

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of Mary-)	
Martha and Dennis Corrigan,)	
)	
Complainants,)	
)	
v.)	Case No. 09-492-EL-CSS
)	
The Cleveland Electric Illuminating)	
Company,)	
)	
Respondent.)	

ENTRY

The attorney examiner finds:

- (1) On March 26, 2014, the Commission issued its Opinion and Order in this matter. In the Opinion and Order, the Commission found that the planned removal of a silver maple tree (the Tree) on the property of Mary Martha and Dennis Corrigan (Complainants) by The Cleveland Electric Illuminating Company (CEI) is reasonable under the circumstances presented in this case.
- (2) On March 27, 2014, Complainants filed a motion for stay of the March 26, 2014 Opinion and Order.
- (3) By Entry dated March 27, 2014, Complainants' motion for stay was granted, and CEI was directed to abstain from any action to remove or otherwise adversely affect the Tree pending a final appealable order in the case.
- (4) On May 14, 2014, the Commission issued its Entry on Rehearing denying the April 21, 2014 application for rehearing filed by Complainants. In the Entry on Rehearing, the Commission affirmed the conclusion in its Opinion and Order that the planned removal of the Tree by CEI is reasonable under the circumstances presented in this case.
- (5) On May 14, 2014, Complainants filed a motion for stay pending Supreme Court review and a request for an expedited ruling.

- (6) CEI filed a memorandum contra the motion for stay on May 15, 2014.
- (7) Given that the March 27, 2014 Entry on Complainants' previous motion for stay stated that the stay would be in effect until a final appealable order was issued, and in light of the fact that the May 14, 2014 Entry on Rehearing was the Commission's final word on this matter, the attorney examiner finds that it is appropriate for the Commission to issue an Entry addressing Complainants' current motion for stay.
- (8) Accordingly, pending an Entry by the Commission addressing Complainants' May 14, 2014 motion for stay, CEI should not take any action to remove or otherwise adversely affect the Tree for 14 days or, in the event the next Commission meeting is postponed, until the next Commission meeting.

It is, therefore,

ORDERED, That, pending an Entry by the Commission addressing Complainants' May 14, 2014 motion for stay, CEI should not to take any action to remove or otherwise adversely affect the Tree for 14 days or, in the event the next Commission meeting is postponed, until the next Commission meeting. It is, further,

ORDERED, That a copy of this Entry be served upon each party of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/ Kerry K. Sheets

By: Kerry K. Sheets
Attorney Examiner

jrj/vrm

This foregoing document was electronically filed with the Public Utilities

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in

Case No(s). 09-0492-EL-CSS

Summary: Attorney Examiner Entry ordering that, pending an Entry by the Commission addressing Complainants' May 15, 2014 motion for stay, CEI should not take any action to remove or otherwise adversely affect the tree at issue in this case for 14 days or, in the event the next Commission meeting is postponed, until the next Commission meeting; electronically filed by Vesta R Miller on behalf of Kerry K. Sheets, Attorney Examiner, Public Utilities Commission of Ohio