

PUBLIC UTILITIES COMMISSION
OF OHIO

Charles Paquelet, M.D.,)	Case No. 11-4177-EL-CSS
)	
Complainant,)	
)	
v.)	<u>MOTION TO CONTINUE HEARING</u>
)	<u>AND REQUEST FOR EXPEDITED</u>
)	<u>RULING</u>
Ohio Edison Company,)	
)	
Respondent.)	

Pursuant to Rule 4901-1-12, Ohio Administrative Code (“O.A.C.”), Respondent Ohio Edison Company (“Ohio Edison”) respectfully requests a continuance of the April 19, 2012 hearing and expedited ruling of this request. Specifically, Ohio Edison requests that the Attorney Examiner continue the hearing for forty-five (45) days.

Rule 4901-1-12(c), O.A.C. provides:

Any motion may include a specific request for an expedited ruling. The grounds for such a request shall be set forth in the memorandum in support. If the motion requests an extension of time to file pleadings or other papers of five days or less, an immediate ruling may be issued without the filing of memoranda. In all other situations, the party requesting an expedited ruling may first contact all other parties to determine whether any party objects to the issuance of such a ruling without the filing of memoranda. If the moving party certifies that no party objects to the issuance of such a ruling, an immediate ruling may be issued. If any party objects to the issuance of such a ruling, or if the moving party fails to certify that no party has any objection, any party may file a memorandum contra within seven days after the service of the motion, or such other period as the commission, the legal director, the deputy legal director, or the attorney examiner requires. No reply memoranda shall be filed in such cases unless specifically requested by the commission, the legal director, the deputy legal director, or the attorney examiner. (emphasis added).

Moreover, Rule 4901-1-12(F), O.A.C. provides:

Notwithstanding paragraphs (B) and (C) of this rule, the commission, the legal director, the deputy legal director, or the attorney examiner may, upon their own motion, issue an expedited ruling on any motion, with or without the filing of

memoranda, where the issuance of such a ruling will not adversely affect a substantial right of any party.

The reason for this request is that the parties have been engaged in settlement discussions which include several terms that require engineering cost estimates and plans. The current hearing date will not allow the parties adequate time to obtain this information to attempt to finalize a settlement agreement.

Ohio Edison is not requesting this continuance for purposes of delay. This is the third request for a continuance that Ohio Edison has made in this case. Dr. Paquelet has agreed to this continuance to allow the parties to advance their efforts to settle this matter.

Therefore, Ohio Edison respectfully requests that the Attorney Examiner grant Ohio Edison's request for a continuance of the currently scheduled April 19, 2012 hearing date and expedited ruling of this request.

Respectfully submitted,

/s/ Denise M. Hasbrook

Denise M. Hasbrook (0004798)

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Counsel for Respondent,

Ohio Edison Company

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion to Continue Hearing and Request for Expedited Ruling was sent by ordinary U.S. Mail, this 10th day of April, 2012, to the following:

Charles Paquelet, M.D.
11849 Northcrest Street
Massillon, OH 44647
Complainant

Respectfully submitted,

/s/ Denise M. Hasbrook
Denise M. Hasbrook (0004798)
Counsel for Respondent,
Ohio Edison Company

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Case No(s). 11-4177-EL-CSS

Summary: Motion to Continue Hearing and Request for Expedited Ruling electronically filed by Mrs. Denise M. Hasbrook on behalf of Ohio Edison Company