

**BEFORE  
THE PUBLIC UTILITIES COMMISSION**

In the Matter of the Application of )  
FirstEnergy Solutions Corp. to Become a ) Case No. 00-1742-EL-CRS  
Certified Retail Electric Supplier in the State )  
of Ohio. )

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**FIRSTENERGY SOLUTIONS CORP.'S MOTION TO STRIKE THE OFFICE OF THE  
OHIO CONSUMERS' COUNSEL'S CORRESPONDENCE**

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The Commission should strike the correspondence filed by Ohio Consumers' Counsel ("OCC") in this docket on November 6, 2017 ("Correspondence"). In the Correspondence, OCC improperly asks the Commission (1) to direct FirstEnergy Solutions Corp. ("FES") to develop plans for customer messaging and (2) to review FES's posted collateral.<sup>1</sup> The Correspondence is procedurally improper and lacks any substantive basis.

OCC is not a party to this proceeding and, as set forth in FES's Memorandum Contra filed contemporaneously with this Motion, OCC has no grounds to intervene in this proceeding. And regardless of whether OCC is a party, the Correspondence is not authorized by any Commission rule of procedure. Indeed, the Correspondence fails to comply with O.A.C. 4901-1-12. As a result, the Commission should strike the Correspondence as procedurally improper.

Additionally, OCC's Correspondence is laden with speculation and conjecture about hypothetical events that may or may not occur in the future, false allegations, legal misunderstandings regarding bankruptcy restructuring, and ill-advised proposals. Thus, there also is no substantive basis to grant the relief OCC improperly requests in the Correspondence.

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<sup>1</sup> OCC Correspondence (Nov. 6, 2017), at 1-2.

For the foregoing reasons, the Commission should strike the Correspondence filed by OCC in this docket as procedurally improper and without any substantive factual or legal basis.

Respectfully submitted,

/s/ James F. Lang

James F. Lang (0059668)

N. Trevor Alexander (0080713)

Mark T. Keaney (0095318)

CALFEE, HALTER & GRISWOLD LLP

The Calfee Building

1405 East Sixth Street

Cleveland, OH 44114

(216) 622-8200

(216) 241-0816 (fax)

jlang@calfee.com

talexander@calfee.com

mkeaney@calfee.com

*Attorneys for FirstEnergy Solutions Corp.*

**CERTIFICATE OF SERVICE**

I certify that the foregoing Motion to Strike was filed electronically through the Docketing Information System of the Public Utilities Commission of Ohio on this 20th day of November, 2017. The PUCO's e-filing system will electronically serve notice of the filing of this document on counsel for all parties.

/s/ Mark T. Keaney  
*Attorney for FirstEnergy Solutions Corp.*

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

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**in**

**Case No(s). 00-1742-EL-CRS**

Summary: Motion to Strike the Office of the Ohio Consumers' Counsel's Correspondence electronically filed by Mr. Mark T Keaney on behalf of FirstEnergy Solutions Corp.