

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

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

---

**OHIO EDISON COMPANY, THE CLEVELAND ELECTRIC  
ILLUMINATING COMPANY, AND THE TOLEDO EDISON  
COMPANY’S MOTION FOR AN EXTENSION OF TIME  
(EXPEDITED RULING REQUESTED)**

---

Pursuant to Rule 4901-1-13, O.A.C., Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company (the “Companies”) seek a three-day extension of time to respond to the Applications for Rehearing filed on April 29, 2016, by Sierra Club, Dynegy, Inc., the PJM Power Providers Group and the Electric Power Supply Association, and the Retail Energy Supply Association (collectively, the “April 29 Applications for Rehearing”). As demonstrated in the attached Memorandum in Support, good cause exists for granting this extension. Unless this Motion is granted, the Companies, and other interested parties, potentially will be required to file two separate memoranda contra, one on May 9, 2016, to respond to the April 29 Applications for Rehearing, and a second on May 12, 2016, to respond to applications for rehearing filed on May 2, 2016 – the date set by Rules 4901-1-35 and 4901-1-07, O.A.C. (the “May 2 Applications for Rehearing”).

No party will be prejudiced by this extension. On the contrary, failing to grant this extension will prejudice the Companies, and other intervenors seeking to oppose the April 29 Applications for Rehearing, because it potentially will require the filing of two separate

memoranda contra (or unfairly shorten the timeframe for the Companies and other interested parties to respond to the May 2 Applications for Rehearing). Such an untoward result also would add to the administrative burden of the Commission by presenting additional memoranda contra for its review and consideration (as opposed to consolidated memoranda contra addressing all applications for rehearing). Allowing for the filing of consolidated memoranda contra on May 12, 2016, thus promotes administrative efficiency and conserves judicial resources.

Pursuant to Rule 4901-1-12, O.A.C., the extremely short timeframe involved warrants an expedited ruling. The Companies thus respectfully request that the Commission issue an expedited ruling granting the Companies' motion and order all memoranda contra applications for rehearing in this proceeding be due on May 12, 2016.

Date: May 2, 2016

Respectfully submitted,

/s/ David A. Kutik

James W. Burk (0043808)  
Counsel of Record  
Carrie M. Dunn (0076952)  
FIRSTENERGY SERVICE COMPANY  
76 South Main Street  
Akron, OH 44308  
Telephone: (330) 384-5861  
Fax: (330) 384-8375  
burkj@firstenergycorp.com  
cdunn@firstenergycorp.com

David A. Kutik (0006418)  
JONES DAY  
901 Lakeside Avenue  
Cleveland, OH 44114  
Telephone: (216) 586-3939  
Fax: (216) 579-0212  
dakutik@jonesday.com

James F. Lang (0059668)  
N. Trevor Alexander (0080713)  
CALFEE, HALTER & GRISWOLD LLP  
The Calfee Building  
1405 East Sixth Street  
Cleveland, OH 44114  
Telephone: (216) 622-8200  
Fax: (216) 241-0816  
jlang@calfee.com  
talexander@calfee.com

ATTORNEYS FOR OHIO EDISON  
COMPANY, THE CLEVELAND ELECTRIC  
ILLUMINATING COMPANY, AND THE  
TOLEDO EDISON COMPANY

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

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

---

**OHIO EDISON COMPANY, THE CLEVELAND ELECTRIC ILLUMINATING  
COMPANY, AND THE TOLEDO EDISON COMPANY’S MEMORANDUM  
IN SUPPORT OF MOTION FOR EXTENSION OF TIME  
(EXPEDITED RULING REQUESTED)**

---

The Commission issued its Opinion and Order in this proceeding on March 31, 2016. Pursuant to Revised Code Section 4903.10 and Rule 4901-1-35(A), parties to a Commission proceeding have thirty days to file an application for rehearing upon the issuance of an order. Because the thirtieth day in the instant rehearing period fell on a Saturday (April 30, 2016), pursuant to Revised Code Section 1.14 and Rule 4901-1-07, parties to this proceeding have until Monday, May 2, 2016, to file their applications for rehearing. Pursuant to Rule 4901-1-35(C), memoranda contra are due ten days after the filing of an application for rehearing.

As it stands, memoranda contra the April 29 Applications for Rehearing are due on May 9, 2016. Memoranda contra the May 2 Applications for Rehearing, if any, however, will be due on May 12, 2016. Thus, the Companies, and other interested parties, potentially will be required to file two separate memoranda contra, one on May 9, 2016, to respond to the April 29 Applications for Rehearing, and another on May 12, 2016, to respond to the May 2 Applications for Rehearing. Alternatively, the Companies, and other interested parties, will be forced to file

any memoranda contra the May 2 Applications for Rehearing on May 9, 2016 – three days earlier than those memoranda contra otherwise would have been due. Given that upwards of twenty additional (and perhaps more) applications for rehearing are expected to be filed on May 2, 2016, the Companies and other interested parties need these three additional days to respond adequately.

Notably, granting the Companies’ request and making all memoranda contra applications for rehearing filed in this matter due on May 12, 2016, will not in any way prejudice any other party to this proceeding. Presumably, the Commission will issue only one Entry on Rehearing that will address both the April 29 Applications for Rehearing and the May 2 Applications for Rehearing.

Moreover, not granting the Companies’ motion likely will add to the administrative burden of the Commission. The Companies and other interested parties may well be forced to file two memoranda contra, thereby requiring the Commission to expend unnecessarily extra judicial resources to review and consider those additional memoranda contra. Making all memoranda contra due on May 12, 2016, will ensure that this does not occur. Further, from the perspective of administrative expediency, permitting the Companies and other interested parties to file consolidated memoranda contra on May 12, 2016, makes sense because the April 29 and May 2 Applications for Rehearing likely will contain a great deal of overlap. Indeed, the Companies’ request for an extension of time is firmly aligned with Commission precedent. *See, e.g., In the Matter of the Application of Columbus Southern Power Company and Ohio Power Company for Authority to Recover Costs Associated with the Ultimate Construction and Operation of an Integrated Gasification Combined Cycle Electric Generation Facility*, Case No. 05-376-EL-UNC, Entry at 1, (May 10, 2006) (granting two-day extension of time to file

memorandum contra to applications for rehearing filed on different dates and holding that such an extension “would promote efficiency and not work to the detriment of the other parties”); *In the Matter of the Application of FirstEnergy Corp. on behalf of Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company for Authority to Continue and Modify Certain Regulatory Accounting Practices and Procedures, to Transfer Jurisdictional Assets, to Establish Fuel Efficiency Procedures, to Freeze and Reduce Electric Rates and to File and Implement Tariffs Not for an Increase in Rates, All in Connection With and Subject to the Merger of Ohio Edison Company and Centerior Energy Corporation*, Case No. 96-1211-EL-UNC, 1997 Ohio PUC LEXIS 184 at \*1 (Mar. 7, 1997) (granting three-day extension of time to file memoranda contra applications for rehearing filed on different dates because “administrative efficiency is furthered by allowing a uniform response to the applications for rehearing, especially given the commonality of issues raised in the various rehearing applications”).

Pursuant to Rule 4901-1-12(C), an expedited ruling is necessary. Memoranda contra the April 29 Applications for Rehearing presently are due on May 9, 2016 – one week from the filing of this motion. Given the time-sensitive nature of the Companies’ request, an expedited ruling is warranted.

For the foregoing reasons, the Companies respectfully request that the Commission grant the Companies’ Motion for Extension of Time.

Date: May 2, 2016

Respectfully submitted,

/s/ David A. Kutik

James W. Burk (0043808)  
Counsel of Record  
Carrie M. Dunn (0076952)  
FIRSTENERGY SERVICE COMPANY  
76 South Main Street  
Akron, OH 44308  
Telephone: (330) 384-5861  
Fax: (330) 384-8375  
burkj@firstenergycorp.com  
cdunn@firstenergycorp.com

David A. Kutik (0006418)  
JONES DAY  
901 Lakeside Avenue  
Cleveland, OH 44114  
Telephone: (216) 586-3939  
Fax: (216) 579-0212  
dakutik@jonesday.com

James F. Lang (0059668)  
N. Trevor Alexander (0080713)  
CALFEE, HALTER & GRISWOLD LLP  
The Calfee Building  
1405 East Sixth Street  
Cleveland, OH 44114  
Telephone: (216) 622-8200  
Fax: (216) 241-0816  
jlang@calfee.com  
talexander@calfee.com

ATTORNEYS FOR OHIO EDISON  
COMPANY, THE CLEVELAND ELECTRIC  
ILLUMINATING COMPANY, AND THE  
TOLEDO EDISON COMPANY

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing Motion for Extension of Time was filed electronically through the Docketing Information System of the Public Utilities Commission of Ohio on this 2nd day of May, 2016. The PUCO's e-filing system will electronically serve notice of the filing of this document on counsel for all parties. Further, a courtesy copy has been served upon the parties via electronic mail.

*/s/ David A. Kutik*

\_\_\_\_\_  
David A. Kutik



**This foregoing document was electronically filed with the Public Utilities**

**Commission of Ohio Docketing Information System on**

**5/2/2016 2:03:51 PM**

**in**

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

Summary: Motion for Extension of Time electronically filed by MR. DAVID A KUTIK on behalf of Ohio Edison Company and The Cleveland Electric Illuminating Company and The Toledo Edison Company