

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

JENNY KENDERES,)	
Complainant,)	
)	
v.)	Case No. 18-922-EL-CSS
)	
THE CLEVELAND ELECTRIC)	
ILLUMINATING COMPANY,)	
)	
Respondent.)	

**THE CLEVELAND ELECTRIC ILLUMINATING COMPANY’S MOTION TO
COMPEL DISCOVERY**

Pursuant to Ohio Administrative Code Section 4901-1-23 and 4901-1-13, Respondent, The Cleveland Electric Illuminating Company (“CEI”), respectfully moves the Commission for an Order (1) compelling Complainant Jenny Kenderes (the “Complainant”) to respond to CEI’s First Set of Combined Discovery Requests to Complainant (the “Requests”) which were propounded upon her on November 5, 2018, and to which her responses are nearly seven months overdue; and (2) notifying Complainant that if she fails to do so, the Commission will dismiss the pending proceeding. A Memorandum in Support of this Motion and an Affidavit of Counsel as required by Ohio Administrative Code Section 4901-1-23(C) are attached.

Respectfully submitted

/s/ Emily V. Danford
Emily V. Danford (0090747)
Counsel of Record
FIRSTENERGY SERVICE COMPANY
76 South Main Street
Akron, OH 44308
(330) 384-5849
edanford@firstenergycorp.com

*Attorney for The Cleveland Electric
Illuminating Company*

MEMORANDUM IN SUPPORT

I. Factual & Procedural Background

The Complainant filed a Complaint against CEI on May 24, 2018, alleging that her meter was “running loud” in October 2017, and that her November 2018 bill indicated triple her typical usage. On June 13, 2018, CEI filed its Answer, in which CEI admitted that Complainant’s usage during November 2017-March 2018 exceeded her usage for those months during the prior year, but that in response to Complainant’s inquiry about her meter, CEI replaced her meter and tested the old meter which registered 99.76% accuracy during testing.

By Entry issued July 2, 2018, a settlement conference was scheduled for July 19, 2018. At Complainant’s request, the settlement conference was rescheduled to August 14, 2018. Counsel for CEI was present for the August 14, 2018 conference, but Complainant was not present. A second settlement conference was scheduled for October 18, 2018. The Complainant and CEI appeared for the settlement conference but were unable to resolve the issues raised in the Complaint.

After the settlement conference, on November 5, 2018, CEI issued discovery requests (the “Requests”) to Complainant by Regular U.S. Mail and email. *See* Exhibit A, Attachment 1. Under Sections 4901-1-19 and 4901-1-20 of the Ohio Administrative Code, Complainant’s responses to the Requests were due within 20 days, on November 26, 2018. Despite several communications from counsel for CEI to Complainant, attached hereto as Exhibit A, Attachment 2, Complainant did not serve her responses to the Requests¹ to CEI until February 20, 2018. Complainant’s responses to the Requests were deficient, and on March 15, 2019, counsel for CEI sent

¹ Complainant claims in her email correspondence to counsel for CEI dated December 14, 2018 that she “submitted [her responses to the Requests] several times.” *See* Exhibit A, Attachment 2 at 1. CEI did not receive responses to the Requests until February 20, 2019.

Complainant a deficiency letter by Regular U.S. Mail and email requesting full responses to the Requests by April 5, 2019. *See* Exhibit A, Attachment 3. Complainant never responded to this March 15, 2019 correspondence.

On February 20, 2019, the Commission issued an Entry scheduling a Hearing in this matter for May 9, 2019. Because of Complainant's failure to fully respond to the Requests, CEI filed a Motion for Continuance and Request for Expedited Treatment on April 25, 2019. The Motion for Continuance was granted on April 30, 2019. On May 7 2019, the Commission scheduled a telephonic Status Conference for May 14, 2019. The parties attended the Status Conference by telephone and reached an agreement that Complainant would supplement her discovery to CEI on or before May 31, 2019.

On May 31, 2019, Complainant sent to counsel for CEI partial responses to some of the outstanding Requests. Notably, she did not produce any documents with these responses, and she only provided a written response to one of CEI's ten Requests for Production of Documents. On June 5, 2018, counsel for CEI sent Complainant a deficiency letter via email, attached hereto as Exhibit A, Attachment 4, informing her of deficiencies in her responses to the Requests and advising her that if she did not fully respond to the Requests, CEI would file a motion to compel. Six days later, on June 11, 2019, Complainant again provided partial responses to the Requests by email to counsel for CEI. In her email, she claimed that she "resent the files as requested." *See* Exhibit A, Attachment 5, attached hereto. CEI assumes, for purposes of this Motion, that the referenced "files" are documents responsive to CEI's Requests. Once again, Complainant produced no documents to counsel for CEI. On June 12, 2019, counsel for CEI once again sent a deficiency letter via email, informing her that counsel for CEI had not received any documents from Complainant. *See* Exhibit A, Attachment 5. On June 13, 2019, Complainant made a partial

production of documents to CEI. Complainant produced, via four emails to counsel for CEI, documents that purport to be a home inspection report and a CEI bill. *See* Exhibit A. She did not produce her Dominion heating bills, which she previously admitted she is in possession of. *See* Ex. A, Att. 3 at 5, 16.

Despite being in possession of CEI's Requests for over seven months, and having been given abundant notice of deficiencies in her responses to the Requests via deficiency letters and a Status Conference with the Commission, as of June 17, 2019, Complainant has failed to:

- Respond in full to CEI's Requests for Production of Documents by identifying the documents she does and does not have and producing those that she has;
- Produce documents she previously admitted to being in possession of;
- Respond in full to Interrogatory No. 7.²

II. Law & Argument

In a formal complaint case like this, a complainant has the legal obligation to prosecute the complaint. *In re Lee v. Duke Energy Ohio, Inc.*, PUCO Case No. 18-445-EL-CSS, Opinion at ¶11 (May 15, 2019). Moreover, it is well established that “pro se litigants . . . must follow the same procedures as litigants represented by counsel.” *Id.* (quoting *State ex rel. Gessner v. Vore*, 2009-Ohio-4150, ¶ 5). In fact, “pro se litigants are presumed to have knowledge of the law and legal procedures and that they are held to the same standard as litigants who are represented by counsel.” *Id.* (quoting *State ex rel. Fuller v. Mengel*, 2003-Ohio -6448, ¶10). Here, Complainant has been given ample latitude to comply with the Commission's Rules, including extensive correspondence from counsel for CEI and a Status Conference with the Commission to explain the discovery

² Complainant also has not responded to Interrogatory Nos. 3 and 5. During the status conference on May 14, 2019, Complainant indicated that she would provide the names of any witnesses she plans to call and the other related information requested in Interrogatories No. 3 and 5 once a hearing is scheduled in this matter. CEI acknowledges this scheduling limitation but does not waive its requests for this information.

process. Yet, she has chosen, time and again, to ignore the Commission's discovery Rules, and has failed to fully respond to the Requests despite having them in her possession for over seven months.

CEI served its Requests, including interrogatories and requests for production of documents, upon Complainant by U.S. Mail on November 5, 2018, in accordance with Rules 4901:1-16, 4901:1-18, 4901:1-19, and 4901:1-20 of the O.A.C. Complainant's responses were due on or before November 26, 2018, pursuant to Rules 4901:1-19(A) and 4901:1-20(C) of the O.A.C. Complainant waited until February 20, 2018 to serve her responses to the Requests, and despite several deficiency letters from counsel for CEI and a Status Conference with the Commission, has failed to fully respond to the Requests as of the date of this Motion.

As set forth above, counsel for CEI has made a good faith effort to resolve this discovery dispute with Complainant. *See* CEI's Affidavit of Counsel, attached hereto as Ex. A; *see also* Exhibit A Attachments 2-5. CEI's Requests are narrowly tailored to elicit information that is relevant and discoverable in the pending proceeding, in accordance with Rules 4901-1-16(B) and 4901-1-23(C)(1)(b). CEI's Interrogatory No. 7 seeks "a description of the work performed in each inspection, examination, test, measurement, or other assessment; or (2) the results of the inspection, examination, test, measurement, or other assessment." CEI's Requests also seek, among other things, the production of copies of all documents and exhibits upon which Complainant relies, which support her allegations, and/or which she intends to use at the hearing; copies of all natural gas bills and correspondence to or from the natural gas utility serving her home during the time period beginning October 1, 2017 through April 30, 2018; and documents and information about any inspection or testing performed on the electric service or equipment at Complainant's premises. Indeed, Complainant has admitted to possessing at least some of the

documents that CEI has requested but not received. All of the information sought by CEI is relevant to this proceeding and is discoverable. O.A.C. 4901-1-16(B).

III. Conclusion

Complainant has failed to respond to CEI's Requests even though she is required to follow the Commission's Rules. CEI respectfully requests, pursuant to Rule 4901-1-23 of the O.A.C., that the Commission grant this Motion in full and: (1) issue an order directing Complainant to respond fully, in writing, and in the case of the interrogatories, under oath, by a date certain to CEI's Requests; and (2) notifying Complainant that if she fails to do so, the Commission will dismiss the pending proceeding.

Respectfully submitted

/s/ Emily V. Danford
Emily V. Danford (0090747)
Counsel of Record
FIRSTENERGY SERVICE COMPANY
76 South Main Street
Akron, OH 44308
(330) 384-5849
edanford@firstenergycorp.com

*Attorney for The Cleveland Electric
Illuminating Company*

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing The Cleveland Electric Illuminating Company's Motion to Compel Discovery was served by email and Regular U.S. Mail to the following person on this 19th day of June 2019.

Jenny Kenderes
4116 Parkside Drive
Brooklyn, Ohio 44144
jkenderes@bellacarehospice.net

/s/ Emily V. Danford
*An Attorney for The Cleveland Electric
Illuminating Company*

EXHIBIT A

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

JENNY KENDERES,

Complainant,

v.

THE CLEVELAND ELECTRIC
ILLUMINATING COMPANY,

Respondent.

Case No. 18-922-EL-CSS

AFFIDAVIT OF COUNSEL

In accordance with Rule 4901-1-23(C), Emily V. Danford, counsel for The Cleveland Electric Illuminating Company, Respondent in the above-captioned proceeding, states:

1. My name is Emily V. Danford. I am an attorney representing The Cleveland Electric Illuminating Company ("CEI") in the above-captioned proceeding.
2. On November 5, 2018, CEI served its First Set of Combined Discovery Requests (the "Requests") to Complainant on Jenny Kenderes ("Complainant"), a true and correct copy of which is attached hereto as Attachment 1.
3. On November 30, 2018, I sent Complainant an email informing her that CEI had not yet received her responses to the Requests and that her response was overdue, and requesting that Complainant respond to the Requests by December 5, 2018. This correspondence is attached hereto as Attachment 2.
4. On November 30, 2018, Complainant responded to my email and stated she had sent me her responses to the Requests "several days after [she] receiv[ed] them" and offered to resend them "if necessary." I replied by email that same day and asked her to please resend them. *See* Attachment 2.

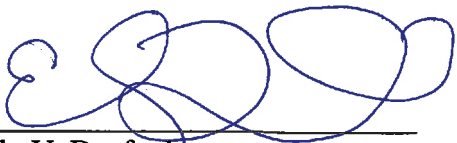
5. On December 7, 2018, I sent Complainant an email informing her that CEI still had not received her responses to the Requests. She replied by email on December 10 stating that she had “re submit[ted]” her responses “last week.” *See* Attachment 2.
6. On December 14, 2018, I sent Complainant an email informing her that CEI still had not received her responses to the Requests. In that email I asked her to please confirm that she had sent her responses to my email address or physical mailing address and asked her to redirect her responses to my attention if she had sent them elsewhere. Complainant responded to this email on December 14, 2018, stating that she “submitted [the responses] several times” and would “send them certified mail this time so [she has] a signed receipt.” *See* Attachment 2.
7. On February 20, 2019, Complainant sent partial responses to the Requests to me by email.
8. On March 15, 2019, I sent Complainant a letter via email and Regular U.S. Mail informing her of deficiencies in her responses to the Requests and asking her to supplement her responses to the Requests no later than April 5, 2019. This correspondence is attached hereto as Attachment 3.
9. Complainant never responded to my March 15, 2019 letter. On April 25, 2019, I filed a Motion for Continuance and Request for Expedited Treatment in the above-captioned matter on behalf of CEI, outlining the history of the discovery dispute described above and requesting additional time to complete discovery prior to the hearing. The Commission granted the continuance on April 30, 2019.
10. On May 7, 2019, the Commission issued an Entry scheduling a Status Conference for May 14, 2019. The purpose of the Status Conference was to discuss the status of the discovery dispute between CEI and Complainant.

11. During the May 14, 2019 Status Conference, Attorney Examiner Jim Lynn asked Complainant to respond in full to CEI's Requests on or before May 31, 2019.
12. On May 31, 2019, Complainant provided partial supplemental responses to some of the Requests. She did not produce any documents or provide complete supplemental responses to the Requests for Production of Documents included in the Requests.
13. On June 5, 2019, I sent Complainant a deficiency letter by email informing her of deficiencies in her responses to the Requests and asking her to supplement her responses to the Requests and informing her that CEI would file a Motion to Compel if she did not respond in full to the Requests. This correspondence is attached hereto as Attachment 4.
14. Six days later, on June 11, 2019, Complainant responded to my June 5th email and partially supplemented her responses to the Requests. She also stated that she "resent the files as requested." This correspondence is attached hereto as Attachment 5. I did not receive any documents responsive to CEI's Requests for Production of Documents from Complainant that day.
15. On June 12, 2019, I again sent Complainant an email stating that I had not received any documents from her and informing her that if I did not receive documents by the end of the week, I would be filing a Motion to Compel early the week of June 17, 2019. *See Attachment 5.*
16. On June 14, 2019, Complainant sent me four emails attaching documents that purport to be a home inspection report and a CEI bill. She did not send her Dominion heating bills, which she previously admitted she is in possession of, *see Attachment 3*, nor did she respond in full to the Requests for Production of Documents included in the Requests by

identifying the documents she does and does not have and producing those that she has.
She also did not fully respond to Interrogatory No. 7.

17. As of the date of the Motion, Complainant also has not responded to Interrogatory Nos. 3 and 5 in the Requests. During the status conference on May 14, 2019, Complainant indicated that she would provide the names of any witnesses she plans to call, and the other related information requested in Interrogatories No. 3 and 5 once a hearing is scheduled in this matter. CEI acknowledges this scheduling limitation but does not waive its requests for this information.

18. As described in greater detail in the Memorandum in Support of the Motion to Compel Discovery and as illustrated in the written correspondence exchanged between the parties, CEI has tried to work in good faith with Complainant to resolve this discovery dispute. Despite CEI's good faith efforts, and considerable latitude to the Complainant, the parties are unable to reach agreement on the deficiencies identified in CEI's Motion to Compel Discovery.



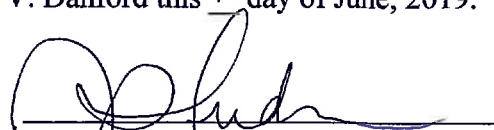
Emily V. Danford

State of Ohio)
Summit County) ss:
)

Sworn to and subscribed in my presence by Emily V. Danford this ^{19th} day of June, 2019.



Jaime E. Hudson
Resident Summit County
Notary Public, State of Ohio
My Commission Expires: 8/12/2022 4



Notary Public

ATTACHMENT 1

From: [Danford, Emily V](#)
To: jkenderes@bellacarehospice.net
Cc: [Danford, Emily V](#)
Subject: PUCO Case No. 18-922-EL-CSS - CEI Discovery Requests
Date: Monday, November 5, 2018 3:14:12 PM
Attachments: [Kenderes - Cover Letter - Discovery.pdf](#)
[Kenderes - CEI First Set of Combined Discovery Requests to Complainant.docx](#)

Dear Ms. Kenderes,

On behalf of the Cleveland Electric Illuminating Company ("CEI"), attached please find CEI's first set of discovery requests in PUCO Case No. 18-922-EL-CSS. Please be advised that your responses are due within 20 days – by November 26, 2018.

Please do not hesitate to contact me with any questions.

Best regards,
Emily

Emily V. Danford
Attorney
FirstEnergy Service Company
edanford@firstenergycorp.com
(w): 330-384-5849
(c): 330-760-6963

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Thank you for your assistance.



76 South Main St
Akron, OH 44308

Emily V. Danford
Attorney

330-384-5849
Fax: 330-315-7647

November 5, 2018

Jenny Kenderes
4116 Parkside Drive
Brooklyn, Ohio 44144

Re: PUCO Case No. 18-922-EL-CSS

Dear Ms. Kenderes,

On behalf of the Cleveland Electric Illuminating Company, enclosed please find Interrogatories and Requests for Production in the above-referenced matter. Please do not hesitate to contact me with any questions.

Sincerely,

A handwritten signature in black ink, consisting of a series of loops and flourishes, representing the name Emily V. Danford.

Emily V. Danford

Enclosure

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

JENNY KENDERES,

Complainant,

v.

**THE CLEVELAND ELECTRIC
ILLUMINATING COMPANY,**

Respondent.

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Case No. 18-922-EL-CSS

**THE CLEVELAND ELECTRIC ILLUMINATING COMPANY’S
FIRST SET OF COMBINED DISCOVERY REQUESTS TO COMPLAINANT**

Pursuant to Sections 4901-1-19 and 4901-1-20 of the Ohio Administrative Code, The Cleveland Electric Illuminating Company propounds the following combined set of Interrogatories and Requests for Production of Documents (collectively, the “Discovery Requests”) upon Complainant Jenny Kenderes (“Complainant”) to be responded to fully, separately, and in writing within twenty (20) days of service.

INSTRUCTIONS

A. Completeness: In answering these Discovery Requests, Complainant must furnish all information and documents available to Complainant. This includes documents in the possession, custody or control of Complainant’s attorneys or of any third party or parties whom Complainant has surrendered possession, custody or control or who are acting on Complainant’s behalf, or who have otherwise obtained possession, custody or control, or who, upon Complainant’s request would surrender possession, custody or control to Complainant.

B. Supplementation: These Discovery Requests shall be deemed continuing in nature so as to require supplementary responses between the time the initial responses are served and the

time of hearing, if any, in accordance with Rule 4901-1-16(D), Ohio Administrative Code. Such supplementary responses are to be filed and served upon CEI within five (5) days after receipt of such information.

DEFINITIONS

A. “Document” or “documents” means the original and all copies that are different in any way from the original (whether by interlineation, receipt stamp, notation, indication of copies sent or received or otherwise, and drafts) of any printed, typewritten, handwritten, or otherwise recorded matter of whatever character (including, without limitation, telegraphs, personal notes, diaries, statements, photographs, videotapes, tape recordings, motion pictures, computer tapes or discs, and any Xerox, carbon, magnetic, digital or photographic copies of any such material if Complainant does not have custody and control of the original). The enumeration of various specific items as included within the definition of the term “document” or “documents” shall not be taken to limit the generality of the terms, and the Document Requests herein are intended to obtain all documents in the broadest and most comprehensive sense and meaning of the term.

B. “Identify,” with respect to any natural person, shall mean to provide the following information about the person: full name; present or last known address; employer; and relationship, if any, to the Complainant. If any of this information is not available to Complainant, state any other means of identifying such natural person.

C. “Identify,” with respect to any document, shall mean to provide the following information about the document: general description; subject matter; date; title; author; recipients; and, if the document is not in Complainant’s possession, the location of the document. If any of this information is not available to Complainant, state any other means of identifying the document.

D. As used herein, the terms “you,” “your,” and “Complainant” refers to Jenny Kenderes, and each person acting or purporting to act on behalf of Jenny Kenderes.

E. As used herein, the terms the “Company” and “CEI” refer to The Cleveland Electric Illuminating Company and each person acting or purporting to act on behalf of The Cleveland Electric Illuminating Company.

F. As used herein, the term “Complaint” refers to the Complaint filed by Complainant with the Public Utilities Commission of Ohio, Case No. 18-922-EL-CSS.

G. As used herein, the term “Property” refers to 4116 Parkside Drive, Brooklyn, Ohio 44144.

INTERROGATORIES

INTERROGATORY NO. 1: Identify all persons who have knowledge or information, or may have knowledge or information, regarding your claims in the Complaint.

ANSWER:

INTERROGATORY NO. 2: Identify any and all exhibits or demonstrative evidence that you intend to present at any hearing of this matter.

ANSWER:

INTERROGATORY NO. 3: Identify each person whom you intend to call as a lay (fact) witness at any hearing of this matter.

ANSWER:

INTERROGATORY NO. 4: Identify each person whom you intend to call as an expert witness at any hearing of this matter.

ANSWER:

INTERROGATORY NO. 5: For each person identified in your answer to Interrogatory No. 4, state:

- a. the subject matter and substance of the facts and opinions about which he or she is expected to testify;
- b. the qualifications of the witness, including a list of all publications authored by the witness within the preceding ten (10) years; and
- c. the cases in which the witness has testified as an expert at trial, hearing, or by deposition within the preceding four (4) years.

ANSWER:

INTERROGATORY NO. 6: State the relief you seek in this case, including the amount of damages you are claiming in this case, if any. If you are claiming damages, please also explain your calculation for said damages.

ANSWER:

INTERROGATORY NO. 7: If anyone other than CEI personnel has inspected, examined, tested, measured, or otherwise made any assessment of the electric service and/or electrical equipment at the Property from October 1, 2017 to the present, state the following for each person:

- a. his or her full name;
- b. the company he or she works for;
- c. his or her address;

- d. his or her phone number;
- e. the date of each inspection, examination, test, measurement, or other assessment;
- f. a description of the work performed in each inspection, examination, test, measurement, or other assessment;
- g. the results of the inspection, examination, test, measurement, or other assessment.

ANSWER:

INTERROGATORY NO. 8: For the period of time beginning on October 1, 2017, and ending on April 30, 2018, please identify the utility company providing natural gas to the Property.

ANSWER:

INTERROGATORY NO. 9: Identify the interconnection point where electricity from CEI enters the Property.

ANSWER:

INTERROGATORY NO. 10: Identify the location of the electric meter on the Property.

ANSWER:

INTERROGATORY NO. 11: Identify the location in or on the Property where you allege your neighbor's son "felt a jolt of energy from your house."

ANSWER:

INTERROGATORY NO. 12: For the incident described in Interrogatory No. 12, above, please provide the approximate date and time of the incident, the name of your neighbor's son, your neighbor's home address, and identify whether the incident occurred inside or outside of the Property.

ANSWER:

INTERROGATORY NO. 13: Please state whether any space heater(s) has been used in the Property during the time period beginning on October 1, 2017, and ending on April 30, 2018.

ANSWER:

INTERROGATORY NO. 14: If your answer to Interrogatory No. 14 is anything other than an unqualified "no," please identify the number of space heaters used and the approximate time period(s) during which any such space heaters were used.

ANSWER:

REQUESTS FOR PRODUCTION

REQUEST NO. 1: Produce all documents you identified, referred to, or relied upon in providing answers and responses to these Discovery Requests.

RESPONSE:

REQUEST NO. 2: Produce all documents and work papers that reflect, explain, or support your calculation of the damages you claim in this case.

RESPONSE:

REQUEST NO. 3: Produce all documents that you intend to rely upon, refer to, or use as exhibits at any deposition or at any hearing in this matter.

RESPONSE:

REQUEST NO. 4: Produce all documents which refer, relate, or in any way pertain to any witnesses you have retained or specifically employed to provide expert testimony in this case, including but not limited to:

- a. Any written reports, including drafts thereof, including a statement of all opinions to be expressed and the basis thereof;
- b. The data or other information considered by the witness(es) in forming the opinions;

- c. Any exhibits to be used as a summary of, or support for, the opinions;
- d. The qualifications of the witness(es), including a list of all publications authored by the witness within the preceding ten (10) years; and
- e. A listing of any other cases in which the witness has testified as an expert at trial, hearing, or by deposition within the preceding four (4) years.

RESPONSE:

REQUEST NO. 5: Produce all documents which refer, relate, or in any way pertain to discussions you had with representatives of CEI regarding your electric service at the Property, including but not limited to all notes, correspondence, and emails.

RESPONSE:

REQUEST NO. 6: Produce all documents that you received from the Public Utilities Commission of Ohio regarding your electric service at the Property.

RESPONSE:

REQUEST NO. 7: Produce all documents related to any inspection, examination, test, measurement, or other assessment identified in your response to Interrogatory No. 7.

RESPONSE:

REQUEST NO. 8: Produce any and all receipts for renovation work done to the Property since September 2017.

RESPONSE:

REQUEST NO. 9: Provide copies of all natural gas bills and correspondence to or from the natural gas utility identified in your Response to Interrogatory No. 8, during the period of time beginning on October 1, 2017 and ending on April 30, 2018.

RESPONSE:

REQUEST NO. 10: Provide copies of all property condition inspection reports performed at the time that your residence was purchased.

RESPONSE:

Date: 11/5/2018

/s/ Emily V. Danford
Emily V. Danford (#0090747)
Counsel of Record
Robert M. Endris (#0089886)
FirstEnergy Service Company
76 South Main Street
Akron, Ohio 44308
Telephone: 330-384-5728
Facsimile: 330-384-3875
edanford@firstenergycorp.com

*Attorneys for The Cleveland Electric
Illuminating Company*

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing The Cleveland Electric Illuminating Company's First Set of Combined Discovery Requests was served upon the following by regular U.S. mail, on this 5th day of November, 2018. An Electronic Word copy of the foregoing was also served to the Complainant via electronic mail at jkenderes@bellacarehospice.net.

Jenny Kenderes
4116 Parkside Drive
Brooklyn, Ohio 44144

/s/ Emily V. Danford
*Attorney for The Cleveland Electric
Illuminating Company*

ATTACHMENT 2

From: [Jenny Kenderes](#)
To: [Danford, Emily V](#)
Subject: [EXTERNAL] Re: PUCO Case No. 18-922-EL-CSS - CEI Discovery Requests
Date: Friday, December 14, 2018 12:20:24 PM

Hello,

I have submitted them several times. I will send them certified mail this time so I have a signed receipt. Also, as mentioned prior, I have someone from the media that will be contacting you as well. Thank you

Jenny Kenderes
Director of Marketing
Bella Care Hospice
216-410-0339 cell

Bella Care Hospice is Deficiency Free!!!

On Dec 14, 2018, at 10:18 AM, Danford, Emily V <edanford@firstenergycorp.com> wrote:

Ms. Kenderes,

I am writing because I still have not received your responses to CEI's discovery requests, which were due on November 26. Could you please confirm that you have sent these responses to me either electronically (to email address edanford@firstenergycorp.com) or by mail to:

Emily V. Danford
FirstEnergy
76 S. Main Street
Akron, Ohio 44308

If you have sent your responses elsewhere, please redirect them to either my email address or business address as listed above.

Kind regards,
Emily Danford

Emily V. Danford
Attorney
FirstEnergy Service Company
edanford@firstenergycorp.com
(w): 330-384-5849
(c): 330-760-6963

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Thank you for your assistance.

From: Jenny Kenderes <JKenderes@bellacarehospice.net>
Sent: Monday, December 10, 2018 6:02 PM
To: Danford, Emily V <edanford@firstenergycorp.com>
Subject: [EXTERNAL] Re: PUCO Case No. 18-922-EL-CSS - CEI Discovery Requests

Hello,

I did re submit last week however you will prob be receiving additional information as I've reached out to a few extra sources including the media. Thank you kindly,

Jenny Kenderes
Director of Marketing
Bella Care Hospice
216-410-0339 cell

Bella Care Hospice is Deficiency Free!!!

On Dec 7, 2018, at 2:44 PM, Danford, Emily V <edanford@firstenergycorp.com> wrote:

Good Afternoon Ms. Kenderes,

I am writing to follow up my request below, as I have not yet received your discovery responses.

Thank you for your attention to this matter.

Best Regards,

Emily

Emily V. Danford
Attorney
FirstEnergy Service Company
edanford@firstenergycorp.com
(w): 330-384-5849
(c): 330-760-6963

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Thank you for your assistance.

From: Danford, Emily V
Sent: Friday, November 30, 2018 4:21 PM
To: Jenny Kenderes <JKenderes@bellacarehospice.net>
Cc: Danford, Emily V <edanford@firstenergycorp.com>
Subject: RE: PUCO Case No. 18-922-EL-CSS - CEI Discovery Requests

Thanks, Ms. Kenderes. I have not received your interrogatory responses,
so please do resend them when you can.

Best,
Emily

Emily V. Danford
Attorney
FirstEnergy Service Company
edanford@firstenergycorp.com
(w): 330-384-5849
(c): 330-760-6963

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Thank you for your assistance.

From: Jenny Kenderes <JKenderes@bellacarehospice.net>
Sent: Friday, November 30, 2018 4:19 PM
To: Danford, Emily V <edanford@firstenergycorp.com>
Subject: [EXTERNAL] Re: PUCO Case No. 18-922-EL-CSS - CEI Discovery Requests

Yes I understand the interrogatories and they were sent back to you several days after receiving them. I can resend from my office next week when I'm back in if necessary

How would there be a fair hearing if the evidence is destroyed? As I explained in the last conference, i would've been happy to have the meter re tested at my own expense.

Thank you,

Jenny Kenderes
Director of Marketing
Bella Care Hospice
216-410-0339 cell

Bella Care Hospice is Deficiency Free!!!

On Nov 30, 2018, at 4:15 PM, Danford, Emily V
<edanford@firstenergycorp.com> wrote:

Ms. Kenderes,

Thank you for your reply. I understand that you provided some documents to my colleague during the settlement

conference. However, you will still need provide written responses to the interrogatories (the questions) in the attached. You will also need to produce any additional documents that you may have that are responsive to our requests for production. I appreciate your attention to this matter.

Regarding the old meter, as I mentioned previously, CEI no longer has the old meter, as it was tested at the company's meter lab and then disposed of in accordance with company practice.

Best,
Emily

Emily V. Danford
Attorney
FirstEnergy Service Company
edanford@firstenergycorp.com
(w): 330-384-5849
(c): 330-760-6963

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Thank you for your assistance.

From: Jenny Kenderes <JKenderes@bellacarehospice.net>
Sent: Friday, November 30, 2018 3:51 PM
To: Danford, Emily V <edanford@firstenergycorp.com>
Subject: [EXTERNAL] Re: PUCO Case No. 18-922-EL-CSS - CEI Discovery Requests

Good Afternoon,

I just returned from a cruise where I haven't had cell service. I did touch base with Doug Jennings from PUCO in regards to this matter.

You do have all of my discovery as provided earlier.

Secondly, in regards to the meter testing that I offered to pay for; you said per company policy it was destroyed. I am having a hard time understanding why the meter in question would be destroyed, eliminating the ability to access it?

Thank you

Jenny Kenderes
Director of Marketing
Bella Care Hospice
216-410-0339 cell

Bella Care Hospice is Deficiency Free!!!

On Nov 30, 2018, at 3:30 PM, Danford, Emily V
<edanford@firstenergycorp.com> wrote:

Dear Ms. Kenderes,

On November 5, 2017, I sent you via email and regular U.S. Mail The Cleveland Electric Illuminating Company's First Set of Combined Discovery Requests to Complainant in the above-referenced matter. Pursuant to Commission rules (Sections 4901-1-19 and 4901-1-20 of the Ohio Administrative Code), your written responses were due by November 26, 2018. I have not yet received your written responses and they are now overdue.

CEI's discovery requests seek information that is relevant to this case, because it relates to witnesses, exhibits, and key facts. I am writing to request that you please submit your responses to me by December 5, 2018. If you have any questions, please feel free to contact me.

Sincerely,
Emily

Emily V. Danford
Attorney
FirstEnergy Service Company
edanford@firstenergycorp.com
(w): 330-384-5849
(c): 330-760-6963

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Thank you for your assistance.

From: Danford, Emily V
Sent: Monday, November 5, 2018 3:14 PM
To: jkenderes@bellacarehospice.net
Cc: Danford, Emily V
<edanford@firstenergycorp.com>
Subject: PUCO Case No. 18-922-EL-CSS - CEI
Discovery Requests

Dear Ms. Kenderes,

On behalf of the Cleveland Electric Illuminating Company ("CEI"), attached please find CEI's first set of discovery requests in PUCO Case No. 18-922-EL-CSS. Please be advised that your responses are due within 20 days – by November 26, 2018.

Please do not hesitate to contact me with any questions.

Best regards,
Emily

Emily V. Danford
Attorney
FirstEnergy Service Company
edanford@firstenergycorp.com
(w): 330-384-5849
(c): 330-760-6963

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Thank you for your assistance.

<Kenderes - Cover Letter - Discovery.pdf>

<Kenderes - CEI First Set of Combined
Discovery Requests to Complainant.docx>

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<Kenderes - Cover Letter - Discovery.pdf>

<Kenderes - CEI First Set of Combined Discovery Requests to
Complainant.docx>

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ATTACHMENT 3

From: [Danford, Emily V](#)
To: [Jenny Kenderes](#)
Cc: [Danford, Emily V](#)
Subject: PUCO Case No. 18-922-EL-CSS
Date: Friday, March 15, 2019 4:50:11 PM
Attachments: [Kenderes Mailing 3.15.2019.pdf](#)

Dear Ms. Kenderes,

Please see the attached, which is being mailed to you today.

Best regards,
Emily

Emily V. Danford
Attorney
FirstEnergy Service Company
edanford@firstenergycorp.com
(w): 330-384-5849
(c): 330-760-6963

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Emily V. Danford
Attorney330-384-5849
Fax: 330-315-7647

Via Email and Regular U.S. Mail

Jenny Kenderes
4116 Parkside Drive
Brooklyn, Ohio 44144

March 15, 2019

Re: PUCO Case No. 18-922-EL-CSS – Deficiencies in Discovery Responses

Dear Ms. Kenderes,

On behalf of the Cleveland Electric Illuminating Company ("CEI"), I am writing to inform you of deficiencies in your Responses to CEI's First Set of Combined Discovery Requests to Complainant (the "Discovery Requests"), that you provided to me by email on February 20, 2019. The Commission's Rules, Sections 4901-1-19 and 4901-1-20 of the Ohio Administrative Code, require you to respond to these Discovery Requests in full, including both written responses to Interrogatories and the production of documents that are responsive to the Requests for Production.

As further described below, you did not respond to certain Discovery Requests in full or at all. Please provide me with your responses to these Discovery Requests, including copies of the documents that are requested in the Requests for Production, no later than **April 5, 2019**. Please feel free to call me with any questions. I would also be happy to attend a status conference with you and a Commission Attorney Examiner to discuss these Discovery Requests if it would be helpful to you.

I've enclosed a copy of your Responses to the Discovery Requests for your reference.

Interrogatory No. 1:

In response to Interrogatory No. 1, you stated "PUCO, electricians who have worked on my home, Channels 3, 5 8 and 19 investigative reporting team, various family members." This is not a full response to the Interrogatory.

As originally requested, please provide the full name, present or last known address, employer, and relationship, if any, to you, of each of these people.

Interrogatory No. 3:

In response to Interrogatory No. 3, you stated "Channel 8 potentially, Ed Gallek, Possibly Tim Janos, president of Association of Energy Engineers,". This is not a full response to the Interrogatory.

As originally requested, please provide:

- The present or last known address; employer; and relationship, if any, to you, of Ed Gallek.

- The present or last known address; and relationship, if any, to you, of Tim Janos.
- Please identify the individuals you plan to call as witnesses from "Channel 8," including full name; the present or last known address; employer; and relationship, if any, to you.

Interrogatory No. 5:

In response to Interrogatory No. 5, you stated "President of Association of Energy Engineers, certified teacher in over 20 countries. Owner and CEO of Energy Management Systems. Law Degree obtained as well." This is not a full response to the Interrogatory.

As originally requested, please provide:

- A list of all publications authored by Tim Janos within the preceding ten (10) years.
- Please provide a list of all cases in which Tim Janos has testified as an expert at trial, hearing, or by deposition within the preceding four (4) years.
- If neither of these are provided as requested, I will interpret that you are positively responding with "None" or "Not applicable".

Interrogatory No. 6:

In response to Interrogatory No. 6, you stated "I would like credit for all the incorrect billing, as well as compensation for travel time, time taken off of work, time spent calling/emailing CEI, and hotel reimbursement for overnight stay." This is not a full response to the Interrogatory.

As originally requested, please state the amount of damages you are claiming in this case and explain your calculation for said damages.

Interrogatory No. 7:

In response to Interrogatory No. 7, you stated "Various electricians that were hired by me, all conclusive that the meter was faulty". This is not a full response to the Interrogatory.

As originally requested, for the "Various electricians that were hired by me" that you identified in your response, please provide the following:

- a. his or her full name;
- b. the company he or she works for;
- c. his or her address;
- d. his or her phone number;
- e. the date of each inspection, examination, test, measurement, or other assessment;
- f. a description of the work performed in each inspection, examination, test, measurement, or other assessment;
- g. the results of the inspection, examination, test, measurement, or other assessment.

Request for Production ("Request") No. 1:

In response to Request No. 1, you stated "See above". You did not produce any documents in response to this Request. This is not a full response to the Request.

As originally requested, please produce all documents you identified, referred to, or relied upon in providing answers and responses to these Discovery Requests. In addition, please clarify by reference to numbered interrogatory(s) your response: "See above".

Request No. 2:

In response to Request No. 2, you stated "See above, additionally CEI has copies of everything from the last hearing". You did not produce any documents in response to this Request. This is not a full response to the Request.

As originally requested, please produce all documents and work papers that reflect, explain, or support your calculation of the damages you claim in this case. In addition, please clarify by reference to numbered interrogatory(s) or numbered request(s) for production of documents your response: "See above".

Request No. 3:

In response to Request No. 3, you stated "See above". You did not produce any documents in response to this Request. This is not a full response to the Request.

As originally requested, please produce all documents that you intend to rely upon, refer to, or use as exhibits at any deposition or at any hearing in this matter. In addition, please clarify by reference to numbered interrogatory(s) or numbered request(s) for production of documents your response: "See above".

Request No. 4:

You did not respond to Request No. 4, despite identifying witnesses in your responses to Interrogatory Nos. 3 and 5. You also did not produce any documents in response to this Request. This is not a full response to the Request.

As originally requested, please produce all documents which refer, relate, or in any way pertain to any witnesses you have retained or specifically employed to provide expert testimony in this case, including but not limited to:

- a. Any written reports, including drafts thereof, including a statement of all opinions to be expressed and the basis thereof;
- b. The data or other information considered by the witness(es) in forming the opinions;
- c. Any exhibits to be used as a summary of, or support for, the opinions;
- d. The qualifications of the witness(es), including a list of all publications authored by the witness within the preceding ten (10) years; and
- e. A listing of any other cases in which the witness has testified as an expert at trial, hearing, or by deposition within the preceding four (4) years.

Request No. 5:

In response to Request No. 5, you stated "CEI has the majority of them already." You did not produce any documents in response to this Request. This is not a full response to the Request.

As originally requested, please produce all documents which refer, relate, or in any way pertain to discussions you had with representatives of CEI regarding your electric service at the Property, including but not limited to all notes, correspondence, and emails. In addition, please clarify your response by identifying the documents that you assert CEI already has that are responsive to this Request.

Request No. 6:

You did not respond to Request No. 6. You also did not produce any documents in response to this Request. This is not a full response to the Request.

As originally requested, please produce all documents that you received from the Public Utilities Commission of Ohio regarding your electric service at the Property.

Request No. 7:

You did not respond to Request No. 7, despite responding to Interrogatory No. 7 by stating, "Various electricians that were hired by me, all conclusive that the meter was faulty". You also did not produce any documents in response to this Request No. 7. This is not a full response to the Request.

As originally requested, please produce all documents related to any inspection, examination, test, measurement, or other assessment identified in your response to Interrogatory No. 7.

Request No. 8:

You did not respond to Request No. 8. You also did not produce any documents in response to this Request. This is not a full response to the Request.

As originally requested, please produce any and all receipts for renovation work done to the Property since September 2017.

Request No. 9:

In response to Request No. 9, you stated "Will bring to trial with me". CEI does not consent to your proposed timing for production of responsive documents. You did not produce any documents in response to this Request. This is not a full response to the Request.

As originally requested, please produce copies of all natural gas bills and correspondence to or from the natural gas utility identified in your Response to Interrogatory No. 8, during the period of time beginning on October 1, 2017 and ending on April 30, 2018. Please produce these documents no later than **April 5, 2019**.

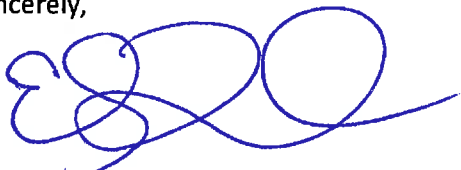
Request No. 10:

In response to Request No. 10, you stated "Will bring with me, it is a lengthy report, house in great condition". CEI does not consent to your proposed timing for production of responsive documents. You did not produce any documents in response to this Request. This is not a full response to the Request.

As originally requested, please produce copies of all property condition inspection reports performed at the time that your residence was purchased. Please produce these documents no later than **April 5, 2019**.

Please do not hesitate to contact me with any questions or concerns.

Sincerely,



Emily V. Danford

Enclosure

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

JENNY KENDERES,

Complainant,

v.

**THE CLEVELAND ELECTRIC
ILLUMINATING COMPANY,**

Respondent.

Case No. 18-922-EL-CSS

**THE CLEVELAND ELECTRIC ILLUMINATING COMPANY'S
FIRST SET OF COMBINED DISCOVERY REQUESTS TO COMPLAINANT**

Pursuant to Sections 4901-1-19 and 4901-1-20 of the Ohio Administrative Code, The Cleveland Electric Illuminating Company propounds the following combined set of Interrogatories and Requests for Production of Documents (collectively, the "Discovery Requests") upon Complainant Jenny Kenderes ("Complainant") to be responded to fully, separately, and in writing within twenty (20) days of service.

INSTRUCTIONS

A. Completeness: In answering these Discovery Requests, Complainant must furnish all information and documents available to Complainant. This includes documents in the possession, custody or control of Complainant's attorneys or of any third party or parties whom Complainant has surrendered possession, custody or control or who are acting on Complainant's behalf, or who have otherwise obtained possession, custody or control, or who, upon Complainant's request would surrender possession, custody or control to Complainant.

B. Supplementation: These Discovery Requests shall be deemed continuing in nature so as to require supplementary responses between the time the initial responses are served

and the time of hearing, if any, in accordance with Rule 4901-1-16(D), Ohio Administrative Code. Such supplementary responses are to be filed and served upon CEI within five (5) days after receipt of such information.

DEFINITIONS

A. "Document" or "documents" means the original and all copies that are different in any way from the original (whether by interlineation, receipt stamp, notation, indication of copies sent or received or otherwise, and drafts) of any printed, typewritten, handwritten, or otherwise recorded matter of whatever character (including, without limitation, telegraphs, personal notes, diaries, statements, photographs, videotapes, tape recordings, motion pictures, computer tapes or discs, and any Xerox, carbon, magnetic, digital or photographic copies of any such material if Complainant does not have custody and control of the original). The enumeration of various specific items as included within the definition of the term "document" or "documents" shall not be taken to limit the generality of the terms, and the Document Requests herein are intended to obtain all documents in the broadest and most comprehensive sense and meaning of the term.

B. "Identify," with respect to any natural person, shall mean to provide the following information about the person: full name; present or last known address; employer; and relationship, if any, to the Complainant. If any of this information is not available to Complainant, state any other means of identifying such natural person.

C. "Identify," with respect to any document, shall mean to provide the following information about the document: general description; subject matter; date; title; author; recipients; and, if the document is not in Complainant's possession, the location of the document.

If any of this information is not available to Complainant, state any other means of identifying the document.

D. As used herein, the terms “you,” “your,” and “Complainant” refers to Jenny Kenderes, and each person acting or purporting to act on behalf of Jenny Kenderes.

E. As used herein, the terms the “Company” and “CEI” refer to The Cleveland Electric Illuminating Company and each person acting or purporting to act on behalf of The Cleveland Electric Illuminating Company.

F. As used herein, the term “Complaint” refers to the Complaint filed by Complainant with the Public Utilities Commission of Ohio, Case No. 18-922-EL-CSS.

G. As used herein, the term “Property” refers to 4116 Parkside Drive, Brooklyn, Ohio 44144.

INTERROGATORIES

INTERROGATORY NO. 1: Identify all persons who have knowledge or information, or may have knowledge or information, regarding your claims in the Complaint.

ANSWER: PUCO, electricians who have worked on my home, Channels 3, 5 8 and 19 investigative reporting team, various family members

INTERROGATORY NO. 2: Identify any and all exhibits or demonstrative evidence that you intend to present at any hearing of this matter.

ANSWER: Average Daily Temps, Comparison charts of Neighbors usage, EPA act regarding meter usage, photos of my new appliances, facts surrounding my home, conversations documented with CEI, Usage of Meters.

INTERROGATORY NO. 3: Identify each person whom you intend to call as a lay (fact) witness at any hearing of this matter.

ANSWER: Channel 8 potentially, Ed Gallek, Possibly Tim Janos, president of Association of Energy Engineers,

INTERROGATORY NO. 4: Identify each person whom you intend to call as an expert witness at any hearing of this matter.

ANSWER: Tim Janos

INTERROGATORY NO. 5: For each person identified in your answer to Interrogatory No. 4, state:

- a. the subject matter and substance of the facts and opinions about which he or she is expected to testify;
- b. the qualifications of the witness, including a list of all publications authored by the witness within the preceding ten (10) years; and
- c. the cases in which the witness has testified as an expert at trial, hearing, or by deposition within the preceding four (4) years.

ANSWER: President of Association of Energy Engineers, certified teacher in over 20 countries. Owner and CEO of Energy Management Systems. Law Degree obtained as well.

INTERROGATORY NO. 6: State the relief you seek in this case, including the amount of damages you are claiming in this case, if any. If you are claiming damages, please also explain your calculation for said damages.

ANSWER: I would like credit for all the incorrect billing, as well as compensation for travel time, time taken off of work, time spent calling/emailing CEI, and hotel reimbursement for overnight stay .

INTERROGATORY NO. 7: If anyone other than CEI personnel has inspected, examined, tested, measured, or otherwise made any assessment of the electric service and/or electrical equipment at the Property from October 1, 2017 to the present, state the following for each person:

- a. his or her full name;
- b. the company he or she works for;
- c. his or her address;
- d. his or her phone number;
- e. the date of each inspection, examination, test, measurement, or other assessment;
- f. a description of the work performed in each inspection, examination, test, measurement, or other assessment;
- g. the results of the inspection, examination, test, measurement, or other assessment.

ANSWER:

Various electricians that were hired by me , all conclusive that the meter was faulty

INTERROGATORY NO. 8: For the period of time beginning on October 1, 2017, and ending on April 30, 2018, please identify the utility company providing natural gas to the Property.

ANSWER:

Dominion Ohio

INTERROGATORY NO. 9: Identify the interconnection point where electricity from CEI enters the Property.

ANSWER: Meter in back on house which runs to a utility pole in the backyard.

INTERROGATORY NO. 10: Identify the location of the electric meter on the Property.

ANSWER: Attached to rear of the house facing West.

INTERROGATORY NO. 11: Identify the location in or on the Property where you allege your neighbor's son "felt a jolt of energy from your house."

ANSWER: ON the side of the house, facing South. The father Tony Lotts brought this to my attention.

INTERROGATORY NO. 12: For the incident described in Interrogatory No. 12, above, please provide the approximate date and time of the incident, the name of your neighbor's son, your neighbor's home address, and identify whether the incident occurred inside or outside of the Property.

ANSWER: I do not recall the exact date, approx. later summer 2017. The neighbors son is Anthony Lotts Jr, address is 4129 Parkside Drive Brooklyn OH 44144. Incident occurred outside the home

INTERROGATORY NO. 13: Please state whether any space heater(s) has been used in the Property during the time period beginning on October 1, 2017, and ending on April 30, 2018.

ANSWER: NO, my boyfriend is a 18 year veteran on the Cleveland Fire Dept and would never allow it, due to fire hazards.

INTERROGATORY NO. 14: If your answer to Interrogatory No. 14 is anything other than an unqualified "no," please identify the number of space heaters used and the approximate time period(s) during which any such space heaters were used.

ANSWER:

REQUESTS FOR PRODUCTION

REQUEST NO. 1: Produce all documents you identified, referred to, or relied upon in providing answers and responses to these Discovery Requests.

RESPONSE: See above

REQUEST NO. 2: Produce all documents and work papers that reflect, explain, or support your calculation of the damages you claim in this case.

RESPONSE: See above, additionally CEI has copies of everything from the last hearing

REQUEST NO. 3: Produce all documents that you intend to rely upon, refer to, or use as exhibits at any deposition or at any hearing in this matter.

RESPONSE: See above

REQUEST NO. 4: Produce all documents which refer, relate, or in any way pertain to any witnesses you have retained or specifically employed to provide expert testimony in this case, including but not limited to:

- a. Any written reports, including drafts thereof, including a statement of all opinions to be expressed and the basis thereof;
- b. The data or other information considered by the witness(es) in forming the opinions;
- c. Any exhibits to be used as a summary of, or support for, the opinions;

- d. The qualifications of the witness(es), including a list of all publications authored by the witness within the preceding ten (10) years; and
- e. A listing of any other cases in which the witness has testified as an expert at trial, hearing, or by deposition within the preceding four (4) years.

RESPONSE:

REQUEST NO. 5: Produce all documents which refer, relate, or in any way pertain to discussions you had with representatives of CEI regarding your electric service at the Property, including but not limited to all notes, correspondence, and emails.

RESPONSE: CEI has the majority of them already.

REQUEST NO. 6: Produce all documents that you received from the Public Utilities Commission of Ohio regarding your electric service at the Property.

RESPONSE:

REQUEST NO. 7: Produce all documents related to any inspection, examination, test, measurement, or other assessment identified in your response to Interrogatory No. 7.

RESPONSE:

REQUEST NO. 8: Produce any and all receipts for renovation work done to the Property since September 2017.

RESPONSE:

REQUEST NO. 9: Provide copies of all natural gas bills and correspondence to or from the natural gas utility identified in your Response to Interrogatory No. 8, during the period of time beginning on October 1, 2017 and ending on April 30, 2018.

RESPONSE: Will bring to trial with me

REQUEST NO. 10: Provide copies of all property condition inspection reports performed at the time that your residence was purchased.

RESPONSE: Will bring with me, it is a lengthy report, house in great condition

Date: 11/5/2018

/s/ Emily V. Danford
Emily V. Danford (#0090747)
Counsel of Record
Robert M. Endris (#0089886)
FirstEnergy Service Company
76 South Main Street
Akron, Ohio 44308
Telephone: 330-384-5728
Facsimile: 330-384-3875
edanford@firstenergycorp.com

*Attorneys for The Cleveland Electric
Illuminating Company*

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing The Cleveland Electric Illuminating Company's First Set of Combined Discovery Requests was served upon the following by regular U.S. mail, on this 5th day of November, 2018. An Electronic Word copy of the foregoing was also served to the Complainant via electronic mail at jkenderes@bellacarehospice.net.

Jenny Kenderes
4116 Parkside Drive
Brooklyn, Ohio 44144

/s/ Emily V. Danford
*Attorney for The Cleveland Electric
Illuminating Company*

ATTACHMENT 4

Danford, Emily V

From: Danford, Emily V
Sent: Wednesday, June 5, 2019 4:48 PM
To: Jenny Kenderes
Cc: Danford, Emily V
Subject: PUCO Case No. 18-922-EL-CSS - Discovery Deficiencies

Dear Ms. Kenderes:

I am writing to inform you of deficiencies in the supplemental discovery you sent to me by email on May 31, 2019. Per our status conference with Attorney Examiner Jim Lynn on May 14, 2019, your supplemental responses were due no later than May 31, 2019. While CEI would prefer to resolve this informally without Commission intervention, CEI will file a Motion to Compel if necessary.

1. Interrogatory No. 1

As originally requested, please provide a description of the relationship, if any, to you of each individual you identified in response to Interrogatory No. 1.

2. Interrogatory No. 7

You did not provide (1) a description of the work performed in each inspection, examination, test, measurement, or other assessment; or (2) the results of the inspection, examination, test, measurement, or other assessment. As originally requested, please provide this information.

3. Request for Production of Documents Nos. 1-10

You did not update your responses to any of the Requests for Production of Documents. As originally requested, for each Request for Production of Documents please (1) produce any responsive documents; (2) identify responsive documents that have already been produced; and/or (3) indicate that you have no responsive documents. If the documents are too large to send by email, you might try breaking them into smaller attachments to send in separate emails, or else printing and mailing them to my attention.

In addition, CEI understands that during the status conference on May 14, 2019, you indicated that you would provide the names of any expert witnesses you plan to utilize and the other related information requested in Interrogatories No. 3 and 5 once a hearing is scheduled in this matter. CEI acknowledges this scheduling limitation, but does not waive its requests for this information.

Sincerely,
Emily Danford

Emily V. Danford
Attorney
FirstEnergy Service Company
edanford@firstenergycorp.com
(w): 330-384-5849
(c): 330-760-6963

Legal Disclaimer:

The information contained in this message may be privileged and confidential. It is intended to be read only by the individual or entity to whom it is addressed or by their designee. If the reader of this message is not the intended recipient, you are on notice that any distribution of this message, in any form, is strictly prohibited. If you have received this message in error, please immediately notify the sender and delete or destroy any copy of this message.

From: Jenny Kenderes <jkenderes@premier-senior.com>
Sent: Friday, May 31, 2019 3:03 PM
To: Danford, Emily V <edanford@firstenergycorp.com>
Subject: [EXTERNAL] Fwd:

Good afternoon,

Please see attachments with the corrections. I am still trying to send over the additional file with the attachments. It is not going though.

Jenny Kenderes
President & CEO
Premier Senior Solutions
216-410-0339 cell

[Www.premier-senior.com](http://www.premier-senior.com)

Begin forwarded message:

From: Jenny Kenderes <jkenderes@premier-senior.com>
Date: May 29, 2019 at 4:32:37 PM EDT
To: Jenny Kenderes <jkenderes@premier-senior.com>
Subject: Fwd:

Jenny Kenderes
President & CEO
Premier Senior Solutions
216-410-0339 cell

[Www.premier-senior.com](http://www.premier-senior.com)

Begin forwarded message:

From: Jenny Kenderes <jkenderes@premier-senior.com>
Date: May 29, 2019 at 4:31:53 PM EDT
To: "jkenderes@premier.senior.com" <jkenderes@premier.senior.com>

Jenny Kenderes
President & CEO
Premier Senior Solutions
(216) 410-0339

www.premier-senior.com

ATTACHMENT 5

Danford, Emily V

From: Danford, Emily V
Sent: Wednesday, June 12, 2019 8:26 AM
To: Jenny Kenderes
Subject: RE: PUCO Case No. 18-922-EL-CSS - Discovery Deficiencies

Ms. Kenderes:

I have not received any documents from you. If I do not receive them by the end of this week I will be filing a Motion to Compel early next week.

Thanks,
Emily

Emily V. Danford
Attorney
FirstEnergy Service Company
edanford@firstenergycorp.com
(w): 330-384-5849
(c): 330-760-6963

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From: Jenny Kenderes <jkenderes@premier-senior.com>
Sent: Tuesday, June 11, 2019 11:48 AM
To: Danford, Emily V <edanford@firstenergycorp.com>
Subject: [EXTERNAL] Re: PUCO Case No. 18-922-EL-CSS - Discovery Deficiencies

Good Morning,

Interrogatory #1 did not ask for the relationship (see attached photo). Some already do have the relationships listed though. The ones that do not are as follows:

Ed Gallek, friend of a friend.

Rob Slattery, a friend of mine.

Ken Lewis - friend and has served as counsel for me

Nick Pastirik - my boyfriend

John Mahoney- friend of mine

Done Kenderes - CEI First Set of Co...**INTERROGATORIES**

INTERROGATORY NO. 1: Identify all persons who have knowledge or information, or may have knowledge or information, regarding your claims in the Complaint.

ANSWER:

Ed Gallek, Fox 8 news, reporter
5800 Marginal Rd
Cleveland, OH 44103

Rob Slattery, former Cleveland Police and owner of JAB
Investigative services, PI
PO Box 43371
Brooklyn OH 44144

Pat Janos, my father and also one who examined electrical
32854 St Anthonys Way
Avon, OH 44011
440-935-1131

Cathy Janos, my mother who paid the shut off amount
2039 W Reserve Circle
Avon OH 44011
440-570-4051

Mike Geballa, handyman
9315 Berhwald Ave
Brooklyn, Oh 44144
216-299-5039

Ken Lewis Attorney
1220 West 6th St
Cleveland, OH 44113
216-241-2863

Nick Pastirik, Lieutenant , Cleveland Fire Dept
1440 Chesterland Ave
Lakewood OH 44107
216-571-9892

Senator Sherrod Browns office
801 West Superior Ave
Cleveland, OH 44113

John Mahoney, Director of Consumer Affairs, City of Cleveland
216-433-7035

Secondly , I do not know the name of instrumentation used when inspecting my home. As asked in interrogatory #7

Lastly I resent the files as requested. Pls let me know when you receive them

Thank you,

Jenny Kenderes
President & CEO
Premier Senior Solutions

440-262-5199 office
440-262-5191 fax
216-410-0339 cell

www.premier-senior.com

On Jun 5, 2019, at 4:48 PM, Danford, Emily V <edanford@firstenergycorp.com> wrote:

Dear Ms. Kenderes:

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Sincerely,
Emily Danford

Emily V. Danford
Attorney
FirstEnergy Service Company
edanford@firstenergycorp.com
(w): 330-384-5849
(c): 330-760-6963

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Jenny Kenderes
President & CEO
Premier Senior Solutions
(216) 410-0339

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This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

6/19/2019 11:08:35 AM

in

Case No(s). 18-0922-EL-CSS

Summary: Motion to Compel Discovery electronically filed by Ms. Emily V Danford on behalf of The Cleveland Electric Illuminating Company