

FILE

BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

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RECEIVED-DOCKETING DIV
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PUCO

COLUMBUS BROCK,)	
)	
Complainant,)	
)	
v.)	Case No. 11-6085-EL-CSS
)	
OHIO EDISON COMPANY,)	
)	
Respondent.)	
)	

MOTION FOR CONTINUANCE OF HEARING
(EXPEDITED RULING REQUESTED)

Pursuant to Ohio Administrative Code Rule 4901-1-13 and other applicable law, Respondent Ohio Edison Company ("Ohio Edison") moves for a continuance of the hearing currently scheduled for July 12, 2012.¹ Counsel for Ohio Edison served its first set of Interrogatories, Requests for Production, and Requests for Admission (the "Discovery Requests") on Columbus Brock on June 1, 2012. Under the Commission's rules, responses to those Discovery Requests were due no later than June 25, 2012. *See* O.A.C. Rules 4901-1-07, 4901-1-19. Ohio Edison did not receive any responses from Mr. Brock by that date, nor any request for an extension to provide them. Counsel for Ohio Edison has spoken to Mr. Brock by telephone and he has indicated that, with assistance from his sister Barbara Berry, he will try to provide responses to the Discovery Requests on July 5, 2012, the same day that Ohio Edison is scheduled to depose Mr. Brock. *See* Notice of Deposition of Columbus Brock, dated and filed June 21, 2012. Mr. Brock has also indicated that he wishes to proceed to hearing on July 12 despite his

¹ Ohio Edison requests that hearing be rescheduled in August 2012. Ohio Edison's counsel and witness(es) are available for hearing the weeks of August 20-24 and August 27-31.

failure to meet his discovery obligations. Ohio Edison will be prejudiced if hearing proceeds as scheduled. Even if Mr. Brock provides responses to the Discovery Requests on July 5 (which remains to be seen), Ohio Edison will not be able to adequately prepare for Mr. Brock's deposition scheduled for that same day because it will not have time to review and analyze the responses. Ohio Edison will also not have an adequate opportunity to follow-up on any deficient responses before the July 12 hearing. Pursuant to Rule 4901-1-12(C), and given the very limited time remaining before the currently-scheduled hearing, Ohio Edison requests an expedited ruling on this Motion. Ohio Edison conveyed to Mr. Brock its plans to seek an expedited ruling and Mr. Brock did not object to the issuance of an immediate ruling on this Motion.

DATED: July 2, 2012

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ATTORNEYS FOR RESPONDENT
OHIO EDISON COMPANY

CERTIFICATE OF SERVICE

I hereby certify that a copy of the Motion for Continuance of Hearing (Expedited Ruling Requested) was delivered to the following person by first class mail, postage prepaid, this 2nd day of July, 2012:

Columbus Brock
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Elyria, OH 44035



An Attorney For Respondent Ohio Edison
Company