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BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

RECEIVED-DOCKETING DIV

2014 APR -9 PM 2:47

BRUCE SNYDER

Complainant,

v.

FIRSTENERGY SOLUTIONS CORP.

Respondent.

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Case No. 13-2031-EL-CSS

COMPLAINANT, BRUCE
SNYDER'S REPLY
MEMORANDUM

PUCO

Complainant, Bruce Snyder pursuant to O.A.C. §§ 4901-1-12, submits the following reply memorandum in response to FirstEnergy Solutions Corp. (FES), memorandum contra that was submitted on March 17, 2014 but served to an incorrect mailing address. The FES memorandum contra was only submitted via mail when FES also had the option to submit the memorandum contra via email as they have done in the past. The FES decision to only submit the memorandum contra via mail was their choice and the Public Utility Commission of Ohio (PUCO) allowance of their memorandum contra is regrettable. I agree with the FES memorandum contra that I have no standing to enforce the OH Rules and that was not my intent in filing the motion. My intent was to identify PUCO rules that were broken through the course of this complaint so that the PUCO could do their job and enforce the rules. I also believe that I should not have to file a motion in order for the PUCO to enforce rules that have been broken against the PUCO. Phone conversations between Douglas Jennings (PUCO Attorney Examiner) and myself on the proper way to inform PUCO of the rules violations resulted in Douglas Jennings suggesting that I should file a motion to bring these issues to light (I am not an attorney and I took his suggestion). In a recent conversation, Douglas Jennings now suggests that a pleading may be the more proper method. Regardless of the vehicle to bring the issue to light,

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Technician SM Date Processed APR 09 2014

the issue is the same. FES in their memorandum contra does not deny that they did not deliver the records to the PUCO staff within five calendar days as required and this has had an impact on Case No. 13-2031-EL-CSS.

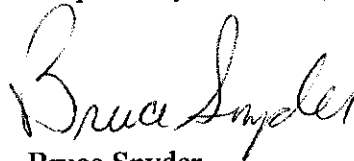
The favoritism that I am alleging in my motion is not between FES and myself as has been assumed by FES and PUCO. The favoritism is between FES and the other Competitive Retail Electric Service (CRES) providers who are also supposed to be following the OH Rules. If one CRES provider is allowed to violate the rules unchecked, then all must be allowed to violate the rules unchecked otherwise a prejudice has been established. If all can violate the OH Rules, then there is no reason to have the rules in the first place. I believe this issue is as simple as that.

The FES delay in the production of data was not the first delay which was encountered under this complaint. The primary portion of this complaint is the slamming allegation where FES changed my electric service to FES without my consent. As specified in O.A.C §§ 4901:1-21-08 (C), actions should have been taken by FES and the PUCO on the allegation of a slamming complaint (no proof required). This allegation was first made on August 19, 2013 to both the PUCO and FES (see attached email). The allegation was made again on August 23, 2013 via telephone to Frederick Maurer (FES), Kelly Mabra (PUCO) and Trace (Dayton Power and Light) and was also included in the formal complaint filed on October 2, 2013. This allegation should have resulted in records being provided to both PUCO and myself. As I read the rules, the PUCO should have reviewed the documentation provided by FES and made a determination as to whether the records met the requirements of O.A.C. 4901:1-21-06. Instead of receiving assistance from PUCO in enforcing the slamming allegation rules, I received the attached email from the PUCO saying there is nothing more that can be done through the

informal complaint process. I only bring this instance up because of the FES statement that the delay in delivering records had no impact on the filing of the formal complaint. This previous instance where records were required to be delivered and weren't drove the subsequent request for records which also weren't delivered according to OH Rules. This along with the PUCO email saying a formal complaint was my only option brought us to the formal complaint process. If the PUCO had enforced all of their rules in a timely manner, would have most likely resulted in a much different outcome.

For all the forgoing reasons, I urge the PUCO to enforce its existing rules as they pertain to this case.

Respectfully submitted,

A handwritten signature in black ink that reads "Bruce Snyder". The signature is written in a cursive, flowing style.

Bruce Snyder
4461 Powder Horn Drive
Beavercreek, OH 45432
(937) 405-3642
snyderbd888@sbcglobal.net

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served by U.S. mail and Electronic Mail
to the following person on this 6th day of April 2014.

Scott J. Casto
FIRSTENERGY SERVICE COMPANY
76 South Main Street
Akron, OH 44308

A handwritten signature in cursive script, appearing to read "Bruce Snyder". The signature is written in black ink and is positioned to the right of the printed address.

Bruce Snyder

From: Bruce Snyder <snyderbd888@sbcglobal.net>
Sent: Monday, August 19, 2013 11:02 PM
To: 'maurerf@firstenergycorp.com'
Cc: 'ContactThePUCO@puc.state.oh.us'
Subject: RE: Test Message
Attachments: Your FirstEnergy Solutions Enrollment

Mr. Maurer,

Today I received a First Energy letter saying you are enrolling me for First Energy service with a rate of 5.94 cents per kWh for 3 years. I did not agree to this rate or this term and was waiting for a call back from you regarding the rate I was quoted in May (see attached email). While this may be the best rate available now, significantly lower rates were available back in May 2013. By leading me to believe you were going to start service in June at the quoted rate, I was denied the opportunity to select another electric energy supplier at a lower rate than you are currently quoting me. You did not notify me that the rate quoted in the attached email was not available until August 2013 and you have provided no evidence to me to show that the quoted rate wasn't/isn't available to me. I have spoken to no less than six First Energy employees since May 31, 2013 and this issue still isn't close to being resolved. Please call me at your earliest convenience to discuss this matter.

Bruce Snyder
Cell 937 405-3642
PUCO Case: BSNY0812134U

From: maurerf@firstenergycorp.com [mailto:maurerf@firstenergycorp.com]
Sent: Friday, August 16, 2013 1:01 PM
To: snyderbd888@sbcglobal.net
Subject: Test Message

Hi Bruce,

Please keep this e-mail in your address file, so you can send me your DP&L bills for a lost savings credit.

Thanks

Frederick S Maurer
Sr Customer Service Rep | FirstEnergy Solutions
Office: 330-436-1547
Email: maurerF@FES.com | Web: fes.com

FirstEnergy
Solutions

Switch. Save. FES.com

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prohibited. If you have received this communication in error, please notify us immediately, and delete the original message.

Bruce Snyder

From: ContactThePUCO@puc.state.oh.us
Sent: Monday, September 23, 2013 4:50 PM
To: snyderbd888@sbcglobal.net
Subject: Follow-up E-mail. Case: BSNY0812134U

Public Utilities Commission of Ohio
Investigation and Audit Division

Memorandum

Re: Bruce Snyder

4461 Powder Horne Dr

Beavercreek, OH 45432
(937) 405-3642

CASE ID: BSNY0812134U

Notes:

Hello,

I did listen to the CD and when you spoke to Steve, he did not catch the company "mistake" at the time and resubmitted your enrolment, which he should not have done.

During your second call, the representative did find out "why" you were not enrolled. It was explained to you at that time that you were the responsible party who initiated putting the "incorrect" company in the enrollment application. However, if Steve would have caught the error on the first call, this would have been taken care of a lot sooner. Still...resulting in you not receiving the rate that was for Duke customers only.

I will be mailing you the CD for your review. I have also enclosed a formal complaint, because there is nothing more I can do on an informal level.

Thank you.

From: Kelly Mabra

Compliance Investigator
PUCO/SMED/IAD