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Via E-Filing

February 1, 2012

Public Utilities Commission of Ohio PUCO Docketing 180 E. Broad Street, 10th Floor Columbus, Ohio 43215

# In re: Case Nos. 09-1947-EL-POR, 09-1948-EL-POR and 09-1949-EL-POR Case Nos. 09-1942-EL-EEC, 09-1943-EL-EEC and 09-1944-EL-EEC Case Nos. 09-580-EL-EEC, 09-581-EL-EEC and 09-582-EL-EEC

Dear Sir/Madam:

Please find attached the MEMORANDUM IN SUPPORT OF THE OHIO ENERGY GROUP for filing in the above-referenced matter.

Copies have been served on all parties on the attached certificate of service. Please place this document of file.

Respectfully yours

Michael L. Kurtz, Esq. Kurt J. Boehm, Esq. Jody M. Kyler, Esq. **BOEHM, KURTZ & LOWRY** 

MLKkew Encl. Cc: Certificate of Service Kim Bojko, Hearing Examiner Greg Price, Hearing Examiner

### BEFORE THE PUBLIC UTILITY COMMISSION OF OHIO

In the Matter of the Application of Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company For Approval of Their Energy Efficiency and Peak Demand Reduction Program Portfolio Plans for 2010 through 2012 and Associated Cost Recovery Mechanisms	:	Case Nos.	09-1947-EL-POR 09-1948-EL-POR 09- 1949-EL-POR
In the Matter of the Application of Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company For Approval of Their Initial Benchmark Reports.	•	Case Nos.	09-1942-EL-EEC 09-1943-EL-EEC 09-1944-BL-EEC
In the Matter of the Energy Efficiency and Peak Demand Reduction Program Portfolio of Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company.	•	Case Nos.	09-580-EL-EEC 09-581-EL-EEC 09-582-EL-EEC

# MEMORANDUM IN SUPPORT OF THE OHIO ENERGY GROUP

Pursuant to Ohio Adm. Code §4901-1-12, the Ohio Energy Group ("OEG") hereby submits a memorandum in support of the Motion of the Ohio Edison Company, The Cleveland Electric Illuminating Company and the Toledo Edison Company (collectively, "FirstEnergy") to Stay the Evidentiary Hearing filed in this proceeding on January 31, 2012 ("Motion"). OEG respectfully requests that the Public Utilities Commission of Ohio ("Commission") grant FirstEnergy's Motion. As FirstEnergy's Motion notes, Commission approval of an indefinite stay of this proceeding would conserve parties' resources and could help to avoid litigation of similar issues in two separate dockets.

Respectfully submitted,

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February 1, 2012

#### **CERTIFICATE OF SERVICE**

I hereby certify that true copy of the foregoing was served by electronic mail (when available) or ordinary mail, unless otherwise noted, this February 1, 2012 to the following:

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Summary: Memorandum OEG's Memorandum in Support of Motion of FirstEnergy to Stay the Evidentiary Hearing electronically filed by Ms. Jody M. Kyler on behalf of Ohio Energy Group