIPP CUSTOMERS END UP PAYING MORE THAN THEY CURRENTLY**
13 **PAY?**

14 A. No. Nothing in this proposal would alter the way the current PIPP Plus program
15 works. PIPP customers would be required to pay whatever they are obligated to pay
16 under the existing terms of the PIPP Plus program. Nothing in this proposal changes
17 a PIPP customer's monthly PIPP installment amount.

18 **Q. WHAT ARE THE BENEFITS OF CREATING A NEW TARIFF FOR SSO**
19 **PIPP GENERATION SERVICE?**

20 A. There are a number of benefits. First, it totally separates the PIPP-related generation
21 costs from non-PIPP SSO customers – eliminating the risk that Mr. Allen is
22 concerned about that other SSO customers would end up paying more under one
23 particular rider as a result of this discount. Second, a separate rider provides a

1 reconciliation mechanism. Finally, it provides more transparency for the PIPP related
2 charges.

3 **Q. THEN HOW DO PIPP CUSTOMERS BENEFIT FROM THIS OFFER?**

4 A. The PIPP customers benefit because the actual amount they are billed for electric
5 generation service for the current billing cycle will be 5% less than it would be
6 without this offer. Under the existing PIPP Plus rules, if a PIPP customer is removed
7 from the PIPP Plus program, the customer becomes responsible for the actual billed
8 amount instead of the PIPP installment amount. In that circumstance, under this
9 proposal, the amount the customer would be responsible for would be reduced
10 because of the 5% discount.

11 **Q. HOW DO OTHER CUSTOMERS BENEFIT FROM THIS OFFER?**

12 A. Other AEP Ohio customers benefit from a lower USF charge as compared to what
13 otherwise may have been charged but for this program.

14 **Q. WHY WOULD THE USF CHARGE BE LOWER AS COMPARED TO WHAT**
15 **OTHERWISE MAY HAVE BEEN CHARGED, BUT FOR THIS OFFER?**

16 A. If the actual billing amount for PIPP customers is lower as a result of this 5%
17 discount offer and the amount required to be paid by PIPP customers remains the
18 same, it means that the amount needed to be recovered via the USF rider from other
19 customers will be less. Accordingly, all AEP Ohio customers would benefit from the
20 program FES is proposing – PIPP and non-PIPP customers.

21

1 **Q. ARE THERE SIMILAR PROGRAMS ELSEWHERE IN OHIO?**

2 A. Yes. FES currently provides wholesale supply to serve the PIPP load for Ohio Edison,
3 The Cleveland Electric Illuminating Company and Toledo Edison. In addition, I
4 expect that we will begin providing wholesale supply for the Duke Energy Ohio
5 PIPP load pursuant to the recently filed Stipulation in their SSO proceeding, pending
6 Commission approval.

7 **Q. DOES THIS CONCLUDE YOUR TESTIMONY?**

8 A. Yes.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing *FirstEnergy Solutions Corp. 's Motion to For Leave To File Sur-Rebuttal Testimony And Requested for Expedited Ruling* and the attached *Sur-Rebuttal Testimony in Opposition to the Testimony of Tony C. Banks on Behalf of FirstEnergy Solutions Corp.* was served this 27th day of October, 2011, via e-mail upon the parties below.

/s/ Laura C. McBride

One of the Attorneys for FirstEnergy Solutions Corp.

Steven T. Nourse
Matthew J. Satterwhite
Anne M. Vogel
American Electric Power Corp.
1 Riverside Plaza, 29th Floor
Columbus, Ohio 43215
stnourse@aep.com
mjsatterwhite@aep.com
amvogel@aep.com

Daniel R. Conway
Porter Wright Morris & Arthur
41 South High Street
Columbus, Ohio 43215
dconway@porterwright.com

Cynthia Fonner Brady
David I. Fein
550 W. Washington Street, Suite 300
Chicago, IL 60661
cynthia.a.fonner@constellation.com
david.fein@constellation.com

Richard L. Sites
Ohio Hospital Association
155 East Broad Street, 15th Floor
Columbus, Ohio 43215-3620
ricks@ohanet.org

Dorothy K. Corbett
Amy Spiller
Duke Energy Retail Sales
139 East Fourth Street
1303-Main
Cincinnati, Ohio 45202
dorothy.corbett@duke-energy.com
amy.spiller@duke-energy.com

David F. Boehm
Michael L. Kurtz
Boehm, Kurtz & Lowry
36 East Seventh Street, Suite 1510
Cincinnati, Ohio 45202
dboehm@bklawfirm.com
mkurtz@bklawfirm.com

Terry L. Etter
Maureen R. Grady
Jeffrey L. Small
Office of the Ohio Consumers' Counsel
10 West Broad Street, Suite 1800
Columbus, Ohio 43215-3485
etter@occ.state.oh.us
grady@occ.state.oh.us
small@occ.state.oh.us

Thomas J. O'Brien
Bricker & Eckler
100 South Third Street
Columbus, Ohio 43215-4291
tobrien@bricker.com

Shannon Fisk
2 North Riverside Plaza, Suite 2250
Chicago, IL 60606
sfisk@nrdc.org

John W. Bentine
Mark S. Yurick
Zachary D. Kravitz
Chester Willcox & Saxbe, LLP
65 East State Street, Suite 1000
Columbus, Ohio 43215
jbentine@cwsllaw.com
myurick@cwsllaw.com
zkravitz@cwsllaw.com

Terrence O'Donnell
Christopher Montgomery
Bricker & Eckler LLP
100 South Third Street
Columbus, Ohio 43215-4291
todonnell@bricker.com
cmontgomery@bricker.com

Jesse A. Rodriguez
Exelon Generation Company, LLC
300 Exelon Way
Kennett Square, Pennsylvania 19348
jesse.rodriguez@exeloncorp.com

Glen Thomas
1060 First Avenue, Ste. 400
King of Prussia, Pennsylvania 19406
gthomas@gtpowergroup.com

Henry W. Eckhart
2100 Chambers Road, Suite 106
Columbus, Ohio 43212
henryeckhart@aol.com

Jay E. Jadwin
American Electric Power Service Corporation
1 Riverside Plaza, 29th Floor
Columbus, Ohio 43215
jejadwin@aep.com

Michael R. Smalz
Joseph V. Maskovyak
Ohio Poverty Law Center
555 Buttles Avenue
Columbus, Ohio 43215
msmalz@ohiopoveritylaw.org
jmaskovyak@ohiopoveritylaw.org

Lisa G. McAlister
Matthew W. Warnock
Bricker & Eckler LLP
100 South Third Street
Columbus, Ohio 43215-4291
lmcaster@bricker.com
mwarnock@bricker.com

William L. Massey
Covington & Burling, LLP
1201 Pennsylvania Ave., NW
Washington, DC 20004
wmassey@cov.com

Laura Chappelle
4218 Jacob Meadows
Okemos, Michigan 48864
laurac@chappelleconsulting.net

Pamela A. Fox
Law Director
The City of Hilliard, Ohio
pfox@hilliardohio.gov

Christopher L. Miller
Gregory H. Dunn
Asim Z. Haque
Stephen J. Smith
Schottenstein Zox & Dunn Co., LPA
250 West Street
Columbus, Ohio 43215
cmiller@szd.com
ahaque@szd.com
ssmith@szd.com
gdunn@szd.com

Sandy Grace
Exelon Business Services Company
101 Constitution Avenue N.W., Suite 400 East
Washington, DC 20001
sandy.grace@exeloncorp.com

Kenneth P. Kreider
David A. Meyer
Keating Muething & Klekamp PLL
One East Fourth Street, Suite 1400
Cincinnati, Ohio 45202
kpkreider@kmklaw.com
dmeyer@kmklaw.com

Holly Rachel Smith
Holly Rachel Smith, PLLC
Hitt Business Center
3803 Rectortown Road
Marshall, Virginia 20115
holly@raysmithlaw.com

Gregory J. Poulos
EnerNOC, Inc.
101 Federal Street, Suite 1100
Boston, MA 02110
gpoulos@enernoc.com

M. Howard Petricoff
Stephen M. Howard
Michael J. Settineri
Lija Kaleps-Clark; Benita Kahn
Vorys, Sater, Seymour and Pease LLP
52 E. Gay Street
Columbus, Ohio 43215
mhpetricoff@vorys.com
smhoward@vorys.com
mjsettineri@vorys.com
lkalepsclark@vorys.com
bakahn@vorys.com

Gary A. Jeffries
Dominion Resources Services, Inc.
501 Martindale Street, Suite 400
Pittsburgh, PA 15212-5817
gary.a.jeffries@aol.com

Steve W. Chriss
Wal-Mart Stores, Inc.
2001 SE 10th Street
Bentonville, Arkansas 72716
stephen.chriss@wal-mart.com

Barth E. Royer
Bell & Royer Co., LPA
33 South Grant Avenue
Columbus, Ohio 43215-3927
barthroyer@aol.com

Werner L. Margard III
John H. Jones
William Wright
Thomas Lindgren
Assistant Attorneys General
Public Utilities Section
180 East Broad Street, 6th Floor
Columbus, OH 43215
werner.margard@puc.state.oh.us
john.jones@puc.state.oh.us
William.wright@puc.state.oh.us
Thomas.Lindgren@puc.state.oh.us

Philip B. Sineneng
Terrance A. Mebane
Carolyn S. Flahive
Thompson Hine LLP
41 S. High Street, Suite 1700
Columbus, Ohio 43215
philip.sineneng@thompsonhine.com
carolyn.flahive@thompsonhine.com
terrance.mebane@thompsonhine.com

Samuel C. Randazzo
Joseph E. Olikier
Frank P. Darr
McNees Wallace & Nurick
21 East State Street, 17th Floor
Columbus, Ohio 43215
sam@mwncmh.com
joliker@mwncmh.com
fdarr@mwncmh.com

John N. Estes III
Paul F. Wight
Skadden, Arps, Slate, Meagher & Flom LLP
1440 New York Ave., N.W.
Washington, DC 20005
jestes@skadden.com
paul.wight@skadden.com

Tara C. Santarelli
Environmental Law & Policy Center
1207 Grandview Avenue, Suite 201
Columbus, Ohio 43212
tsantarelli@elpc.org

Christopher J. Allwein
Williams, Allwein and Moser, LLC
1373 Grandview Avenue, Suite 212
Columbus, Ohio 43212
callwein@williamsandmoser.com

Emma F. Hand
Douglas G. Bonner
Keith C. Nusbaum
Clinton A. Vince
SNR Denton US LLP
1301 K Street, NW, Suite 600, East Tower
Washington, DC 20005-3364
emma.hand@snrdenton.com
doug.bonner@snrdenton.com
keith.nusbaum@snrdenton.com
clinton.vince@snrdenton.com

Colleen L. Mooney
David C. Rinebolt
Ohio Partners for Affordable Energy
231 West Lima Street
Findlay, Ohio 45840
cmooney2@columbus.rr.com
drinebolt@ohiopartners.org

Trent A. Dougherty
Cathryn Loucas (0073533)
Ohio Environmental Council
1207 Grandview Avenue, Suite 201
Columbus, Ohio 43212-3449
trent@theoeg.org
cathy@theoec.org

Joel Malina
Executive Director
COMPLETE Coalition
1317 F Street, NW
Suite 600
Washington, DC 20004
malina@wexlerwalker.com

David M. Stahl
Arin C. Aragona
Scott C. Solberg
Eimer Stahl Klevorn & Solberg LLP
224 South Michigan Avenue, Suite 1100
Chicago, IL 60604
dstahl@eimerstahl.com
aaragona@eimerstahl.com
ssolberg@eimerstahl.com

Jay L. Kooper
Katherine Guerry
Hess Corporation
One Hess Plaza
Woodbridge, NJ 07095
jkooper@hess.com
kguerry@hess.com

Robert Korandovich
KOREnergy
P. O. Box 148
Sunbury, OH 43074
korenergy@insight.rr.com

Allen Freifeld
Samuel A. Wolfe
Viridity Energy, Inc.
100 West Elm Street, Suite 410
Conshohocken, PA 19428
afreifeld@viridityenergy.com
swolfe@viridityenergy.com

Mark A. Whitt
Carpenter Lipps & Leland LLP
280 Plaza, Suite 1300
280 North High Street
Columbus, Ohio 43215
whitt@carpenterlipps.com

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

10/27/2011 2:17:07 PM

in

Case No(s). 11-0346-EL-SSO, 11-0348-EL-SSO, 10-2376-EL-UNC, 11-0349-EL-AAM, 11-0350-EL-AAM

Summary: Motion for Leave to File Sur-Rebuttal Testimony and Request for Expedited Review, and Sur-Rebuttal Testimony of Tony C. Banks electronically filed by Ms. Laura C. McBride on behalf of FirstEnergy Solutions Corp.