

THE PUBLIC UTILITIES COMMISSION OF OHIO

**IN THE MATTER OF OHIO SCHOOLS
COUNCIL, OHIO SCHOOL BOARDS
ASSOCIATION, OHIO ASSOCIATION OF
SCHOOL BUSINESS OFFICIALS, AND
BUCKEYE ASSOCIATION OF SCHOOL
ADMINISTRATORS,**

COMPLAINANT,

v.

CASE NO. 14-1182-EL-CSS

FIRSTENERGY SOLUTIONS CORP.,

RESPONDENT.

ENTRY

Entered in the Journal on April 5, 2017

I. SUMMARY

{¶ 1} The Commission finds that the complaint should be dismissed at the request of the parties.

II. DISCUSSION

{¶ 2} Pursuant to R.C. 4905.26, the Commission has authority to consider written complaints filed against a public utility by any person or corporation regarding any rate, service, regulation, or practice furnished by the public utility that is in any respect unjust, unreasonable, insufficient, or unjustly discriminatory. Pursuant to R.C. 4928.16, the Commission has jurisdiction under R.C. 4905.26, upon complaint of any person, regarding the provision by an electric services company subject to certification under R.C. 4928.08 of any service for which it is subject to certification.

{¶ 3} FirstEnergy Solutions (FES) is an electric services company as defined in R.C. 4928.01(A)(9), and, as such, is subject to the jurisdiction of this Commission.

{¶ 4} On July 3, 2014, a complaint was filed against FES by Ohio Schools Council, Ohio School Boards Association, Ohio Association of School Business Officials, and Buckeye Association of School Administrators, dba Power4Schools (collectively, Power4Schools). Power4Schools alleges several counts relating to FES's pass-through of specific costs it received from PJM Interconnection LLC (PJM) to Power4Schools. Power4Schools' complaint alleges that it contracted both fixed rates and discounted rates with FES and, in those contracts, FES failed to disclose the potential of additional charges from the pass-through event. Further, even if the contract did allow for the charges, imposing them was unlawful. In doing so, Power4Schools alleges FES engaged, among other things, in unfair, misleading, deceptive, or unconscionable acts or practices related to the administration of a CRES contract in violation of R.C. 4928.10, Ohio Adm.Code 4901:1-21-02(E), 4901:1-21-03(A)(1)-(3), 4901:1-21-11(A), 4901:1-21-12(A)(7)(a), and 4901:1-21-12(A)(7)(b). Additionally, according to Power4Schools, the actions of FES were unjust, unreasonable, and unlawful pursuant to R.C. 4905.26.

{¶ 5} On August 4, 2014, FES filed an answer to the complaint, denying all of the allegations made by Power4Schools.

{¶ 6} By Entry on January 25, 2016, the attorney examiner scheduled this matter for hearing to begin on June 14, 2016. On June 6, 2016, the attorney examiner issued an entry granting a joint motion to suspend the procedural schedule.

{¶ 7} On March 21, 2017, the parties filed a joint motion to dismiss the complaint.

{¶ 8} Accordingly, the Commission finds that the request is reasonable and this case should be dismissed and closed of record.

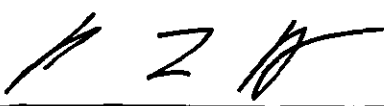
III. ORDER

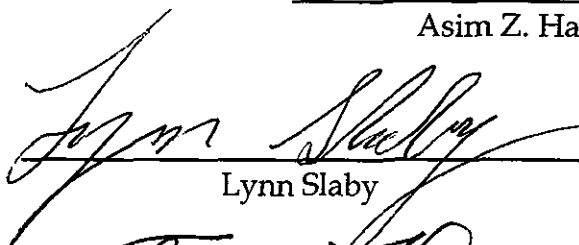
{¶ 9} It is, therefore,


{¶ 10} ORDERED, That the joint motion to dismiss be granted and the case be closed of record. It is, further,


{¶ 11} ORDERED, That a copy of this Entry be served upon each party of record.

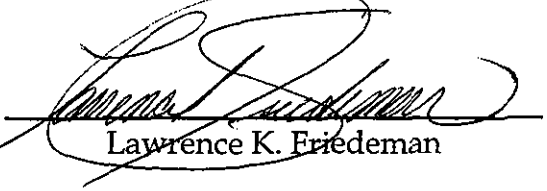
THE PUBLIC UTILITIES COMMISSION OF OHIO


Asim Z. Haque, Chairman


Lynn Slaby


M. Beth Trombold

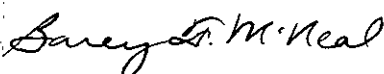

Thomas W. Johnson


Lawrence K. Friedeman

NW/vrm

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APR 05 2017


Barcy F. McNeal
Secretary