

**BOEHM, KURTZ & LOWRY**

**ATTORNEYS AT LAW  
36 EAST SEVENTH STREET  
SUITE 1510  
CINCINNATI, OHIO 45202  
TELEPHONE (513) 421-2255  
TELECOPIER (513) 421-2764**

**Via E-FILE**

May 31, 2016

Public Utilities Commission of Ohio  
PUCO Docketing  
180 E. Broad Street, 10th Floor  
Columbus, Ohio 43215

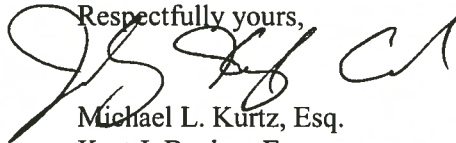
**In re: Case No. 14-1297-EL-SSO**

Dear Sir/Madam:

Please find attached the MEMORANDUM CONTRA MOTION TO STAY OF THE OHIO ENERGY GROUP e-filed today in the above-referenced matters.

Copies have been served on all parties on the attached certificate of service. Please place this document of file.

Respectfully yours,

A handwritten signature in black ink, appearing to read "Michael L. Kurtz", followed by a large, stylized "C" or "K" mark.

Michael L. Kurtz, Esq.

Kurt J. Boehm, Esq.

Jody Kyler Cohn, Esq.

**BOEHM, KURTZ & LOWRY**

MLKkew

Encl.

Cc: Certificate of Service

**BEFORE THE  
PUBLIC UTILITIES COMMISSION OF OHIO**

|   |   |                                |
|---|---|--------------------------------|
| In The Matter Of The Application Of The Ohio Edison   | : |                                |
| Company, The Cleveland Electric Illuminating Company, | : |                                |
| And The Toledo Edison Company For Authority To        | : | <b>Case No. 14-1297-EL-SSO</b> |
| Establish A Standard Service Offer Pursuant To R.C. § | : |                                |
| 4928.143 In The Form Of An Electric Security Plan.    | : |                                |
|   | : |                                |

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**MEMORANDUM CONTRA MOTION TO STAY  
OF THE OHIO ENERGY GROUP**

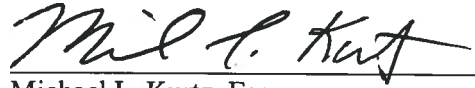
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Pursuant to Ohio Adm. Code 4901-1-12, the Ohio Energy Group (“OEG”) submits this Memorandum Contra the Motion to Stay the Implementation of Changes to Rider NMB and the Implementation of the Rider NMB Opt-Out Pilot and Motion for an Expedited Ruling (“Motion”) filed by the Retail Energy Supply Association (“RESA”) on May 25, 2016. In its Motion, RESA asks that the Public Utilities Commission of Ohio (“Commission”) stay the implementation of Rider NMB until after the Commission rules on RESA’s application for rehearing and, if applicable, reviews and approves a tariff sheet for the Pilot. RESA’s Motion should be denied.

OEG incorporates by reference the well-reasoned arguments contained in the Memorandum Contra filed by Industrial Energy Users-Ohio on May 27, 2016 in this proceeding, which thoroughly set forth several reasons why RESA failed to satisfy the legal standard for obtaining a stay. Additionally, OEG notes that RESA members are not required to accommodate customers participating in the Rider NMB Pilot Program. The choice to assist such customers, and to undertake any additional time or expense necessary to do so, is entirely within each RESA member’s discretion. Consequently, RESA

cannot demonstrate that the Commission's decision to allow the Rider NMB Pilot Program to become effective on June 1, 2016 will result in irreparable harm to its members.

Respectfully submitted,



Michael L. Kurtz, Esq.

Kurt J. Boehm, Esq.

Jody Kyler Cohn, Esq.

**BOEHM, KURTZ & LOWRY**

36 East Seventh Street, Suite 1510

Cincinnati, Ohio 45202

Ph: (513) 421-2255 Fax: (513) 421-2764

E-Mail: [mkurtz@BKLawfirm.com](mailto:mkurtz@BKLawfirm.com)

[kboehm@BKLawfirm.com](mailto:kboehm@BKLawfirm.com)

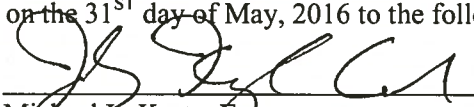
[jkylercohn@BKLawfirm.com](mailto:jkylercohn@BKLawfirm.com)

**COUNSEL FOR THE OHIO ENERGY GROUP**

**May 31, 2016**

## CERTIFICATE OF SERVICE

In accordance with Rule 4901-1-05, Ohio Administrative Code, the PUCO's e-filing system will electronically serve notice of the filing of this document on the parties referenced on the service list of the docket card who have electronically subscribed to this case. In addition, the undersigned certifies that a courtesy copy of the foregoing document is also being served (via electronic mail) on the 31<sup>ST</sup> day of May, 2016 to the following:

  
Michael L. Kurtz, Esq.  
Kurt J. Boehm, Esq.  
Jody Kyler Cohn, Esq.

James W. Burk, Counsel of Record  
Carrie M. Dunn  
FIRSTENERGY SERVICE COMPANY  
76 South Main Street  
Akron, Ohio 44308  
burkj@firstenergycorp.com  
cdunn@firstenergycorp.com

James F. Lang  
N. Trevor Alexander  
CALFEE, HALTER & GRISWOLD LLP  
The Calfee Building, 1405 East Sixth Street  
Cleveland, Ohio 44114  
jlang@calfee.com  
talexander@calfee.com

David A. Kutik  
JONES DAY  
901 Lakeside Avenue  
Cleveland, Ohio 44114  
dakutik@jonesday.com

### **COUNSEL FOR OHIO EDISON COMPANY, THE CLEVELAND ELECTRIC ILLUMINATING COMPANY THE TOLEDO EDISON COMPANY**

Steven T. Nourse  
Matthew J. Satterwhite  
Yazen Alami  
American Electric Power Service Corporation  
1 Riverside Plaza 29<sup>th</sup> Floor  
Columbus, Ohio 43215  
stnourse@aep.com  
mjsatterwhite@aep.com  
yalami@aep.com

### **COUNSEL FOR OHIO POWER COMPANY**

Bruce J. Weston  
Ohio Consumers' Counsel  
Larry S. Sauer, Counsel of Record  
Michael Schuler  
Kevin F. Moore, Assistant Consumers' Counsel  
Office of the Ohio Consumers' Counsel  
10 West Broad Street – Suite 1800  
Columbus, Ohio 43215  
Larry.sauer@occ.ohio.gov  
Michael.schuler@occ.ohio.gov  
Kevin.moore@occ.ohio.gov

### **COUNSEL FOR THE OFFICE OF THE OHIO CONSUMERS' COUNSEL**

Christopher J. Allwein, Counsel of Record  
Nolan M. Moser  
Williams Allwein and Moser, LLC  
1500 West Third Ave., Suite 330  
Columbus, Ohio 43212  
callwein@wamenergylaw.com  
nmoser@wamenergylaw.com

Michael Soules  
Earthjustice  
1625 Massachusetts Ave. NW #702  
Washington, DC 20036  
msoules@earthjustice.org

Shannon Fisk  
Earthjustice  
1617 John F. Kennedy Blvd., #1675  
Philadelphia, PA 19103  
sfisk@earthjustice.org

Tony G. Mendoza  
Sierra Club  
Environmental Law Program  
85 Second Street, Second Floor  
San Francisco, CA 94105-3459  
Tony.mendoza@sierraclub.org

### **COUNSEL FOR THE SIERRA CLUB**

Barth E. Royer  
Bell & Royer Co., LPA  
33 South Grant Avenue  
Columbus, Ohio 43215-3927  
barthroyer@aol.com

Adrian Thompson  
Taft Stettinius & Hollister LLP  
200 Public Square, Suite 3500  
Cleveland, Ohio 44114  
athompson@taftlaw.com

### **COUNSEL FOR CLEVELAND MUNICIPAL SCHOOL DISTRICT**

Joseph M. Clark, Counsel of Record  
Direct Energy  
21 East State Street, 19<sup>th</sup> Floor  
Columbus, Ohio 43215  
Joseph.clark@directenergy.com

Gerit F. Hall  
Eckert Seamans Cherin & Mellott, LLC  
1717 Pennsylvania Ave., N.W., 12<sup>th</sup> Fl.  
Washington, D.C. 20006  
ghull@eckertseamans.com

**COUNSEL FOR DIRECT ENERGY SERVICES,  
LLC, DIRECT ENERGY BUSINESS, LLC AND  
DIRECT ENERGY BUSINESS MARKETING, LLC**

Colleen L. Mooney, Counsel of Record  
Ohio Partners for Affordable Energy  
231 West Lima Street  
Findlay, Ohio 45839-1793  
cmooney@ohiopartners.org

**COUNSEL FOR OHIO PARTNERS FOR  
AFFORDABLE ENERGY**

Joseph E. Olier, Counsel of Record  
IGS Energy  
6100 Emerald Parkway  
Dublin, Ohio 43016  
joliker@igsenergy.com

**COUNSEL FOR IGS ENERGY**

Mark S. Yurick  
Devin D. Parram  
Taft Stettinius & Hollister LLP  
65 East State Street, Suite 1000  
Columbus, Ohio 43215  
myurick@taftlaw.com  
dparram@taftlaw.com

**COUNSEL FOR THE KROGER CO.**

Richard L. Sites  
Ohio Hospital Association  
155 East Broad Street, 15<sup>th</sup>  
Columbus, Ohio 43215  
ricks@ohanet.org

Thomas J. O'Brien  
Bricker & Eckler  
100 South Third Street  
Columbus, Ohio 43215  
tobrien@bricker.com

**COUNSEL FOR OHIO HOSPITAL ASSOCIATION**

Marilyn L. Widman  
Widman & Franklin, LLC  
405 Madison Ave., Suite 1550  
Toledo, Ohio 43604  
Marilyn@wflawfirm.com

**COUNSEL FOR IBEW LOCAL 245**

Michael K. Lavanga  
Garrett A. Stone  
Owen J. Kopon  
Brickfield, Burchette, Ritts & Stone, P.C.  
1025 Thomas Jefferson Street, N.W.  
8<sup>th</sup> Floor, West Tower  
Washington, D.C. 20007  
mkl@bbrslaw.com  
gas@bbrslaw.com  
ojk@bbrslaw.com

**COUNSEL FOR NUCOR STEEL MARION, INC.**

Barbara A. Langhenry  
Harold A. Madorsky  
Kate E. Ryan  
City of Cleveland  
601 Lakeside Avenue – Room 106  
Cleveland, Ohio 44114  
blanghenry@city.cleveland.oh.us  
hmadorsky@city.cleveland.oh.us  
kryan@city.cleveland.oh.us

**COUNSEL FOR THE CITY OF CLEVELAND**

Kimberly W. Bojko  
Jonathon A. Allison  
Rebecca Hussey  
Carpenter Lipps & Leland LLP  
280 Plaza, Suite 1300  
280 North High Street  
Columbus, Ohio 43215  
Bojko@carpenterlipps.com  
allison@carpenterlipps.com  
hussey@carpenterlipps.com

**COUNSEL FOR OMAEG**

Lisa M. Hawrot  
Spilman Thomas & Battle, PLLC  
Century Centre Building  
1233 Main Street, Suite 4000  
Wheeling, West Virginia 26003  
lhawrot@spilmanlaw.com

Derrick Price Williamson  
Spilman Thomas & Battle, PLLC  
1100 Bent Creek Blvd., Suite 101  
Mechanicsburg, Pennsylvania 17050  
dwilliamson@spilmanlaw.com

**COUNSEL FOR WAL-MART STORES EAST, LP  
AND SAM'S EAST, INC.**

Joseph P. Meissner, Esq.  
1223 W. 6<sup>th</sup> Street – 4<sup>th</sup> Floor  
Cleveland, Ohio 44113  
meissnerjoseph@yahoo.com

**COUNSEL FOR CITIZENS COALITION,  
CONSUMER PROTECTION ASSOCIATION,  
CLEVELAND HOUSING NETWORK, AND THE  
COUNCIL FOR ECONOMIC OPPORTUNITIES IN  
GREATER CLEVELAND**

Thomas R. Hays  
8355 Island Lane  
Maineville, Ohio 45039  
trhayslaw@gmail.com

**COUNSEL FOR LUCAS COUNTY**

Leslie Kovacik  
Counsel for the City of Toledo  
420 Madison Avenue  
Toledo, Ohio 43604  
lesliekovacik@toledo.oh.gov

**COUNSEL FOR THE CITY OF TOLEDO**

Glenn S. Krassen, Counsel of Record  
Bricker & Eckler LLP  
1001 Lakeside Ave., Suite 1350  
Cleveland, Ohio 44114  
gkrassen@bricker.com

Dane Stinson  
Dylan Borchers  
Bricker & Eckler LLP  
100 South Third Street  
Columbus, Ohio 43215  
dstinson@bricker.com  
dborchers@bricker.com

**COUNSEL FOR NORTHEAST OHIO PUBLIC  
ENERGY COUNCIL; OHIO SCHOOLS COUNCIL;  
AND, POWER4SCHOOLS**

Michael D. Dortch  
Richard R. Parsons  
Kravitz, Brown & Dortch, LLC  
65 East State Street – Suite 200  
Columbus, Ohio 43215  
mdortch@kravitzllc.com  
rparsons@kravitzllc.com

**COUNSEL FOR DYNEGY INC.**

Matthew R. Cox  
Matthew Cox Law, Ltd.  
88 East Broad Street, Suite 1560  
Columbus, Ohio 43215  
matt@matthewcoxlaw.com

**COUNSEL FOR THE COUNCIL OF SMALLER  
ENTERPRISES**

Trent Dougherty, Counsel of Record  
Madeline Fleisher  
1207 Grandview Avenue, Suite 201  
Columbus, Ohio 43212-3449  
tdougherty@theOEC.org  
mfleisher@elpc.org

John Finnigan  
128 Winding Brook Lane  
Terrace Park, Ohio 45174  
jfinnigan@edf.org

**COUNSEL FOR THE OHIO ENVIRONMENTAL  
COUNCIL AND ENVIRONMENTAL DEFENSE  
FUND**

M. Howard Petricoff  
Michael J. Settineri  
Gretchen L. Petrucci  
Vorys, Sater, Seymour and Pease LLP  
52 East Gay Street  
Columbus, Ohio 43216-1008  
mhpetricoff@vorys.com  
mjsettineri@vorys.com  
glpetrucci@vorys.com

**COUNSEL FOR EXELON GENERATION  
COMPANY, LLC AND CONSTELLATION  
NEWENERGY, INC.; PJM POWER PROVIDERS  
GROUP; THE ELECTRIC POWER SUPPLY  
ASSOCIATION; AND, RETAIL ENERGY SUPPLY  
ASSOCIATION**

Cynthia Brady  
Exelon Business Services  
4300 Winfield Rd.  
Warrenville, Illinois 60555  
Cynthia.brady@exeloncorp.com

David I. Fein  
Exelon Corporation  
10 South Dearborn Street – 47<sup>th</sup> Fl.  
Chicago, Illinois 60603  
David.fein@exeloncorp.com

Lael E. Campbell  
Constellation NewEnergy, Inc. and Exelon Corporation  
101 Constitution Ave., NW  
Washington, DC 20001  
Lael.campbell@exeloncorp.com

**ON BEHALF OF EXELON GENERATION  
COMPANY, LLC AND CONSTELLATION  
NEWENERGY, INC.**

Glen Thomas  
1060 First Avenue, Suite 400  
King of Prussia, Pennsylvania 19406  
gthomas@gtpowergroup.com

Laura Chappelle  
201 North Washington Square - #910  
Lansing, Michigan 48933  
laurac@chappeleconsulting.net

**ON BEHALF OF PJM POWER PROVIDERS  
GROUP**

Andrew J. Sonderman  
Kegler Brown Hill and Ritter LPA  
65 East State Street – 1800  
Columbus, Ohio 43215  
asonderman@keglerbrown.com

**COUNSEL FOR HARDIN WIND LLC,  
CHAMPAIGN WIND LLC AND BUCKEYE WIND  
LLC**

Todd M. Williams  
Williams Allwein & Moser, LLC  
Two Maritime Plaza, 3<sup>rd</sup> Fl  
Toledo, Ohio 43604  
toddm@wamenergylaw.com

Jeffrey W. Mayes  
Monitoring Analytics, LLC  
2621 Van Buren Avenue, Suite 160  
Valley Forge Corporate Center  
Eagleview, Pennsylvania 19403  
Jeffrey.mayes@monitoringanalytics.com

**COUNSEL FOR INDEPENDENT MARKET  
MONITOR FOR PJM**

Sharon Theodore  
Electric Power Supply Association  
1401 New York Ave. NW 11<sup>th</sup> fl.  
Washington, DC 20001  
stheodore@epsa.org

**ON BEHALF OF THE ELECTRIC POWER  
SUPPLY ASSOCIATION**

F. Mitchell Dutton  
NextEra Energy Power Marketing, LLC  
700 Universe Blvd.  
Juno Beach, Florida 33408-2657  
Mitch.dutton@fpl.com

**COUNSEL FOR NEXTERA ENERGY POWER  
MARKETING, LLC**

Andrew J. Sonderman  
Kegler Brown Hill and Ritter LPA  
65 East State Street – 1800  
Columbus, Ohio 43215  
asonderman@keglerbrown.com

**COUNSEL FOR HARDIN WIND LLC,  
CHAMPAIGN WIND LLC AND BUCKEYE WIND  
LLC**

Kevin R. Schmidt  
Energy Professionals of Ohio  
88 East Broad Street, Suite 1770  
Columbus, Ohio 43215  
Schmidt@sppgrp.com

**COUNSEL FOR THE ENERGY PROFESSIONALS  
OF OHIO**

C. Todd Jones  
Christopher L. Miller  
Gregory H. Dunn  
Jeremy M. Grayem  
Ice Miller LLP  
250 West Street  
Columbus, Ohio 43215  
Christopher.miller@icemiller.com  
Gregory.dunn@icemiller.com  
Jeremy.grayem@icemiller.com

**COUNSEL FOR THE ASSOCIATION OF  
INDEPENDENT COLLEGES AND UNIVERSITIES  
OF OHIO**

Craig I. Smith  
Material Sciences Corporation  
15700 Van Aken Blvd. – Suite 26  
Shaker Heights, Ohio 44120  
wttmlc@aol.com

**COUNSEL FOR MATERIAL SCIENCES  
CORPORATION**

Joel E. Sechler  
Carpenter Lipps & Leland  
280 N. High Street, Suite 1300  
Columbus, Ohio 43215  
sechler@carpenterlipps.com

Gregory J. Poulos  
EnerNOC, Inc.  
471 E. Broad Street – Suite 1520  
Columbus, Ohio 43054  
gpoulos@enernoc.com

**COUNSEL FOR ENERNOC, INC.**

Cheri B. Cunningham  
Director of Law  
161 South High Street, Suite 202  
Akron, OH 44308  
CCunningham@Akronohio.gov

**COUNSEL FOR THE CITY OF AKRON**

Thomas McNamee  
Thomas Lindgren  
Ryan O'Rourke  
Attorney General's Office  
Public Utilities Commission of Ohio  
180 E. Broad Street  
Columbus, Ohio 43215  
thomas.mcnamee@ohioattorneygeneral.com  
thomas.lindgren@ohioattorneygeneral.com  
ryan.o'rourke@ohioattorneygeneral.com

**COUNSEL FOR THE STAFF OF THE PUBLIC  
UTILITIES COMMISSION OF OHIO**

Samuel C. Randazzo  
Frank P. Darr (Reg. No. 0025469)  
Matthew R. Pritchard (Reg. No. 0088070)  
MCNEES WALLACE & NURICK LLC  
21 East State Street, 17<sup>TH</sup> Floor  
Columbus, OH 43215  
sam@mwncmh.com  
fdarr@mwncmh.com  
mpritchard@mwncmh.com

**COUNSEL FOR INDUSTRIAL ENERGY USERS-  
OHIO**



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Summary: Memorandum Ohio Energy Group (OEG) Memorandum Contra Motion to Stay  
electronically filed by Mr. Michael L. Kurtz on behalf of Ohio Energy Group