

FILE

Before
THE SUPREME COURT OF OHIO

Ohio Edison Company)
The Cleveland Electric Illuminating Company)
The Toledo Edison Company)

Appellant,)

VS)

Supreme Court No. 13-2026

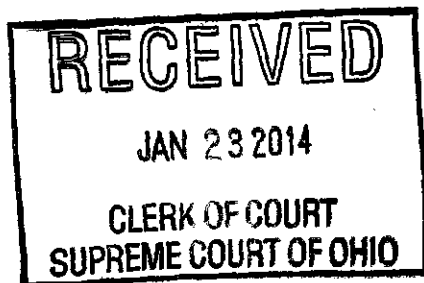
The Public Utilities Commission)
of Ohio)

Appellee.)

Being Before
THE PUBLIC UTILITIES COMMISSION OF OHIO

In the matter of the review of the)
Alternative Energy Rider contained in)
The tariffs of Ohio Edison Company,)
The Cleveland Electric Illuminating Company,)
and The Toledo Edison Company.)

Case No 11-5201-EL-RDR



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INDEX AND DOCKET ENTRIES

ICN

<u>9/20/2011</u>	In the Matter of the Review of the Alternative Energy Rider Contained in the Tariffs of Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company.	1
<u>9/30/2011</u>	Motion for leave to Intervene and memorandum in support filed by Jody M. Kyler on behalf of the Ohio Energy Group.	2
<u>11/10/2011</u>	Motion for admission pro hac vice of Michael Lavanga filed by Michael Lavanga.	3
<u>11/10/2011</u>	Nucor Steel Marion, Inc.'s motion for intervention and memorandum in support filed by M. Lavanga.	4
<u>11/14/2011</u>	Motion to Intervene and memorandum in support by the Office of the Ohio Consumers' Counsel electronically filed by Patti Mallarnee on behalf of Joseph P. Serio.	5
<u>11/23/2011</u>	Motion to Intervene and memorandum in support on behalf of the Ohio Environmental Council electronically filed by Mr. Trent A Dougherty on behalf of Ohio Environmental Council.	6
<u>12/15/2011</u>	Entry that the motions to intervene filed by Ohio Energy Group, Nucor, Ohio Consumers' Counsel, and Ohio Environmental Council be granted and the motion for admission pro hac vice filed by Michael K. Lavanga be granted.	7
<u>12/28/2011</u>	Motion of Citizen Power, Inc. to Intervene and Memorandum in Support, and Motion to Practice Pro Hac Vice Before the Commission electronically filed by Mr. Theodore Robinson on behalf of Citizen Power, Inc.	8

<u>1/10/2012</u>	Motion to Intervene and memorandum in support, electronically filed by Mr. Christopher J Allwein on behalf of The Sierra Club.	9
<u>1/13/2012</u>	Motion to Intervene and Memorandum in support electronically filed by Teresa Orahood on behalf of Mid-Atlantic Renewable Energy Coalition and C. Montgomery.	10
<u>1/18/2012</u>	Entry ordering Staff issue the RFP attached to this entry and that February 10, 2012, be set as the due date for proposals in response to the RFP: in accordance with Finding (5), FirstEnergy bear the cost of the audit services of the contractor chosen by the Commission; FirstEnergy and the contractor shall observe the requirements set forth herein.	11
<u>2/2/2012</u>	Motion to intervene and memorandum in support electronically filed by Teresa Orahood on behalf of OMA Energy Group and L. McAlister.	12
<u>2/23/2012</u>	Entry ordering that Exeter and Goldenberg are hereby selected to perform the consulting activities and shall observe the requirements set forth in this entry.	13
<u>4/30/2012</u>	Motion for extension of time and memorandum un support filed by PUCO Staff.	14
<u>5/1/2012</u>	Entry ordering that the Staff's motion for extension is granted and the due date for the draft audit reports shall be extended to June 1, 2012, and the due date for the final audit reports be extended to June 15, 2012. (MLW)	15
<u>6/14/2012</u>	Motion for Extension of Time and Memorandum in Support filed by Thomas G. Lindgren.	16
<u>6/14/2012</u>	Entry ordered, that Staff's motion to extend the due date for the final audit reports is granted. It is, further, ordered, that the due date for the final audit reports is extended until August 15, 2012. (MLW)	17

<u>8/15/2012</u>	Redacted final management/performance audit report of the alternative Energy Resource Rider of the FirstEnergy Ohio Utility Companies for October 2009 through December 31, 2011 for Public Utilities Commission of Ohio filed by Exeter Associates, Inc.	18
<u>8/15/2012</u>	Confidential Document Target for PUCO Staff of Confidential Final Report, Management/Performance Audit of Alternative Energy Resource Rider (Rider AER) of the FirstEnergy Ohio Utility Companies for October 2009 through December 31, 2011, filed by Staff.	Conf.
<u>8/15/2012</u>	Final financial audit 1 report of the Alternative Energy Resource Rider of the FirstEnergy Ohio Utility Companies for the Public Utilities Commission of Ohio.	19
<u>8/22/2012</u>	Attorney Examiner Entry setting procedural schedule for review of audit reports. - electronically filed by Sandra Coffey on behalf of Mandy Willey, Attorney Examiner, Public Utilities Commission of Ohio.	20
<u>8/27/2012</u>	Notice of substitution of counsel of J. Thomas Siwo for Christopher Montgomery electronically filed by Teresa Orahood on behalf of Mid-Atlantic Renewable Energy Coalition.	21
<u>8/27/2012</u>	Public comment opposing company decision filed by W. Kirk.	Corres.
<u>9/11/2012</u>	Notice of Appearance of Counsel and Designation of Counsel of Record by the Office of the Ohio Consumers' Counsel electronically filed by Patti Mallarnee on behalf of Yost, Melissa Ms.	22
<u>9/26/2012</u>	Motion for a Prehearing Conference to Obtain the Full (Non-Redacted) PUCO-Ordered Management Audit Report by the Office of the Ohio Consumers' Counsel and Request for Expedited Ruling and Memorandum in Support electronically filed by Patti Mallarnee on behalf of Yost, Melissa Ms.	23

<u>10/3/2012</u>	Exhibit 1 and Exhibit 2 for the Motion for a Protective Order and Memorandum In Support electronically filed by D. Kutik on behalf of Ohio Edison Company, The Cleveland Electric Illuminating Company and The Toledo Edison Company.	Exh.
<u>10/3/2012</u>	Motion For A Protective Order and Memorandum In Support electronically filed by Mr. David A. Kutik on behalf of Ohio Edison Company and The Cleveland Electric Illuminating Company and The Toledo Edison Company.	24
<u>10/3/2012</u>	Exhibit 1 and Exhibit 2 to Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company's Memorandum Contra The Office Of The Ohio Consumer's Counsel's Motion For A Prehearing Conference To Obtain The Full (Non-Redacted) PUCO-Ordered Management Audit Report And Request For Expedited Ruling electronically filed by MR. DAVID A KUTIK on behalf of Ohio Edison Company and The Cleveland Electric Illuminating Company and The Toledo Edison Company.	Exh.
<u>10/3/2012</u>	Memorandum Contra The Office Of The Ohio Consumer's Counsel's Motion For A Prehearing Conference To Obtain The Full (Non-Redacted) PUCO-Ordered Management Audit Report And Request For Expedited Ruling electronically filed by MR. DAVID A KUTIK on behalf of Ohio Edison Company and The Cleveland Electric Illuminating Company and The Toledo Edison Company.	25
<u>10/9/2012</u>	Motion for Leave to Intervene and Memorandum in Support electronically filed by M HOWARD PETRICOFF on behalf of Interstate Gas Supply, Inc. d/b/a IGS Energy.	26
<u>10/11/2012</u>	Attorney Examiner Entry denying OCC's motion for a prehearing discovery conference. - electronically filed by Sandra Coffey on behalf of Mandy Willey Chiles, Attorney Examiner, Public Utilities Commission of Ohio.	27

<u>10/18/2012</u>	Memorandum Contra to FirstEnergy's Motion for Protective Order by the Office of the Ohio Consumers' Counsel, Sierra Club and the Ohio Environmental Council electronically filed by Patti Mallarnee on behalf of Yost, Melissa Ms.	28
<u>10/19/2012</u>	Motion to Modify Procedural Schedule (Expedited Ruling Requested) electronically filed by MR. David A. Kutik on behalf of The Cleveland Electric Illuminating Company, The Toledo Edison Company and Ohio Edison Company.	29
<u>10/23/2012</u>	Motion to Compel Discovery and memorandum in support by the Office of the Ohio Consumers' Counsel electronically filed by Patti Mallarnee on behalf of Yost, Melissa Ms.	30
<u>10/25/2012</u>	Reply Brief of Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company in Support of their Motion for a Protective Order electronically filed by D. Kutik.	31
<u>10/26/2012</u>	Memorandum Contra to FirstEnergy's Motion to Modify the Procedural Schedule and Request for Expedited Ruling by the Office of the Ohio Consumers' Counsel, Sierra Club, and the Ohio Environmental Council electronically filed by Patti Mallarnee on behalf of Yost, Melissa Ms.	32
<u>10/26/2012</u>	Correspondence concerning the disclosure of an unredacted version of the Final Report Management Performance Audit for Alternative Energy Resources Rider of FirstEnergy Ohio Utility Companies filed on behalf of Navigant Consulting by D. Bradley. (FAX)	33
<u>10/29/2012</u>	Letter regarding the potential release of confidential information to Exeter Associates for their Management Audit of the Alternative Energy Resource Rider of the FirstEnergy Ohio Utility Companies filed by Daniel Bradley on behalf of Navigant.	34

<u>10/31/2012</u>	Attorney Examiner Entry granting the motion of FirstEnergy to modify the procedural schedule. - electronically filed by Sandra Coffey on behalf of Mandy Chiles, Attorney Examiner, Public Utilities Commission of Ohio.	35
<u>11/7/2012</u>	Memorandum Contra the Office of the Ohio Consumers' Counsel's Motion to Compel electronically filed by Mr. David A. Kutik on behalf of Ohio Edison Company and The Cleveland Electric Illuminating Company and The Toledo Edison Company.	36
<u>11/7/2012</u>	Notice of withdrawal of counsel electronically filed by Teresa Orahood on behalf of Bricker & Eckler LLP.	37
<u>11/14/2012</u>	Reply to FirstEnergy's Memorandum Contra Motion to Compel by the Office of the Ohio Consumers' Counsel electronically filed by Patti Mallarnee on behalf of Yost, Melissa Ms.	38
<u>11/14/2012</u>	Notice of Withdrawal of Counsel and Designation of Counsel of Record by the Office of the Ohio Consumers' Counsel electronically filed by Patti Mallarnee on behalf of Yost, Melissa Ms.	39
<u>12/4/2012</u>	Transcript of Ohio Edison Company, Cleveland Electric Illuminating Company and Toledo Edison Company hearing held before Mr. Gregory Price, Hearing Examiner, at the Public Utilities Commission of Ohio, 180 East Broad Street, Room 11-C, Columbus, Ohio, called at 10:00 a.m. on Tuesday, November 20, 2012 electronically filed by Mrs. Jennifer Duffer on behalf of Armstrong & Okey, Inc. and Hennebert, Julieanna Mrs.	Trans.
<u>12/12/2012</u>	Motion Requesting Permission for Edmund J. Berger to Appear Pro Hac Vice and Request for Expedited Ruling During Calendar-Year 2012 and Memorandum in Support electronically filed by Patti Mallarnee on behalf of Yost, Melissa Ms.	40

<u>12/13/2012</u>	Attorney Examiner Entry granting the motion for admission pro hac vice of Edmund J. Berger. - electronically filed by Sandra Coffey on behalf of Mandy Chiles, Attorney Examiner, Public Utilities Commission of Ohio.	41
<u>12/13/2012</u>	Notice of Appearance of Counsel electronically filed by Teresa Orahood on behalf of OMA Energy Group.	42
<u>12/14/2012</u>	Motion to Intervene and Memorandum in Support by the Environmental Law and Policy Center electronically filed by Mr. Nicholas A. McDaniel on behalf of Environmental Law and Policy Center.	43
<u>12/17/2012</u>	Memorandum Contra ELPC's Motion to Intervene electronically filed by MR. DAVID A KUTIK on behalf of Ohio Edison Company and The Cleveland Electric Illuminating Company and The Toledo Edison Company.	44
<u>12/20/2012</u>	Reply to FirstEnergy's Memorandum Contra the Motion to Intervene by ELPC and Request for Expedited Ruling electronically filed by Mr. Nicholas A. McDaniel on behalf of Environmental Law and Policy Center.	45
<u>12/31/2012</u>	Attorney Examiner Entry to grant the motion to intervene filed by the Environmental Law and Policy Center, electronically filed by Debra Hight on behalf of Mandy Willey Chiles, Attorney Examiner, Public Utilities Commission of Ohio.	46
<u>12/31/2012</u>	Exhibit to Motion for a Protective Order and Memorandum in Support electronically filed by Mr. David A. Kutik on behalf of Ohio Edison Company and The Cleveland Electric Illuminating Company and The Toledo Edison Company.	Exh.
<u>12/31/2012</u>	Motion for a Protective Order and memorandum in support Regarding the Office of the Ohio Consumers' Counsel's Request for Public Records and Memorandum in Support electronically filed by MR. DAVID A KUTIK on behalf of Ohio Edison Company and The Cleveland Electric Illuminating Company and The Toledo Edison Company.	47

<u>1/4/2013</u>	Notice of Deposition to Take Depositions and Request for Production Documents by the Office of the Ohio Consumers' Counsel electronically filed by Ms. Gina L Brigner on behalf of Ms. Melissa Yost.	48
<u>1/15/2013</u>	Memorandum contra FirstEnergy's motion for protective order by the Office of the Ohio Consumers' Counsel electronically filed by Patti Mallarnee on behalf of Yost, Melissa Ms.	49
<u>1/22/2013</u>	Reply in Support of the Motion of Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company for a Protective Order Regarding The Office of Ohio Consumers' Counsel's Request for Public Records electronically filed by MR. DAVID A KUTIK on behalf of The Cleveland Electric Illuminating Company and The Toledo Edison Company and Ohio Edison Company.	50
<u>1/23/2013</u>	Confidential Document Target for direct testimony of D. Stathis and D. Bradley filed by D. Kutik on behalf of Ohio Edison, The Cleveland Electric Illuminating Co. and The Toledo Edison Co.	Conf.
<u>1/23/2013</u>	Exhibit to Testimony of Robert Earle electronically filed by MR. DAVID A KUTIK on behalf of Ohio Edison Company and The Cleveland Electric Illuminating Company and The Toledo Edison Company.	Exh.
<u>1/23/2013</u>	Testimony of Robert Earle electronically filed by MR. DAVID A KUTIK on behalf of Ohio Edison Company and The Cleveland Electric Illuminating Company and The Toledo Edison Company.	51
<u>1/23/2013</u>	Direct Testimony of Daniel R. Bradley electronically filed by MR. DAVID A KUTIK on behalf of Ohio Edison Company and The Cleveland Electric Illuminating Company and The Toledo Edison Company.	52
<u>1/23/2013</u>	Direct Testimony of Eileen M. Mikkelsen electronically filed by MR. DAVID A KUTIK on behalf of Ohio Edison Company and The Cleveland Electric Illuminating Company and The Toledo Edison Company.	53

<u>1/23/2013</u>	Exhibit to Testimony of Dean W. Stathis electronically filed by MR. DAVID A KUTIK on behalf of Ohio Edison Company and The Cleveland Electric Illuminating Company and The Toledo Edison Company.	Exh.
<u>1/23/2013</u>	Direct Testimony of Dean W. Stathis electronically filed by MR. DAVID A KUTIK on behalf of Ohio Edison Company and The Cleveland Electric Illuminating Company and The Toledo Edison Company.	54
<u>1/23/2013</u>	Motion and memorandum in support to file testimony under seal and for a protective order filed on behalf of the Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company by D. Kutik.	55
<u>1/31/2013</u>	Public Version Direct Testimony of Wilson Gonzalez electronically filed by Ms. Gina L Brigner on behalf of Yost, Melissa Ms.	56
<u>1/31/2013</u>	Direct Testimony and Exhibits of Dennis W. Goins, Ph.D., on behalf of Ohio Energy Group (OEG) and NUCOR Steel Marion electronically filed by Mr. Michael L. Kurtz on behalf of Ohio Energy Group and Nucor Steel Marion.	57
<u>1/31/2013</u>	Direct Testimony of Bruce Burcat electronically filed by Teresa Orahood on behalf of Mid-Atlantic Renewable Energy Coalition.	58
<u>1/31/2013</u>	Motion for Protective Order by the Office of the Ohio Consumers' Counsel and Memorandum in Support electronically filed by Patti Mallarnee on behalf of Yost, Melissa Ms.	59
<u>1/31/2013</u>	Confidential document target: Direct testimony of Wilson Gonzalez on behalf of The Office of the Ohio Consumers' Counsel. (70 pages)	Conf.

<u>2/1/2013</u>	Notice of Deposition by Ohio Edison Company, The Cleveland Electric Illuminating Company and The Toledo Edison Company to the Office of Ohio Consumers' Counsel electronically filed by MR. DAVID A KUTIK on behalf of Ohio Edison Company and The Cleveland Electric Illuminating Company and The Toledo Edison Company.	60
<u>2/1/2013</u>	Full version of Exhibit DWG-1 attached to Direct Testimony of Dennis W. Goins, Ph.D., on behalf of Ohio Energy Group (OEG) and NUCOR Steel Marion electronically filed by Mr. Michael L. Kurtz on behalf of Ohio Energy Group and Nucor Steel Marion.	Exh.
<u>2/7/2013</u>	Exhibit to Motion for Protective Order electronically filed by MR. DAVID A KUTIK on behalf of Ohio Edison Company and The Cleveland Electric Illuminating Company and The Toledo Edison Company.	Exh.
<u>2/7/2013</u>	Motion for Protective Order and Memorandum in Support electronically filed by MR. DAVID A KUTIK on behalf of Ohio Edison Company and The Cleveland Electric Illuminating Company and The Toledo Edison Company.	61
<u>2/7/2013</u>	Memorandum Contra FirstEnergy's Motion for Protective Order by the Office of the Ohio Consumers' Counsel electronically filed by Patti Mallarnee on behalf of Yost, Melissa Ms.	62
<u>2/7/2013</u>	Notice of Deposition by Ohio Edison Company, The Cleveland Electric Illuminating Company and The Toledo Edison Company to Ohio Energy Group and Nucor Steel Marion, Inc. electronically filed by Lydia M. Floyd on behalf of Ohio Edison Company and The Cleveland Electric Illuminating Company and The Toledo Edison Company.	63

<u>2/8/2013</u>	Notice of Deposition by Ohio Edison Company, The Cleveland Electric Illuminating Company and The Toledo Edison Company to Mid-Atlantic Renewable Energy Coalition electronically filed by Lydia M. Floyd on behalf of Ohio Edison Company and The Cleveland Electric Illuminating Company and The Toledo Edison Company.	64
<u>2/14/2013</u>	Attorney Examiner Entry granting motion for protective order and ordering release of redacted version of document in seven days. - electronically filed by Sandra Coffey on behalf of Mandy Willey Chiles, Attorney Examiner, Public Utilities Commission of Ohio.	65
<u>2/15/2013</u>	Confidential treatment of document: Exhibit WG-3 filed by Melissa R. Yost on behalf of OCC. (pg count 3)	Conf.
<u>2/15/2013</u>	Confidential treatment of document: Confidential deposition of Wilson Gonzalez filed by David A. Kutik on behalf of Ohio Edison Company, The Cleveland Illuminating Company and The Toledo Edison Company. (pg Count 26)	Conf.
<u>2/15/2013</u>	Deposition Transcript of Wilson Gonzalez electronically filed by MR. DAVID A KUTIK on behalf of Ohio Edison Company and The Cleveland Electric Illuminating Company and The Toledo Edison Company.	66
<u>2/15/2013</u>	Motion for Protective order and Memorandum in Support filed by David A. Kutik on behalf of Ohio Edison Company, The Cleveland Electric Illuminating Company and The Toledo Edison Company.	67
<u>2/15/2013</u>	Deposition of Dennis J. Goins electronically filed by MR. DAVID A KUTIK on behalf of Ohio Edison Company and The Cleveland Electric Illuminating Company and The Toledo Edison Company.	68
<u>2/15/2013</u>	Motion for Protective Order and Memorandum in Support by the Office of the Ohio Consumers' Counsel electronically filed by Patti Mallarnee on behalf of Yost, Melissa Ms.	69

<u>2/15/2013</u>	Corrected Motion for Protective Order and Memorandum in support by the Office of the Ohio Consumers' Counsel electronically filed by Patti Mallarnee on behalf of Yost, Melissa Ms.	70
<u>2/15/2013</u>	Corrections to Footnotes and Revised Confidential Exhibit WG-3 (Public Version) by the Office of the Ohio Consumers' Counsel electronically filed by Patti Mallarnee on behalf of Yost, Melissa Ms.	71
<u>2/22/2013</u>	Rebuttal testimony of Eileen M. Mikkelsen on behalf of Ohio Edison Company, The Cleveland Electric Illuminating Company and The Toledo Edison Company. (public version)	72
<u>2/22/2013</u>	Motion of Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company to file rebuttal testimony under seal for a protective order and memorandum in support filed by J. Burk.	73
<u>2/22/2013</u>	Confidential treatment of Document: Rebuttal Testimony of E. Mikkelsen filed by J.Burk on behalf of Ohio Edison Company, The Cleveland Electric Illuminating Company and Toledo Edison Company.	Conf.
<u>2/25/2013</u>	Memorandum contra FirstEnergy's motion for protective order by the Office of the Ohio Consumers' Counsel electronically filed by Patti Mallarnee on behalf of Mr. Michael Schuler.	74
<u>3/4/2013</u>	Reply of Ohio Edison Company, The Cleveland Electric Illuminating Company and The Toledo Edison Company in support of their motion for a protective order filed by L. Floyd. (FAX)	75
<u>3/5/2013</u>	Reply of Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company is support of their motion for a protective order, filed by Lydia M. Floyd on behalf of Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company.	76

<u>3/5/2013</u>	Confidential treatment of Documents: Proceeding before Mr. Gregory Price and Ms. Mandy Chiles, Attorney Examiners at he PUCO on Tuesday , February 19, 2013. filed by Armstrong & Okey Inc on behalf of PUCO. (107 pages)	Conf.
<u>3/5/2013</u>	PUCO Exhibit filing.	Exh.
<u>3/5/2013</u>	Confidential treatment of documents: OCC Exhibits 1 & 5 and ELPC Exhibit 1 filed by Armstrong & Okey Inc on behalf of PUCO. (30 pages)	Conf.
<u>3/5/2013</u>	Transcript, Volume I - Public Version. for hearing held before Mr. Gregory Price and Ms. Mandy Chiles, Attorney Examiners, at the Public Utilities Commission of Ohio, 180 East Broad Street, Room 11-A, Columbus, Ohio, called at 10:00 a.m. on Tuesday, February 19, 2013.electronically filed by Mrs. Jennifer Duffer on behalf of Armstrong & Okey, Inc. and Gibson, Karen Sue Mrs.	Trans.
<u>3/6/2013</u>	Exhibits for transcript, Vol. II, for hearing held on February 20,2013 before Mr. Gregory Price and Ms. Mandy Chiles, Attorney Examiners.	Exh.
<u>3/6/2013</u>	Confidential document target OCC's Exhibits 9 & 15 Volume II filed on March 6, 2013. (73 pages)	Conf.
<u>3/6/2013</u>	Confidential document target for Vol. II proceedings before Gregory Price and Mandy Chiles on February 20, 2013. (46 pages)	Conf.
<u>3/6/2013</u>	Transcript of Ohio Edison Company, The Cleveland Electric Illuminating Company and The Toledo Edison Company hearing held before Mr. Gregory Price and Ms. Mandy Chiles, Attorney Examiners, at the Public Utilities Commission of Ohio, 180 East Broad Street, Room 11-A, Columbus, Ohio, called at 10:00 a.m. on Wednesday, February 20, 2013 Volume II - Public Version electronically filed by Mrs. Jennifer Duffer on behalf of Armstrong & Okey, Inc. and Gibson, Karen Sue Mrs.	Trans.

<u>3/7/2013</u>	Confidential document target for proceedings before Gregory Price and Mandy Chiles at PUCO on Thursday February 21, 2013. (41 pages)	Conf.
<u>3/7/2013</u>	Exhibits of transcript for hearing Volume III held on February 21, 2013 before Mr. Gregory Price and Ms. Mandy Chiles, Attorney Examiners.	Exh.
<u>3/7/2013</u>	Transcript for hearing held February 21, 2013 before AE's G. Price and M. Chiles: Volume III- Public Version, Ohio Edison Company, The Cleveland Electric Illuminating Company and The Toledo Edison Company electronically filed by Mrs. Jennifer Duffer on behalf of Armstrong & Okey, Inc. and Gibson, Karen Sue Mrs.	Trans.
<u>3/8/2013</u>	Confidential treatments of documents: Proceedings held before Mr. Gregory Price and Ms. Mandy Chiles, Attorney Examiners, at the Public Utilities Commission of Ohio 180 E. Broad St, room 11-A Columbus Ohio, Friday February 22, 2013. Filed by Armstrong & Okey, Inc on behalf of PUCO. (pg count 12)	Conf.
<u>3/8/2013</u>	Transcript, Volume IV - Public Version for hearing held on 02/22/13 before Mr. Gregory Price and Ms. Mandy Chiles, Attorney Examiners, electronically filed by Mrs. Jennifer Duffer on behalf of Armstrong & Okey, Inc. and Gibson, Karen Sue Mrs.	Trans.
<u>3/11/2013</u>	PUCO Exhibit filing.	Exh.
<u>3/11/2013</u>	Transcript of Ohio Edison Company, The Cleveland Electric Illuminating Company and The Toledo Edison Company hearing held before Mr. Gregory Price and Ms. Mandy Chiles, Attorney Examiners, at the Public Utilities Commission of Ohio, 180 East Broad Street, Room 11-A, Columbus, Ohio, called at 10:30 a.m. on Monday, February 25, 2013. Volume V electronically filed by Mrs. Jennifer Duffer on behalf of Armstrong & Okey, Inc. and Gibson, Karen Sue Mrs.	Trans.

<u>3/11/2013</u>	Transcript of Ohio Edison Company, The Cleveland Electric Illuminating Company and The Toledo Edison Company hearing held on 02/25/13 - Composite Index - Volumes 1-5 electronically filed by Mrs. Jennifer Duffer on behalf of Armstrong & Okey, Inc. and Gibson, Karen Sue Mrs.	Trans.
<u>3/19/2013</u>	Attorney Examiner Entry ordering that named persons may access and copy any part of the confidential portion of the transcript, including confidential exhibit - electronically filed by Sandra Coffey on behalf of Mandy Willey Chiles, Attorney Examiner, Public Utilities Commission of Ohio.	77
<u>3/29/2013</u>	Motion to Extend Deadline for Filing Initial and Reply Briefs and Memorandum in Support electronically filed by Mr. Nicholas A. McDaniel on behalf of Environmental Law and Policy Center.	78
<u>4/1/2013</u>	Attorney Examiner Entry extending deadlines for initial briefs and reply briefs to 04/15/2013 and 05/06/2013, respectively. - electronically filed by Sandra Coffey on behalf of Mandy Willey Chiles, Attorney Examiner, Public Utilities Commission of Ohio.	79
<u>4/15/2013</u>	Initial Brief (Public Version) by the Office of the Ohio Consumers' Counsel electronically filed by Patti Mallarnee on behalf of Yost, Melissa Ms.	80
<u>4/15/2013</u>	Initial Brief of Ohio Energy Group (OEG) electronically filed by Mr. Michael L. Kurtz on behalf of Ohio Energy Group.	81
<u>4/15/2013</u>	Post Hearing Brief of the Mid-Atlantic Renewable Energy Coalition electronically filed by J. Thomas Siwo on behalf of Mid-Atlantic Renewable Energy Coalition.	82
<u>4/15/2013</u>	Initial Brief by Nucor Steel Marion, Inc. filed by M. Lavanga.	83
<u>4/15/2013</u>	Initial Brief electronically filed by M Howard Petricoff on behalf of Interstate Gas Supply, Inc. d/b/a IGS Energy.	84

<u>4/15/2013</u>	Initial Post-Hearing Brief submitted by Assistant Attorney General Thomas Lindgren on behalf of the Staff of the Public Utilities Commission of Ohio. electronically filed by Kimberly L Keeton on behalf of Public Utilities Commission of Ohio.	85
<u>4/15/2013</u>	Motion for a Protective Order and memorandum in support electronically filed by Mr. Christopher J Allwein on behalf of Environmental Law and Policy Center and Ohio Environmental Council and THE SIERRA CLUB.	86
<u>4/15/2013</u>	Motion for Protective Order and memorandum in support by the Office of the Ohio Consumers' Counsel electronically filed by Patti Mallarnee on behalf of Yost, Melissa Ms.	87
<u>4/15/2013</u>	Confidential document target for post hearing brief of Ohio Edison Company, The Cleveland Electric Illuminating Company, and the Toledo Edison Company filed by D. Kutik.(87 pages)	Conf.
<u>4/15/2013</u>	Confidential document target: Initial brief filed by M. Yost on behalf of Ohio Consumers' Counsel. (206 pages)	Conf.
<u>4/15/2013</u>	Motion for protective order and memorandum in support filed on behalf of the Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company by D. Kutik.	88
<u>4/15/2013</u>	Confidential document target for Initial Brief filed on behalf of the Environmental Law and Policy Center, The Ohio Environmental Council and Sierra Club by N. McDaniel. (44 pages)	Conf.
<u>5/6/2013</u>	Motion for protective order and memorandum in support filed by D. Kutik on behalf of The Cleveland Electric Illuminating Company, The Toledo Edison Company, and The Ohio Edison Company.	89
<u>5/6/2013</u>	Reply brief of the Mid-Atlantic Renewable Energy Coalition electronically filed by J. Thomas Siwo on behalf of Mid-Atlantic Renewable Energy Coalition.	90

<u>5/6/2013</u>	Confidential document target: Reply Brief filed by Melissa Yost on behalf of The Office of the Ohio Consumers' Counsel. (54 pages)	Conf.
<u>5/6/2013</u>	Reply Brief (PUBLIC Version) by the Office of the Ohio Consumers' Counsel electronically filed by Patti Mallarnee on behalf of Yost, Melissa Ms.	91
<u>5/6/2013</u>	Reply Brief of the Ohio Energy Group's (OEG) electronically filed by Mrs. Jody Kyler Cohn on behalf of Ohio Energy Group.	92
<u>5/6/2013</u>	Confidential document target: Post hearing reply brief filed by D. Kutik on behalf of The Cleveland Electric Illuminating Company, The Toledo Edison Company, and The Ohio Edison Company. (112 pages)	Conf.
<u>5/6/2013</u>	Confidential document target: Reply Brief filed by N. McDaniel on behalf of Environmental Law and Policy Center, The Ohio Environmental Council and Sierra Club. (24 pages)	Conf.
<u>5/6/2013</u>	Staff's Reply Brief electronically filed by Mrs. Tonnetta Y Scott on behalf of PUCO.	93
<u>5/6/2013</u>	Reply Brief electronically filed by Mr. Stephen M. Howard on behalf of Interstate Gas Supply, Inc. dba IGS Energy.	94
<u>5/6/2013</u>	Motion for a Protective Order and Memorandum in Support electronically filed by Mr. Christopher J Allwein on behalf of Environmental Law and Policy Center and Ohio Environmental Council and The Sierra Club.	95
<u>5/6/2013</u>	Motion and Memorandum in support for Protective Order by the Office of the Ohio Consumers' Counsel, electronically filed by Patti Mallarnee on behalf of Yost, Melissa Ms.	96
<u>5/6/2013</u>	Reply Brief of Nucor Steel Marion, Inc. filed by M. Lavanga.	97

<u>5/7/2013</u>	Reply Brief electronically filed by Lydia M. Floyd on behalf of Ohio Edison Company and The Cleveland Electric Illuminating Company and The Toledo Edison Company.	98
<u>5/29/2013</u>	Initial Brief of the Environmental Law & Policy Center, Ohio Environmental Council, and Sierra Club (Re-filed) electronically filed by Mr. Nicholas A. McDaniel on behalf of Environmental Law and Policy Center and Ohio Environmental Council and Sierra Club.	99
<u>5/29/2013</u>	Reply Brief of the Environmental Law & Policy Center, Ohio Environmental Council, and Sierra Club (Re-filed) electronically filed by Mr. Nicholas A. McDaniel on behalf of Environmental Law and Policy Center and Ohio Environmental Council and Sierra Club.	100
<u>5/30/2013</u>	Post-Hearing Brief of Ohio Edison Company, The Cleveland Electric Illuminating Company and the Toledo Edison Company filed by David A. Kutik on behalf of Ohio Edison Company, The Cleveland Electric Illuminating Company and the Toledo Edison Company.	101
<u>6/21/2013</u>	Motion to intervene and reopen proceedings and memorandum in support electronically filed by Mr. Matthew J. Satterwhite on behalf of Ohio Power Company.	102
<u>6/25/2013</u>	Notice of withdrawal of J. Thomas Siwo as counsel and change of contact information of Terrence O'Donnell electronically filed by J. Thomas Siwo on behalf of Bricker & Eckler LLP.	103
<u>7/2/2013</u>	Memorandum Contra of Ohio Edison Company, The Cleveland Electric Illuminating Company and The Toledo Edison Company To Ohio Power Company's Motion to Intervene and Reopen Proceedings electronically filed by MR. DAVID A KUTIK on behalf of Ohio Edison Company and The Cleveland Electric Illuminating Company and The Toledo Edison Company.	104

<u>7/9/2013</u>	Ohio Power Company's Reply electronically filed by Mr. Matthew J Satterwhite on behalf of Ohio Power Company.	105
<u>7/9/2013</u>	Reply to FirstEnergy's memorandum contra Ohio Power's motions to intervene and reopen proceedings by the Office of the Ohio Consumers' Counsel electronically filed by Patti Mallarnee on behalf of Yost, Melissa Ms.	106
<u>7/9/2013</u>	Reply to FirstEnergy's memorandum contra Ohio Power Company's motion to intervene and reopen proceeding electronically filed by Mr. Nicholas A. McDaniel on behalf of Environmental Law and Policy Center and Ohio Environmental Council and Sierra Club.	107
<u>8/2/2013</u>	Notice of Substitution of Counsel of The OMA Energy Group electronically filed by Teresa Orahoad on behalf of Maria J. Armstrong.	108
<u>8/7/2013</u>	Opinion and order that; the motions to intervene filed by Citizens Power, Sierra Club, MAREC, OMAEG, and IGS are granted; the motion for admission pro hac vice filed by Theodore Robinson is granted; the motion to intervene and reopen the proceedings filed by AEP Ohio is denied; the attorney examiners' rulings regarding protective orders are modified per this order; the pending motions for protective orders filed by FirstEnergy, OCC, ELPC, OEC, and the Sierra Club are granted; that FirstEnergy be disallowed recovery in the amount of \$43,362,796.50 and that FirstEnergy credit Rider AER in that amount within 60 cays of the issuance of a final appealable order in this proceeding.	109
<u>8/30/2013</u>	Application for Rehearing electronically filed by M HOWARD PETRICOFF on behalf of Interstate Gas Supply, Inc.	110
<u>9/6/2013</u>	Application for Rehearing (Public Version) by the Office of the Ohio Consumers' Counsel electronically filed by Patti Mallarnee on behalf of Yost, Melissa Ms.	111

<u>9/6/2013</u>	Confidential treatment of document: Application for Rehearing filed by Melissa R. Yost on behalf of Office of the Ohio Consumer' Counsel. (pg 141)	Conf.
<u>9/6/2013</u>	Exhibit A to Application for Rehearing electronically filed by MR. DAVID A KUTIK on behalf of Ohio Edison Company and The Cleveland Electric Illuminating Company and The Toledo Edison Company.	Exh.
<u>9/6/2013</u>	Application for Rehearing and Memorandum in Support electronically filed by MR. DAVID A KUTIK on behalf of Ohio Edison Company and The Cleveland Electric Illuminating Company and The Toledo Edison Company.	112
<u>9/6/2013</u>	Confidential treatment of document: Application for rehearing filed by Christopher Allwein on behalf of Sierra Club. (pg ct 28)	Conf.
<u>9/6/2013</u>	Application for Rehearing (redacted public version) electronically filed by Mr. Christopher J. Allwein on behalf of THE SIERRA CLUB and Environmental Law and Policy Center and Ohio Environmental Council.	113
<u>9/6/2013</u>	Application for Rehearing and in the alternative a motion for leave to file and application for rehearing and memorandum in support electronically filed by Mr. Matthew J Satterwhite on behalf of Ohio Power Company.	114
<u>9/6/2013</u>	Motion for protective order and memorandum in support filed by D. Kutik on behalf of Ohio Edison Company, The Cleveland Electric Illuminating Company and The Toledo Edison Company.	115
<u>9/6/2013</u>	Confidential document target: Application for rehearing filed by D. Kutik on behalf of Ohio Edison Company, The Cleveland Electric Illuminating Company and The Toledo Edison Company. (179 pages)	Conf.

<u>9/6/2013</u>	Motion to Take Administrative Notice or in the Alternative to Supplement the Record and memorandum in support electronically filed by Mr. Nicholas A. McDaniel on behalf of Environmental Law and Policy Center and Ohio Environmental Council and Sierra Club.	116
<u>9/6/2013</u>	Motion for Protective Order and memorandum in support electronically filed by Mr. Christopher J. Allwein on behalf of The Sierra Club and Ohio Environmental Council and Environmental Law and Policy Center.	117
<u>9/6/2013</u>	Motion for Protective Order and memorandum in support by the Office of the Ohio Consumers' Counsel electronically filed by Patti Mallarnee on behalf of Yost, Melissa Ms.	118
<u>9/6/2013</u>	Application for Rehearing electronically filed by Joseph Clark on behalf of Direct Energy Services, LLC and Direct Energy Business, LLC.	119
<u>9/6/2013</u>	Motion and Memorandum in Support For Leave to File Application for Rehearing electronically filed by JOSEPH CLARK on behalf of Direct Energy Services, LLC and Direct Energy Business, LLC.	120
<u>9/9/2013</u>	Ohio Energy Group (OEG) Memorandum Contra Application for Rehearing of Interstate Gas Supply electronically filed by Mr. Michael L. Kurtz on behalf of Ohio Energy Group.	121
<u>9/9/2013</u>	Memorandum in Opposition to the Application for Rehearing of Interstate Gas Supply, Inc. electronically filed by MR. David A. Kutik on behalf of Ohio Edison Company and The Cleveland Electric Illuminating Company and The Toledo Edison Company.	122
<u>9/9/2013</u>	Memorandum Contra Application for Rehearing of Interstate Gas Supply, Inc. by the Office of the Ohio Consumers' Counsel electronically filed by Ms. Deb J. Bingham on behalf of Yost, Melissa R. Ms.	123

<u>9/9/2013</u>	Memorandum contra of Nucor Steel Marion, Inc. to application for rehearing of Interstate Gas Supply, Inc. filed by M. Lavanga.	124
<u>9/10/2013</u>	Correspondence to Correct Typo electronically filed by JOSEPH CLARK on behalf of Direct Energy Services, LLC and Direct Energy Business, LLC.	125
<u>9/16/2013</u>	Memorandum Contra of Nucor Steel Marion, Inc to Applications for Rehearing of August 7 Opinion and Order filed by Michael K. Lavanga. on behalf of Nucor Steel Marion, Inc.	126
<u>9/16/2013</u>	Motion for Protective Order and Memorandum in Support filed by David A. Kutik on behalf of Ohio Edison Company, the Cleveland Electric Illuminating Company, and The Toledo Edison Company.	127
<u>9/16/2013</u>	Confidential treatment of document: Memorandum Contra Applications for Rehearing of FirstEnergy and Ohio Power Company filed by Melissa R. Yost on behalf of Office of The Ohio Consumers' Counsel. (pg ct 40)	Conf.
<u>9/16/2013</u>	Confidential treatment of document: Memorandum of Ohio Edison Company, the Cleveland Electric Illuminating Company, and The Toledo Edison Company Contra Applications for Rehearing filed by David A. Kutik on behalf of Ohio Edison Company, the Cleveland Electric Illuminating Company, and The Toledo Edison Company. (pg ct 90)	Conf.
<u>9/16/2013</u>	Exhibit A to the Memorandum Contra Applications for Rehearing electronically filed by MR. DAVID A KUTIK on behalf of Ohio Edison Company and The Cleveland Electric Illuminating Company and The Toledo Edison Company.	Exh.
<u>9/16/2013</u>	Memorandum Contra Applications for Rehearing electronically filed by MR. DAVID A KUTIK on behalf of Ohio Edison Company and The Cleveland Electric Illuminating Company and The Toledo Edison Company.	128

<u>9/16/2013</u>	Motion for Protective Order and Memorandum in Support electronically filed by Mr. Christopher J. Allwein on behalf of Ohio Environmental Council and THE SIERRA CLUB and Environmental Law and Policy Center.	129
<u>9/16/2013</u>	Memorandum Contra FirstEnergy Application for Rehearing (Public Version) electronically filed by Mr. Christopher J. Allwein on behalf of Ohio Environmental Council and THE SIERRA CLUB and Environmental Law and Policy Center.	130
<u>9/16/2013</u>	Memorandum Contra Applications for Rehearing of FirstEnergy and Ohio Power Company by the Office of the Ohio Consumers' Counsel (PUBLIC Version) electronically filed by Patti Mallarnee on behalf of Yost, Melissa Ms.	131
<u>9/16/2013</u>	Memorandum Contra Direct Energy's Motion for Leave to File an Application for Rehearing and Memorandum Contra Direct Energy's Application for Rehearing by the Office of the Ohio Consumers' Counsel electronically filed by Patti Mallarnee on behalf of Schuler, Michael Mr.	132
<u>9/16/2013</u>	Memorandum Contra the Motion to Take Administrative Notice or in the Alternativbe Supplement the Record by ELPC, OEC and Sierra Club electronically filed by MR. DAVID A KUTIK on behalf of Ohio Edison Company and The Cleveland Electric Illuminating Company and The Toledo Edison Company.	133
<u>9/16/2013</u>	Memorandum Contra to Direct Energy's Motion for Leave to File an Application for Rehearing electronically filed by MR. DAVID A KUTIK on behalf of Ohio Edison Company and The Cleveland Electric Illuminating Company and The Toledo Edison Company.	134
<u>9/16/2013</u>	Ohio Energy Group's (OEG) Memorandum Contra Applications for Rehearing and Motion to Take Administrative Notice electronically filed by Mr. Michael L. Kurtz on behalf of Ohio Energy Group.	135

<u>9/16/2013</u>	Motion for Protective Order and memorandum in support by the Office of the Ohio Consumers' Counsel electronically filed by Patti Mallarnee on behalf of Yost, Melissa Ms.	136
<u>9/17/2013</u>	Confidential treatment of document: Memo Contra FirstEnergy application for rehearing by Sierra Club, Environmental Law and Policy Center, and The Ohio Environmental Council filed by Nicholas McDaniel on behalf of Environmental Law and Policy Center. (pg ct 16)	Conf.
<u>9/17/2013</u>	Motion to File the Competitively Sensitive Confidential Version of Environmental Intervenors' Memo Contra FirstEnergy Application for Rehearing One Day out of Time and Memorandum in Support electronically filed by Mr. Christopher J. Allwein on behalf of Ohio Environmental Council and THE SIERRA CLUB and Environmental Law and Policy Center.	137
<u>9/18/2013</u>	Entry on rehearing stating that the motion for leave to file an application for rehearing filed by Direct Energy be denied and the applications for rehearing filed by IGS Energy, OCC, FirstEnergy, the Environmental Advocates, and AEP Ohio be granted for further consideration of the specified matters specified therein.	138
<u>10/7/2013</u>	Notice of withdrawal of Counsel electronically filed by Ms. Cathryn N. Loucas on behalf of The Ohio Environmental Council.	139
<u>10/15/2013</u>	Notice of substitution of Counsel electronically filed by Mrs. Kimberly W. Bojko on behalf of Ohio Manufacturers' Association.	140
<u>10/15/2013</u>	Notice of withdrawal electronically filed by Teresa Orahood on behalf of J. Thomas Siwo, Bricker & Eckler LLP.	141
<u>12/18/2013</u>	Letter of Notification electronically filed by MR. DAVID A KUTIK on behalf of Ohio Edison Company and The Cleveland Electric Illuminating Company and The Toledo Edison Company.	142

<u>12/18/2013</u>	Second entry on rehearing ordered that the applications for rehearing filed by IGS Energy, OCC, FirstEnergy, the Environmental Groups, and AEP Ohio are denied. (Dissenting opinion of Commissioner Slaby)	143
<u>12/24/2013</u>	Notice of appeal of appellant, Ohio Edison Company, The Cleveland Electric Illuminating Company and The Toledo Edison Company filed by D.A.Kutik. (SC # 13-2026)	144

**Before
THE SUPREME COURT OF OHIO**

Ohio Edison Company)	
The Cleveland Electric Illuminating Company)	
The Toledo Edison Company)	
)	
)	
Appellant,)	
)	
VS)	Supreme Court No. 13-2026
)	
)	
The Public Utilities Commission)	
of Ohio)	
)	
)	
)	
Appellee.)	

**Being Before
THE PUBLIC UTILITIES COMMISSION OF OHIO**

)	
)	
In the matter of the review of the)	
Alternative Energy Rider contained in)	Case No 11-5201-EL-RDR
The tariffs of Ohio Edison Company,)	
The Cleveland Electric Illuminating Company,)	
and The Toledo Edison Company.)	
)	

C E R T I F I C A T I O N

I, Barcy F. McNeal, the duly appointed and qualified Secretary of The Public Utilities Commission of Ohio, in whose custody the books, records, and files of said Commission are kept, do hereby certify there is transmitted herewith the docket entries of the Commission, ICN No. 1-144, the **Opinion and Order dated 8/7/2013** and the **Entry on Rehearing dated 9/18/2013 and Second Entry on Rehearing dated 12/18/2013**, inclusive; and the Certification of the record in Case No. 11-5201-EL-RDR.

IN WITNESS THEREOF, I have thereunto set my hand
and affixed the official seal of The Public Utilities Commission
of Ohio this 23rd day of JANUARY, 2014.

Barcy F. McNeal

Barcy F. McNeal, Secretary
Betty McCauley, Acting Secretary
Tanowa M. Troupe, Acting Secretary

THE PUBLIC UTILITIES COMMISSION OF OHIO