

In the Matter of the Review of The)
Alternative Energy Rider Contained in)
The Tariffs of Ohio Edison Company, The) Case No. 11-5201-EL-RDR
Cleveland Electric Illuminating Company)
and The Toledo Edison Company.)

The Office of the Ohio Consumers' Counsel ("OCC"), on behalf of the electric residential utility customers of FirstEnergy,¹ moves the Public Utilities Commission of Ohio ("PUCO") for a five-day extension of time for the filing of a Memorandum Contra Motion of FirstEnergy for Renewal of Protective Order.² A five-day extension would extend the filing deadline to Saturday, April 26, 2014. By operation of the PUCO's Rules of Practice and Procedure, the due date for filing a memorandum contra would be Monday, April 28, 2014.³ Furthermore, OCC seeks an expedited ruling, which the PUCO may issue immediately, under the special provision in Ohio Adm. Code 4901-1-12(C) for extensions of five days or less. The reasons supporting this request, along with an explanation of the need to determine the filing deadline on an expedited basis, are set forth in the attached Memorandum in Support.

¹ Ohio Edison Company, The Cleveland Electric Illuminating Company and The Toledo Edison Company.

² Ohio Adm. Code 4901-1-12 and 4901-1-13.

³ Ohio Adm. Code 4901-1-07(A).

Respectfully submitted,

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OHIO CONSUMERS' COUNSEL

/s/ *Melissa R. Yost*

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I. INTRODUCTION

Per the PUCO's rules, OCC's memoranda contra to FirstEnergy's Motion is due on April 21, 2014.⁴ OCC now seeks a five-day extension of time to file a memorandum contra.

⁴ Ohio Adm. Code 4901-1-12(B)(1).

II. APPLICABLE PROCEDURAL RULES

Ohio Adm. Code 4901-1-13(A) permits parties to move for extensions of time to file testimony. That rule provides for the granting of such motions for “good cause shown.”

Ohio Adm. Code 4901-1-12(C) allows parties to request an expedited ruling on their motions. If the motion requests an extension of time to file pleadings or other papers of five days or less, then the Commission or the Attorney Examiner may issue an immediate ruling without awaiting the filing of a memorandum contra.⁵

III. ARGUMENT

OCC seeks a five-day extension of time to file a memorandum contra in response to FirstEnergy’s Motion, which seeks to continue preventing public disclosure of the identity of the renewables suppliers, and the prices FirstEnergy paid for renewables acquired in 2009, 2010 and 2011. This extension of time would change the deadline for filing a memorandum contra from Monday, April 21, 2014, to Saturday, April 26, 2014. By operation of the PUCO’s Rules of Practice and Procedure, the due date for filing a memorandum contra would be Monday, April 28, 2014.⁶ Furthermore, OCC seeks an expedited ruling, which the PUCO may issue immediately, under the special provision contained in Ohio Adm. Code 4901-1-12(C) for extensions of five days or less.

This 5-day extension is requested because OCC needs additional time to review and evaluate the Motion given the pending appeal of the PUCO’s decision granting FirstEnergy’s requests to conceal from the public the identity of the renewables suppliers and the prices that FirstEnergy paid for the renewables in 2009, 2010 and 2011.

⁵ See Ohio Adm. Code 4901-1-12(C).

⁶ Ohio Adm. Code 4901-1-07(A).

Accordingly, OCC has shown that there is good cause for granting the requested extension of time. The extension will not cause undue delay, and should not work to prejudice any party. For these reasons, the PUCO should grant OCC's Motion for an Extension of Time. Furthermore, OCC requests a ruling on this Motion on an expedited basis, considering the current due-date for filing memorandum contra is April 21, 2014.

IV. CONCLUSION

For the reasons stated above, the PUCO should grant OCC's Motion based upon the OCC's showing of good cause. Furthermore, the PUCO should grant this Motion on an expedited basis.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing *Motion for Extension of Time* on the persons listed below via electronic mail this 16th day of April 2014.

/s/ Melissa R. Yost

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Summary: Motion Motion for An Extension of Time to File Memorandum Contra Motion of FirstEnergy for Renewal of Protective Order and Request for Expedited Ruling by the Office of the Ohio Consumers' Counsel electronically filed by Patti Mallarnee on behalf of Yost, Melissa Ms.