

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 )  
Edison Company for Authority to Provide ) Case No. 14-1297-EL-SSO  
for a Standard Service Offer Pursuant to )  
R.C. 4928.143 in the Form of an Electric )  
Security Plan. )

ENTRY

The attorney examiner finds:

- (1) Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company (collectively, FirstEnergy) are electric distribution utilities as defined in R.C. 4298.01(A)(6) and public utilities as defined in R.C. 4905.02 and, as such, are subject to the jurisdiction of this Commission.
- (2) R.C. 4928.141 provides that an electric distribution utility shall provide customers within its certified territory a standard service offer (SSO) of all competitive retail electric services necessary to maintain essential electric services to customers, including firm supply of electric generation services. The SSO may be either a market rate offer in accordance with R.C. 4928.142 or an electric security plan (ESP) in accordance with R.C. 4928.143.
- (3) On August 4, 2014, FirstEnergy filed an application pursuant to R.C. 4928.141 to provide for an SSO to provide generation pricing for the period of June 1, 2016, through May 31, 2019. The application is for an ESP, in accordance with R.C. 4928.143 (*FirstEnergy ESP IV*).
- (4) On March 31, 2016, the Commission issued its Opinion and Order in *FirstEnergy ESP IV*, approving FirstEnergy's application and stipulations with several modifications (*FirstEnergy ESP IV* Opinion and Order).
- (5) On April 29, 2016, Sierra Club, Dynegy, Inc., the PJM Power Providers Group, the Electric Power Supply Association, and the Retail Energy Supply Association filed applications for rehearing.

- (6) Pursuant to R.C. 4903.10 and Ohio Adm.Code 4901-1-35(A), parties to a Commission proceeding having 30 days to file an application for rehearing upon the issuance of an order. If the rehearing period falls on a weekend day, R.C. 1.14 and Ohio Adm.Code 4901-1-07 allow for applications for rehearing to be filed on the following Monday. Memoranda contra are due ten days thereafter, pursuant to Ohio Adm.Code 4901-1-35(C).
- (7) On May 2, 2016, FirstEnergy filed a motion for extension of time, requesting that all memoranda contra applications for rehearing filed in this proceeding be due on May 12, 2016. In its memorandum in support of its motion, FirstEnergy contends that the Ohio Revised Code and Ohio Administrative Code allow for parties to file their applications for rehearing by May 2, 2016; however, as noted above, some parties elected to file their applications for rehearing on April 29, 2016. Accordingly, FirstEnergy argues that the parties to this proceeding may potentially be required to file two separate memoranda contra in order to respond to the various applications for rehearing filed on the separate dates. FirstEnergy also notes that granting its motion would help alleviate the administrative burden of the Commission and will not prejudice any of the interested parties.
- (8) The attorney examiner finds that FirstEnergy's motion is reasonable and should be granted. Accordingly, all memoranda contra applications for rehearing shall be filed on May 12, 2016.

It is, therefore,

ORDERED, That all memoranda contra applications for rehearing shall be filed on May 12, 2016, in accordance with Finding (8). It is, further,

ORDERED, That a copy of this Entry be served upon all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/ Megan Addison

By: Megan Addison  
Attorney Examiner

jrj/vrm

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

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**in**

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

Summary: Attorney Examiner Entry granting motion of FirstEnergy and directing that all memoranda contra applications for rehearing be filed by May 12, 2016; electronically filed by Vesta R Miller on behalf of Megan Addison, Attorney Examiner, Public Utilities Commission of Ohio