

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Ohio)
Edison Company, The Cleveland Electric)
Illuminating Company and The Toledo) Case No. 14-1297-EL-SSO
Edison Company for Authority to Provide)
a Standard Service Offer Pursuant to R.C.)
§ 4928.143 in the Form of an Electric)
Security Plan.

**JOINT MOTION TO WITHDRAW LIMITED PORTIONS OF THE OFFICE OF
THE OHIO CONSUMERS' COUNSEL/NORTHWEST OHIO AGGREGATION
COALITION INITIAL BRIEF AND MEMORANDUM IN SUPPORT
BY
THE OFFICE OF THE OHIO CONSUMERS' COUNSEL
AND
NORTHWEST OHIO AGGREGATION COALITION**

The Office of the Ohio Consumers' Counsel ("OCC") moves to withdrawal limited portions of the Initial Brief filed by the OCC and the Northwest Ohio Aggregation Coalition ("NOAC") in this proceeding¹ where Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company (collectively, "FirstEnergy") propose an Electric Security Plan ("ESP") that will affect the rates that FirstEnergy's residential customers pay for electric service. The reasons the Public Utilities Commission of Ohio ("PUCO") should grant OCC's motion are further set forth in the attached Memorandum in Support.

¹ See R.C. 4901-1-12.

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MEMORANDUM IN SUPPORT

On February 16, 2016, OCC/NOAC filed its Initial Brief addressing FirstEnergy’s Electric Security Plan proposal in the above-captioned case.² In doing so, OCC/NOAC referred in its Initial Brief to statements and a press release from Dynegy, Inc. (“Dynegy”) related to this proceeding.³

On February 26, 2016, FirstEnergy filed a motion to strike various portions of the OCC/NOAC Initial Brief including the references to statements made by Dynegy, Inc.⁴ Specifically, FirstEnergy moved to strike “[p]age 145, line 6 beginning with the work “On” and continuing through Page 146, the end of line 3 and including footnote Footnote

² See OCC/NOAC Initial Brief, Case No. 14-1297-EL-SSO (February 16, 2016).

³ See OCC/NOAC Initial Brief at 145-146.

⁴ See FirstEnergy Motion to Strike Portions of the OCC/NOAC Initial Brief at 2, Case No. 14-1297-EL-SSO (February 26, 2016).

433.”⁵ FirstEnergy claims that this portion of the OCC/NOAC brief should be struck because it is information that it is not in the record in this proceeding.⁶

At this time, OCC voluntarily withdraws the following portion of the OCC/NOAC Initial Brief: Line 6 on Page 145 beginning with the word “On” and continuing through the end of line 3 on Page 146.⁷ Further, OCC withdraws footnote 433 from the OCC/NOAC Initial Brief, which provide citation to Dynegy’s press release.

Respectfully submitted,

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⁵ Id.

⁶ See FirstEnergy Memorandum in Support of Motion to Strike Portions of the OCC/NOAC Initial Brief at 2.

⁷ OCC/NOAC will address all other Motions to Strike in a subsequent pleading.

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion was served electronically to the persons listed below, on this 1st day of March, 2016.

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This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

3/1/2016 5:10:34 PM

in

Case No(s). 14-1297-EL-SSO

Summary: Motion Joint Motion To Withdraw Limited Portions Of The Office Of The Ohio Consumers' Counsel/Northwest Ohio Aggregation Coalition Initial Brief And Memorandum In Support By The Office Of The Ohio Consumers' Counsel And Northwest Ohio Aggregation Coalition
electronically filed by Ms. Deb J. Bingham on behalf of Sauer, Larry S.