

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

Citizens' Utility Board of Ohio,)	
)	
Complainant)	
)	
v.)	
)	
Ohio Edison Co., The Toledo Edison Co.,)	Case No. 20-1756-EL-CSS
and The Cleveland Electric Illuminating)	
Co.,)	
)	
Respondents.)	
)	
)	

COMPLAINT AND REQUEST FOR RELIEF

SUMMARY OF THE CASE

Over the last several months, evidence has come to light showing that FirstEnergy Corp. and its subsidiaries (collectively, “FirstEnergy”) have (1) paid more than \$60 million to achieve passage of state legislation that was used as part of an alleged criminal racketeering conspiracy by an Ohio policymaker; and (2) paid \$4 million to an individual who by FirstEnergy’s own admission “subsequently was appointed to a full-time role as an Ohio government official directly involved in regulating the Ohio Companies, including with respect to distribution rates” – almost certainly the former chairman of the Public Utilities Commission of Ohio (“Commission” or “PUCO”), Samuel Randazzo, who resigned from the Commission when this transaction was disclosed. FirstEnergy made these payments coincident with the enactment and implementation of a law, House Bill 6, which imposed new charges on ratepayers in order to benefit FirstEnergy Corp.’s then-affiliate FirstEnergy Solutions with more than a billion dollars in subsidies for its uneconomic nuclear plants. Simultaneously, FirstEnergy’s regulated Ohio

utilities – Ohio Edison Co., The Cleveland Electric Illuminating Co., and The Toledo Edison Co. (collectively, “FirstEnergy EDUs”) – benefited from a “decoupling” provision of House Bill 6 that guarantees their revenues at 2018 levels. Former Chairman Randazzo then presided over affirmative action by the Commission to extend that revenue guarantee indefinitely by eliminating a 2024 distribution rate case filing requirement that would have terminated the FirstEnergy decoupling mechanism. Mr. Randazzo also presided over a number of other matters during his tenure that resulted in rulings that were favorable to the FirstEnergy EDUs. He took these actions in apparent contravention of state law, Ohio Revised Code 102.03, governing actions by public officials who have engaged in transactions with regulated utilities.

The Commission can and should take action well within its authority to address these unjust and unreasonable results by (1) requiring Respondents to file a new distribution rate case at the earliest possible date, and conducting a review of all rate decisions over which Mr. Randazzo presided subsequent to the \$4 million payment from FirstEnergy in order to identify any unjust charges; and (2) ordering amendments to the FirstEnergy EDUs’ corporate separation plan to introduce institutional controls that will prevent future payments from unregulated corporate subsidiaries designed to improperly influence the outcome of Commission proceedings.

In support of this Complaint, the Citizens’ Utility Board of Ohio avers as follows:

PARTIES AND JURISDICTION

1. The Citizens’ Utility Board of Ohio (“CUB Ohio”) is a non-profit corporation with its principal place of business located in Columbus, Ohio. CUB Ohio is an independent consumer watchdog that advocates for residential and small business utility customers in Ohio.

CUB Ohio's members include customers of Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company.

2. Respondent Ohio Edison Company is an "electric light company" under R.C. 4905.03(C), a "public utility" under R.C. 4905.02(A), and an "electric distribution utility" under R.C. 4928.01(A)(6).

3. Respondent The Cleveland Electric Illuminating Company is an "electric light company" under R.C. 4905.03(C), a "public utility" under R.C. 4905.02(A), and an "electric distribution utility" under R.C. 4928.01(A)(6).

4. Respondent The Toledo Edison Company is an "electric light company" under R.C. 4905.03(C), a "public utility" under R.C. 4905.02(A), and an "electric distribution utility" under R.C. 4928.01(A)(6).

5. Each Respondent is a wholly-owned subsidiary of FirstEnergy Corp. an electric utility holding company. FirstEnergy Corp. is also the parent company of FirstEnergy Service Corp., which provides certain services to other FirstEnergy subsidiaries in return for payment for such "shared services." FirstEnergy Corp. was previously the parent company of FirstEnergy Solutions, until that subsidiary emerged from federal bankruptcy in February 2020 as an independent corporation, subsequently renamed Energy Harbor.

6. The Commission has personal and subject matter jurisdiction over this Complaint and all claims herein pursuant to R.C. 4905.04, R.C. 4905.05, R.C. 4905.26, R.C. 4928.16, R.C. 4928.17 and R.C. 4928.18.

STATEMENT OF FACTS

A. FirstEnergy Corporate Entities Secretly Paid Significant Sums to Support the Passage of House Bill 6, As Well As a Payment of \$4 Million to a Business Associated with Mr. Randazzo Immediately Prior to His Appointment as PUCO Chair

1. FirstEnergy's Payments to the Householder "Enterprise"

7. In July 2020, the U.S. Attorney for the Southern District of Ohio released a criminal complaint against former Ohio House Speaker Larry Householder and several associates (available at <https://assets.documentcloud.org/documents/6999130/Ohio-House-complaint.pdf>). The complaint alleged that these individuals formed an "Enterprise" that had engaged in a pattern of criminal racketeering activity by secretly accepting over \$60 million from FirstEnergy subsidiary FirstEnergy Solutions (now Energy Harbor), in exchange for passage of legislation – House Bill ("H.B.") 6 – that would charge Ohio ratepayers over a billion dollars as a subsidy for FirstEnergy Solutions' two uneconomic nuclear plants.

8. In October 2020, two of the defendants named in that criminal complaint signed plea agreements admitting to federal racketeering offenses related to the payments by FirstEnergy Solutions in support of enactment of H.B. 6 (available at <https://www.courthousenews.com/wp-content/uploads/2020/10/cespedes-plea.pdf> and <https://www.courthousenews.com/wp-content/uploads/2020/10/longstreth-plea.pdf>).

9. In October and November 2020, FirstEnergy announced the termination and/or separation of its Chief Executive Officer, Charles Jones, and several other top executives after determining they had "violated certain FirstEnergy policies and its code of conduct."

2. FirstEnergy's Payment to Mr. Randazzo

10. On January 17, 2019, Mr. Randazzo submitted an application to fill an upcoming vacancy as a PUCO commissioner.

11. On January 28, 2019, Mr. Randazzo resigned from his position on the PUCO Nominating Council.

12. On January 31, 2019, the PUCO Nominating Council recommended Mr. Randazzo along with three other applicants for potential appointment to the PUCO by Governor DeWine.

13. On February 4, 2019, Governor DeWine appointed Mr. Randazzo to the PUCO and also designated him as chair of the Commission. R.C. 4901.02(E) provides that “[t]he chairperson of the commission shall be the head of the commission and its chief executive officer.”

14. In early 2019, FirstEnergy paid approximately \$4 million to a business entity that it described as follows in a recent federal securities filing in connection with the termination and/or separation of certain senior company executives:

Among the matters considered with respect to the determination by the committee of independent members of the Board of Directors that certain former members of senior management violated certain FirstEnergy policies and its code of conduct related to a payment of approximately \$4 million made in early 2019 in connection with the termination of a purported consulting agreement, as amended, which had been in place since 2013. The counterparty to such agreement was an entity associated with an individual who subsequently was appointed to a full-time role as an Ohio government official directly involved in regulating the Ohio Companies, including with respect to distribution rates. At this time, it has not been determined if the payments were for the purposes represented within the consulting agreement.

15. FirstEnergy has since cited this payment as a basis for terminating or separating several members of senior management for violation of “certain FirstEnergy policies and its code of conduct,” and has noted that “it has not been determined if the payments were for the purposes represented within the consulting agreement.”

16. Ohio Revised Code 102.03(C) provides that “[n]o public official or employee shall participate within the scope of duties as a public official or employee, except through ministerial functions as defined in division (A) of this section, in any license or rate-making proceeding that directly affects the license or rates of any person to whom the public official or employee or immediate family, or a partnership, trust, business trust, corporation, or association of which the public official or employee or the public official’s or employee’s immediate family owns or controls more than five per cent, **has sold goods or services totaling more than one thousand dollars during the preceding year**, unless the public official or employee has filed a written statement acknowledging that sale with the clerk or secretary of the public agency and the statement is entered in any public record of the agency’s proceedings.” (Emphases added.)

17. Ohio Revised Code 102.03(E) provides that “[n]o public official or employee shall solicit or accept anything of value that is of such a character as to manifest a substantial and improper influence upon the public official or employee with respect to that person’s duties.”

18. Ohio Revised Code 102.03(F) provides that “[n]o person shall promise or give to a public official or employee anything of value that is of such a character as to manifest a substantial and improper influence upon the public official or employee with respect to that person’s duties.”

19. Mr. Randazzo’s 2019 financial disclosure statement submitted to the Ohio Ethics Commission indicates that in that year he had an ownership interest in two corporations, the Sustainability Funding Alliance of Ohio and the IEU Administration Company. The disclosure statement did not disclose any payment by FirstEnergy Corp. or any FirstEnergy subsidiary as an income, gift, or otherwise. *See Exhibit A.*

20. FirstEnergy's former generation subsidiary, FirstEnergy Solutions, filed a list of its creditors in its federal bankruptcy proceeding in the U.S. Bankruptcy Court for the Northern District of Ohio (Case No. 18-50757) in May 2018. Only one entity associated with Mr. Randazzo, the IEU-Ohio Administration Company, was listed as a FirstEnergy Solutions creditor, in the amount of \$43,166.07. Sustainability Funding Alliance was listed as a potential party in interest for the FirstEnergy Solutions bankruptcy, in the category of "Other Professionals" utilized by the company, but no payment to Sustainability Funding Alliance of Ohio was ever submitted for approval by the bankruptcy court.

21. FirstEnergy Solutions emerged from federal bankruptcy in February 2020 and was subsequently renamed Energy Harbor.

22. On November 16, 2020, agents of the Federal Bureau of Investigation executed a search warrant at Mr. Randazzo's residence in Columbus, Ohio.

23. On November 19, 2020, FirstEnergy Corp. filed a 10-Q report with the U.S. Securities and Exchange Commission disclosing the \$4 million payment to an entity associated with an unnamed Ohio utility regulator.

24. On November 20, 2020, Mr. Randazzo resigned from his position on the Commission, citing the "impression left by" the FBI raid and the disclosure of the FirstEnergy payment.

25. There are reasonable grounds to believe that Mr. Randazzo was the utility regulator referenced in the FirstEnergy 10-Q report, and that the payment to the entity associated with him came from either the FirstEnergy EDUs or a related corporate entity.

B. While Serving as Chair of the PUCO, Mr. Randazzo Engaged in Conduct Favorable to Both the FirstEnergy EDUs and FirstEnergy's Former Generation Affiliate FirstEnergy Solutions

1. Mr. Randazzo Provided Testimony that Facilitated the Passage of House Bill 6, to the Benefit of FirstEnergy's Regulated and Unregulated Affiliates

26. On April 12, 2019, H.B. 6 was introduced in the Ohio General Assembly. Among other provisions, this bill proposed:

(1) to create an "Ohio Clean Air Program," which would impose over a billion dollars in new charges on Ohio electric ratepayers to fund a subsidy to two nuclear plants owned by FirstEnergy Solutions, which was then an unregulated affiliate of FirstEnergy; and

(2) to enact new Revised Code section 4928.471, which would require the PUCO to expeditiously approve an electric distribution utility's application for a decoupling mechanism to decouple residential and commercial base distribution rates to 2018 levels for every year until the Commission's approval of new base distribution rates for the utility.

27. According to disclosures filed with Ohio's Joint Legislative Ethics Committee, a number of agents of both FirstEnergy and Energy Harbor actively lobbied the General Assembly regarding House Bill 6 between January and August 2019.

28. Public records show instances of FirstEnergy Service Corp. employees, including Wendy Zele, and at least one FirstEnergy EDU employee, Daniel Deville, included on Energy Harbor emails soliciting testimony in support of H.B. 6. *See* Exhibit B.

29. On May 7, 2019, Mr. Randazzo testified before the Ohio House's Energy and Natural Resources Committee regarding H.B. 6.

30. Mr. Randazzo testified that the costs of the nuclear subsidy proposed in H.B. 6 would be offset by the bill's elimination and/or reduction of the costs of compliance with Ohio's renewable and energy efficiency standards; that he could not quantify the benefits of prior utility

energy efficiency programs in the form of customer bill savings; and that keeping the nuclear plants in operation would tend to lower wholesale market electricity costs. *See* Exhibit C.

31. Mr. Randazzo’s testimony did not address the decoupling provision of H.B. 6.

32. H.B. 6 narrowly passed the Ohio legislature in July 2019 with nuclear subsidy and decoupling provisions substantially similar to the as-introduced version of the bill. The new law went into effect on October 22, 2019.

33. The then-CEO of FirstEnergy Corp., Charles Jones, stated on an investor call in November 2019 that the H.B. 6 decoupling provision “fixes our base revenues and essentially it takes about one-third of our company and I think makes it somewhat recession-proof.”

2. Mr. Randazzo Acted to Remove a Rate Case Filing Requirement that Would Have Limited the FirstEnergy EDUs’ Timeframe for Utilizing the “Unbalanced Version of Decoupling” Codified in House Bill 6

34. On November 21, 2019, the FirstEnergy EDUs filed an application for a decoupling mechanism pursuant to R.C. 4928.471, newly enacted as part of H.B. 6, in Case Nos. 19-2080-EL-ATA, *et al.* The application projected the decoupling rider would result in charges to customers in 2020 totaling approximately \$17 million. The PUCO approved the decoupling application on January 15, 2020.

35. In a prior decision approving the FirstEnergy EDUs’ current Electric Security Plan (“ESP”) in Case No. 14-1297-EL-SSO, the Commission ordered the FirstEnergy EDUs to file a distribution rate case application at the conclusion of the ESP on June 1, 2024. The Commission imposed that requirement in response to arguments opposing the FirstEnergy EDUs’ recovery of distribution investment costs through an ESP rider without any rate case filing, noting that “by the end of ESP IV, it will have been 17 years since the Companies’ last

distribution rate case.” Case No. 14-1297-EL-SSO, Fifth Entry on Rehearing (Oct. 12, 2016), ¶¶ 246-251.

36. On November 21, 2019, the Commission issued an order that *sua sponte* withdrew the requirement for the FirstEnergy EDUs to file a distribution rate case application in 2024. Case No. 19-361-EL-RDR, Entry (Nov. 21, 2019), ¶ 17. That order was issued in a separate docket regarding a separate ESP rider regarding “credit support” rather than distribution investments, after the credit support rider was struck down by a Supreme Court of Ohio decision on appeal from the ESP case.

37. The Commission then denied applications for rehearing filed by the Ohio Consumers’ Counsel and the Ohio Manufacturers’ Association Energy Group seeking reinstatement of the distribution rate case filing requirement. Commissioner Conway filed a dissenting opinion indicating that he would grant the applications for rehearing and retain the requirement for the FirstEnergy EDUs to file a base rate application by the end of their current ESP. Case No. 19-361-EL-RDR, Entry on Rehearing (Jan. 15, 2020) (Conway, dissenting).

38. Under R.C. 4928.471, the FirstEnergy EDUs’ decoupling mechanism will now remain in effect indefinitely until they voluntarily decide to file a rate case.

39. Nearly a year after this ruling, in his November 20, 2020 resignation letter, Mr. Randazzo criticized R.C. 4928.471 as creating an “unbalanced version of decoupling given to FirstEnergy Ohio’s operating companies (despite the concerns we raised).” *See* Exhibit D.

C. The Commission’s Actions Regarding FirstEnergy’s Alleged Misconduct

1. The Commission’s Spending Audit

40. On September 15, 2020, the Commission opened Case No. 20-1502-EL-UNC to review FirstEnergy’s political and charitable spending in connection with the passage of H.B. 6

and ordered the FirstEnergy EDUs to show cause demonstrating that no such expenditures were “included, directly or indirectly, in any rates or charges paid by ratepayers” in Ohio.

41. The FirstEnergy EDUs’ response filing indicated that such political and charitable costs would not have been included in base rates or recorded in any of their riders or charges.

42. However, in a subsequent discovery response to a Request for Admission served by the Ohio Consumers’ Counsel, the FirstEnergy EDUs stated that they could neither admit nor deny that they had “used any of the money collected from Ohio electric customers under distribution rates set in the FirstEnergy Utilities’ last base rate case for political and charitable spending” since “funds received from base distribution rates are not differentiated from funds received by the Companies from other revenues or sources.” *See* Exhibit E at 13-19.

2. The Commission’s Corporate Separation Audit

43. Ohio Revised Code 4928.17 requires every Ohio electric distribution utility to operate under a corporate separation plan, approved by the Commission, that ensures unregulated services will be provided by “a fully separated affiliate of the utility,” in order to “prevent[] unfair competitive advantage” and “the abuse of market power.”

44. The Commission has implemented this requirement through Ohio Adm. Code Chapter 4901:1-37, in part to “effectuate the policy of the state of Ohio embodied in section 4928.02 of the Revised Code.” Ohio Adm. Code 4901:1-37-02(B). Among the listed state policies, Ohio seeks to “[e]nsure effective competition in the provision of retail electric service by avoiding anticompetitive subsidies flowing from a noncompetitive retail electric service to a competitive retail electric service or to a product or service other than retail electric service, and vice versa, including by prohibiting the recovery of any generation-related costs through distribution or transmission rates.” R.C. 4928.02(H).

45. Ohio Adm. Code 4901:1-37-05 requires every Ohio electric distribution utility to obtain Commission approval of a corporate separation plan consistent with R.C. 4928.17. The corporate separation plan must contain provisions to maintain structural safeguards. Rule 4901:1-37-04(A) specifies that these mandated structural safeguards include that “[e]ach electric utility and its affiliates that provide services to customers within the electric utility's service territory shall function independently of each other” and that “[c]ross-subsidies between an electric utility and its affiliates are prohibited. An electric utility's operating employees and those of its affiliates shall function independently of each other.”

46. The FirstEnergy EDUs’ current corporate separation plan was filed in Case No. 09-462-EL-UNC and approved by the Commission in Case No. 10-388-EL-SSO in an Opinion and Order issued August 25, 2010.

47. The Commission instituted an audit of the FirstEnergy EDUs’ compliance with their corporate separation plan on April 12, 2017 in Case No. 17-974-EL-UNC (“Corporate Separation Audit Case”).

48. On November 4, 2020, the Commission issued an Entry in the Corporate Separation Audit Case directing PUCO Staff to issue a request for proposals for an auditor to conduct an additional corporate separation audit of the FirstEnergy EDUs. This Entry cited FirstEnergy’s disclosure on October 29, 2020 that it had terminated several executives because they had violated certain FirstEnergy Corp. policies and its code of conduct. The Commission selected an auditor on December 2, 2020. There is no current deadline for completion of the audit report.

COUNT I

ALL INCREASES IN CHARGES TO FIRSTENERGY CUSTOMERS RESULTING FROM HOUSE BILL 6 OR FROM PROCEEDINGS OVER WHICH CHAIRMAN RANDAZZO PRESIDED ARE UNJUST, UNREASONABLE, AND IN VIOLATION OF LAW UNDER R.C. 4905.26

49. Complainant realleges and incorporates the paragraphs above as if fully set forth herein.

50. FirstEnergy and/or its then-subsubsidiary FirstEnergy Solutions funded a racketeering scheme in the amount of more than \$60 million – which has now resulted in multiple guilty pleas to federal criminal charges – to achieve enactment of H.B. 6, to the benefit of FirstEnergy Solutions.

51. H.B. 6 also directly benefited the FirstEnergy EDUs by authorizing a favorable decoupling mechanism that would guarantee their revenues at 2018 levels unless and until they file a distribution rate case.

52. In early 2019, FirstEnergy secretly paid approximately \$4 million to a business associated with former PUCO Chairman Randazzo. During that time period, he was a member of the PUCO Nominating Council, then an applicant for a position as commissioner and, by February 4, 2019, he was appointed as the chairman of the Commission. The payment of \$4 million is of “such a character as to manifest a substantial and improper influence upon the public official or employee with respect to that person’s duties.”

53. Mr. Randazzo then testified before the General Assembly regarding H.B. 6 in violation of R.C. 102.03(C), (E), and (F).

54. Mr. Randazzo also presided over a number of Commission decisions regarding the FirstEnergy EDUs’ rates in violation of R.C. 102.03(C), (E), and (F).

55. The FirstEnergy EDUs' new charges resulting from the enactment of H.B. 6, and any increased customer rates resulting from proceedings over which then-Chairman Randazzo presided are therefore unjust, unreasonable, and in violation of law pursuant to R.C. 4905.26.

COUNT II

THE FIRSTENERGY EDUS' DECOUPLING RIDERS ARE UNJUST, UNREASONABLE, AND IN VIOLATION OF LAW UNDER R.C. 4905.26

56. Complainant realleges and incorporates the paragraphs above as if fully set forth herein.

57. After a business connected with Mr. Randazzo received approximately \$4 million from FirstEnergy, he testified in support of H.B. 6 without criticizing its decoupling provision, yet he has now belatedly described that provision as an "unbalanced version of decoupling."

58. Mr. Randazzo later participated in Case No. 19-361-EL-RDR, in which the Commission *sua sponte* removed the FirstEnergy EDUs' obligation to file a distribution rate case before June 2024.

59. Since the filing of such a rate case would terminate the FirstEnergy EDUs' favorable decoupling mechanism under R.C. 4928.471, this action directly benefited the FirstEnergy EDUs.

60. Mr. Randazzo's participation in these legislative and Commission proceedings violated R.C. 102.03(C), (E), and (F).

61. The FirstEnergy EDUs' decoupling riders are therefore unjust, unreasonable, and in violation of law pursuant to R.C. 4905.26.

COUNT III

THE FIRSTENERGY EDUS VIOLATED R.C. 4928.17 BY FAILING TO OPERATE SEPARATELY FROM UNREGULATED FIRSTENERGY AFFILIATES

62. Complainant realleges and incorporates the paragraphs above as if fully set forth herein.

63. R.C. 4928.17 mandates that where an affiliate of an electric distribution utility provides unregulated services, it must operate pursuant to a plan that keeps it “fully separated” from the distribution utility. This common-sense requirement prevents cross-subsidization between regulated and unregulated business activities, consistent with state policy under R.C. 4928.02(H), so that a distribution utility cannot use ratepayer funds to support private business ventures.

64. As the FirstEnergy EDUs admit, they have failed to distinguish between distribution revenue from base rates and revenue from other sources, and commingled those funds for purposes of spending by the FirstEnergy EDUs on political and lobbying efforts.

65. Nonetheless, the FirstEnergy EDUs actively lobbied regarding H.B. 6, and FirstEnergy EDUs and shared services personnel coordinated with FirstEnergy Solutions in soliciting testimony in support of H.B. 6.

66. Accordingly, ratepayer revenues collected by the FirstEnergy EDUs, and supporting their overall financial health and that of their parent company FirstEnergy Corp., facilitated or directly funded political and lobbying efforts in support of FirstEnergy’s unregulated business.

67. The FirstEnergy EDUs’ existing corporate separation plan does not contain any safeguards that would ensure their political and lobbying efforts are fully separated from those of any unregulated FirstEnergy affiliates.

68. The FirstEnergy EDUs' corporate separation plan therefore fails to comply with the requirements of R.C. 4928.17(A)(1).

REQUEST FOR RELIEF

WHEREFORE, Complainant respectfully requests the following relief:

- A. Issuance of an entry finding that reasonable grounds for this Complaint have been alleged, and establishing a procedural schedule;
- B. Issuance of an interim, emergency order pursuant to R.C. 4909.16 to provide that any rates charged by the FirstEnergy EDUs as a result of H.B. 6 or authorized by the Commission in a proceeding presided over by former Chairman Randazzo should be made refundable upon a determination by the Commission that those rates are unjust, unreasonable, or in violation of law;
- C. Issuance of an interim, emergency order requiring the FirstEnergy EDUs to file a distribution rate case as soon as practicable in order to terminate the operation of their decoupling riders under R.C. 4928.471;
- D. Issuance of a final order finding that all FirstEnergy EDU charges implemented as a result of H.B. 6 or resulting from proceedings conducted in violation of R.C. 102.03(C), (E), or (F) are unjust, unreasonable, and in violation of law;
- E. Issuance of necessary orders to terminate all FirstEnergy EDU charges implemented as a result of H.B. 6 or resulting from proceedings conducted in violation of R.C. 102.03(C), (E), or (F) to the maximum extent authorized by law, and to provide for customer refunds of such charges to the maximum extent authorized by law;
- F. Issuance of a final order requiring FirstEnergy to refund to customers any amounts paid to Chairman Randazzo in violation of Ohio law;
- G. Issuance of a final order finding that the FirstEnergy EDUs' corporate separation plan fails to comply with R.C. 4928.17 because it does not ensure that political and lobbying activities of regulated and unregulated utilities are "fully separated";
- H. Issuance of necessary orders to modify or revoke the FirstEnergy EDUs' existing corporate separation plan; and
- I. All other necessary and proper relief.

December 7, 2020

Respectfully submitted,

/s/ Madeline Fleisher
Madeline Fleisher (0091862)
(Counsel of Record)
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Counsel for Citizens' Utility Board of Ohio

INSTRUCTIONS FOR SERVICE

TO THE DOCKETING DIVISION:

Pursuant to Ohio Adm. Code 4901-9-01(B), please serve the Complaint to:

Ohio Edison Company
76 S. Main Street
Akron, OH 44308

Cleveland Electric Illuminating Company
76 S. Main Street
Akron, OH 44308

Toledo Edison Company
76 S. Main Street
Akron, OH 44308

A courtesy copy is being emailed to the following:
bknipe@firstenergycorp.com

Exhibit A

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Form No. OEC-2019

OHIO ETHICS COMMISSION

FINANCIAL DISCLOSURE STATEMENT

19

This statement is to be filed in **2020**Financial information for calendar year **2019**Please type or print clearly. See instructions for assistance with this page. Electronic filing available at: disclosure.ethics.ohio.gov**SECTION A. PERSONAL CONTACT INFORMATION**

Last Name

Randazzo

First Name

Samuel

MI

C

SECTION B. STATUS (Check all that apply)

- ☐ Candidate
☐ Write-in Candidate
☐ Elected office holder
☐ Appointed (in 2020) to an unexpired term in elective office
☒ Public Official
☐ Public Employee
☐ Voluntary Filer / Other

CANDIDATES: Please list the date of the first election (primary, special, or general) when your name will appear on the ballot.

Month	Day	Year

FOR OFFICIAL USE ONLY

FILED

Online

2/25/2020

2:25 PM

Confirm #: 1402201525253

SECTION C. PUBLIC POSITION, OFFICE, OR JOB

Position/Title (Example: council member, sheriff, board member, or job title)

Chairman

- ☐ Seeking
☒ Hold
☐ Held

Public Entity you serve in 2020, served in 2019, or will serve if elected

Public Utilities Commission of Ohio

Public Salary:

- ☐ Uncompensated
☐ Less than \$16,000
☒ \$16,000 or more

Start Date:

Month	Day	Year
0	4	1 1 2 0 1 9

End Date:

Month	Day	Year

SECTION D. ADDITIONAL PUBLIC POSITION, OFFICE, OR JOB

Position/Title (Example: council member, sheriff, board member, or job title)

- ☐ Seeking
☐ Hold
☐ Held

Public Entity you serve in 2020, served in 2019, or will serve if elected

Public Salary:

- ☐ Uncompensated
☐ Less than \$16,000
☐ \$16,000 or more

Start Date:

Month	Day	Year

End Date:

Month	Day	Year

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- ☐ Walk-in
☐ Inter Office
☐ No Check
Rev'd by:

- ☒ Filer has answered every required question.
☐ Filer has not answered these questions:

Date incomplete form
returned to filer: _____
Date completed form
returned to OEC: _____

1. SOURCES OF INCOME - ALL FILERS MUST ANSWER THIS QUESTION:

(For help, see instructions page 4)

☐ I have no sources of income that I am required to list.

Source of Income	Service Provided	Amount* (if required)
A State of Ohio	Chairman of the PUCO and OPSB	
B		
C		
D		
E		
* Check instructions to see whether you are required to disclose amounts of income.		

2. SOURCES OF GIFTS - ALL FILERS MUST ANSWER THIS QUESTION:

(For help, see instructions page 5)

☒ I have no sources of gifts that I am required to list.

Source of Gift	Source of Gift
A	D
B	E
C	F

3. NAMES OF SPOUSE RESIDING IN HOUSEHOLD AND ANY DEPENDENT CHILDREN - ALL FILERS MUST ANSWER THIS QUESTION:☐ There are no immediate family members whose names I am required to list.

(For help, see instructions page 5)

Spouse Residing in Household	Dependent Children
Carol D. Farmer	
Dependent Children	

4. NAMES OF BUSINESSES - ALL FILERS MUST ANSWER THIS QUESTION:

(For help, see instructions page 5)

If you or anyone you listed in Question 3 owns or operates a business, list the name of the business.

☒ There are no business names that I am required to list.

Business Name	Business Name
A	C
B	D

5. LAND (REAL ESTATE) IN OHIO - ALL FILERS MUST ANSWER THIS QUESTION:

(For help, see instructions page 6)

☐ I have no real estate that I am required to list.

Land (Real Estate) in Ohio (List address or, if address is unavailable, plat number and county)
A See Attachment
B
C
You are not required to disclose your personal residence or real property held primarily for personal recreation.

6. CREDITORS OVER \$1,000 - ALL FILERS MUST ANSWER THIS QUESTION:

(For help, see instructions page 6)

☐ I have no creditors that I am required to list.

Creditor	Creditor
A Huntington Mortgage Company	D
B	E
C	F

7. DEBTORS OVER \$1,000 - ALL FILERS MUST ANSWER THIS QUESTION:

(For help, see instructions page 6)

☒ I have no debtors that I am required to list.

Debtor	Debtor
A	C
B	D

8. INVESTMENTS OVER \$1,000 - ALL FILERS MUST ANSWER THIS QUESTION:

(For help, see instructions page 6 and 7)

☐ I have no investments that I am required to list.

Corporation, Trust, Business Trust, Partnership, or Association	Nature of Investment
A Sustainability Funding Alliance of Ohio	Ownership
B IEU Administration Company	Ownership
C Ambrose & Eve	Loan
D	
E	
F	
IF YOU NEED ADDITIONAL SPACE, PLEASE ATTACH A SEPARATE SHEET.	

9. OFFICES/FIDUCIARY RELATIONSHIPS - ALL FILERS MUST ANSWER THIS QUESTION:

(For help, see instructions page 8)

☐ I have no offices or fiduciary relationships that I am required to list.

Corporation, Trust, Business Trust, Partnership, or Association	Office or Nature of Relationship
A Sustainability Funding Alliance of Ohio	Owner
B IEU Administration Company	Owner

SKIP QUESTIONS 10 AND 11 IF YOU ARE ONLY REQUIRED TO FILE AS A:

- College or university trustee
- Candidate for a city, township, school district, or ESC position that is paid less than \$16,000 a year
- City, township, school district, ESC, or sanitary district official or employee serving in a position that is paid less than \$16,000 a year

10. FOOD OR BEVERAGES - ALL FILERS EXCEPT THOSE LISTED IN THE BOX ABOVE MUST ANSWER THIS QUESTION:☒ I have no sources of meals, food, or beverages that I am required to list.

(For help, see instructions page 8)

Source of Food or Beverages	Source of Food or Beverages
A	C
B	D

11. TRAVEL EXPENSES - ALL FILERS EXCEPT THOSE LISTED IN THE BOX ON PAGE 3 MUST ANSWER THIS QUESTION:

☒ I have no sources of travel expenses that I am required to list.

(For help, see instructions page 9)

Source of Travel Expenses	Amount
A	
B	
C	
D	
E	
F	

12. NON-DISPUTED INFORMATION - ALL state employees, state officials and state board and commission members (except college and university trustees) are REQUIRED to answer Question 12. All other filers should skip this question and go to question 13.

☒ I have no information that I am required to list.

(For help, see instructions page 9)

Non-Disputed Information
A
B

13. SIGNATURE - ALL FILERS MUST SIGN THE STATEMENT:

(For help, see instructions page 10)

By signing this statement:

- I swear or affirm that this statement and any additional attachments have been prepared or carefully reviewed by me, and constitute my complete, truthful, and correct disclosure of all required information, and that the address listed on page 1 is a correct mailing address.
- I acknowledge and understand that, among other potential violations and penalties, knowingly filing a false statement is a criminal misdemeanor of the first degree, in violation of Sections 102.02(D) and 2921.13(A)(7) of the Revised Code, punishable by a fine of not more than \$1,000, imprisonment of not more than six months, or both.
- I acknowledge and understand that filing a false statement may be grounds for removal from public office or dismissal from public employment pursuant to Sections 3.04 and 124.34 of the Revised Code.
- I acknowledge that, in 2019, I served in, or in 2020, I am serving in or a candidate for, the position(s) indicated on page 1 of this statement.

If you have any questions before signing this form, please contact the Ohio Ethics Commission at (614) 466-7090.

Before signing this statement, please review to make sure that you have answered each question you are required to answer. If you have nothing to list in response to any question, check the box indicating that you have nothing to list. If the response to any required question is omitted, the Commission will return the statement to you as incomplete. **Any person who fails to file a complete statement by the appropriate filing deadline will be assessed a late filing fee and may be subject to criminal penalty.**

Deliver completed statement to: Ohio Ethics Commission, 30 W. Spring St., L3, Columbus, OH 43215

My filing fee is:

(For help, see instructions page 2)

- ☐ Enclosed (check or money order payable to "Ohio Ethics Commission")
- ☐ Submitted Online
- ☒ My public agency is required or has agreed to pay my filing fee.

YOUR SIGNATURE IS REQUIRED HERE:

Samuel C. Randazzo

Date: 2/25/2020 2:25 PM

Confirmation Number: 1402201525253

[illegible]

Exhibit B

Nott, Dave

From: Spaugy, Mary
Sent: Tuesday, April 16, 2019 7:53 AM
To: Krauss, Connie
Cc: Brown, Karen; Shapiro, Ilene
Subject: Testimony for 4/17/19
Attachments: Fw: Electric Generation Subcommittee Hearing - Wednesday April 17th; County Executive Ilene Shapiro Testimony

Connie- can you print these off and have an extra copy on hand in case something happens to the copy that I give Ilene?

Thanks!

Mary E. Spaugy
Executive Assistant
County of Summit, Executive Ilene Shapiro
175 South Main Street, 8th Floor
Akron, Ohio 44308
Phone: 330.643.2520
Fax: 330.643.2507

County of Summit · The High Point of Ohio



**ILENE
SHAPIRO**

Nott, Dave

From: Dodson, Jason
Sent: Monday, April 15, 2019 8:56 PM
To: Spaugy, Mary; Krauss, Connie; Shapiro, Ilene
Subject: Fw: Electric Generation Subcommittee Hearing - Wednesday April 17th
Attachments: Witness List Order - Electric Generation Subcommittee.docx; Roetzel & Andress - Conference Room & Parking.docx; Electric Generation Subcommittee & Hearing Announcement.docx

Mary- Please print for Ilene's trip to Columbus on Wednesday. Thank you!

From: Montler, Murphy (Griffing, David L.) <montlerm@firstenergycorp.com>
Sent: Monday, April 15, 2019 5:05 PM
To: Shapiro, Ilene; Dodson, Jason; dean.murphy@brattle.com; Jerry.Cirino@lakecountyohio.gov; mstahl@co.ottawa.oh.us; m.joyce@orrvilon.com; tjoyce@local310.com; larry@ibew245.com; columbusbuildingtrades@gmail.com; mark@tricitybuildingtrades.org; jbgrant@ocic.biz; ckeeton@bcssd.com; CSIZMADIA, Christine
Subject: Electric Generation Subcommittee Hearing - Wednesday April 17th

Hello Everyone,

Attached please find the following information related to the Electric Generation Subcommittee hearing on Wednesday, April 17th:

1. Order of Proponent Hearing Witnesses
2. Location of Roetzel & Andress Offices & Parking – the offices are open from 8:00 am – 4:00 pm for our Proponent Witnesses
3. Members of the Electric Generation Subcommittee & Hearing Announcement

If you need any assistance, please don't hesitate to call me.

Thanks so much for your continued support.

Murphy

Murphy Montler
341 White Pond Dr.
Akron, OH
Office 330-436-2726
Mobile 330-730-8964
montlerm@firstenergycorp.com

The information contained in this message is intended only for the personal and confidential use of the recipient(s) named above. If the reader of this message is not the intended recipient or an agent responsible for delivering it to the intended recipient, you are hereby notified that you have received this document in error and that any review, dissemination, distribution, or copying of this message is strictly prohibited. If you have received this communication in error, please notify us immediately, and delete the original message.

Organization	Witness Name	Address	Email	Phone
1. Summit County Executive	Kene Shapiro	Ohio Building - 8th Floor 175 South Main Street Akron, Ohio 44308	kshapiro@summitohio.net	330-643-2520
2. FirstEnergy Solutions - VP Governmental Affairs	Deve Griffing	341 White Pond Drive, Akron,	griffingdl@firstenergycorp.com	330-815-7928
3. Brattle Principal	Dean Murphy	One Beacon Street Suite 2600 Boston, MA 02108, US	Dean.Murphy@brattle.com	617-234-5654
4. Nuclear Energy Institute – President & CEO	Marie Korsnic	1201 F Street, NW Suite 1100, Washington DC 20004		(202) 735-3047
5 Lake County Commissioner	Jerry Cirino	105 Main St., Painesville, Ohio 44077	jerry.cirino@lakecountyohio.gov	440-350-2882
Ottawa County Commissioner	Mark Stahl	815 Madison St # 103, Port Clinton, OH 48462	mstahl@co.ottawa.oh.us	(419) 734-5710
6. Omnivion Inc, division of Holtac International - Assistant General Manager	Mitchael Joyce	1400 Dairy Lane, Orrville, Wayne County Ohio	m.joyce@omnivion.com	(330) 684-9414
7A. Laborers' Local 810 Business Manager	Terry Joyce	6250 Euclid Ave, Cleveland, OH 44115	tjoyce@local810.com	(300) 733-9803
IBEW Local 245 Business Manager/Financial Secretary	Larry Tschernie	705 Lima City Rd. Rossford, OH 48460	larry@ibew245.com	419-666-8950
Columbus Building Trades Council - Executive Secretary-Treasurer	Dorsey Hager	555 Goodale Blvd., Suite 202 Columbus, OH 43212	columbusbuildingtrades@gmail.com	(614) 221-7171
Tri-County Construction & Building Trades Council - President	Mark Douglass	57 South Maple Street, Akron, Ohio 44302	mark@tricitybuildingtrades.org	330-758-8955
8. Ottawa County Improvement Corporation – Director	Jamie Seler Grant	3043 W. State Route 163, #100 Oak Harbor, OH 43449	jgrant@odc.blz	419.898.6242
9. Bennett Carroll Salem School - CFO	Cajon Keeton	11685 W. State Route 163, Oak Harbor, OH 43449	ckeeton@bcssd.com	419-358-4909



The Ohio House of Representatives 119TH GENERAL ASSEMBLY

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ENERGY AND NATURAL RESOURCES SUBCOMMITTEE ON ENERGY GENERATION

SCHEDULE

Date	Time	Location	Agenda
April 17, 2019	09:00 AM	Room 121	Download

MEETINGS

March 26, 2019

March 19, 2019

March 12, 2019

February 12, 2019

MEMBERS



Dick Stein (R)
Co-Chair



Michael J. O'Brien (D)
Co-Chair



Brian Bakridge (R)



John Cronz (R)



Gerald W. Holmes (D)



ANNOUNCEMENT OF COMMITTEE MEETING

COMMITTEE: Energy and Natural Resources Subcommittee on Energy Generation
CO-CHAIRS: Dick Stein, Michael J. O'Brien
DATE: Wednesday, April 17, 2019
TIME: 9:00 AM
ROOM: Room 121

AGENDA

BILL	SPONSOR	TITLE	STATUS
HB 6	Rep Callender, Rep Wilkin	Creates Ohio Clean Air Program	1st Hearing Pending Referral Proponent

Cc: House Clerk
 Committee Clerk
 Assistant Majority Floor Leader's Office
 Bill Sponsor
 LSC
 Minority Leader's Office

Committee Members
 Speaker's Office
 Caucus Staff
 Legislative Information Systems
 Press Room

Roetzel & Andress

41 South High Street, Huntington Center, 21st Floor,
Columbus, OH 43215

Parking

Double Tree Downtown Columbus 50 S Front St,
Columbus, OH 43215



Nott, Dave

From: Dodson, Jason
Sent: Monday, April 15, 2019 9:00 PM
To: Montler, Murphy (Griffing, David L.); Shapiro, Ilene; Spaugy, Mary; Krauss, Connie
Subject: County Executive Ilene Shapiro Testimony
Attachments: Ilene Shapiro Testimony on HB6.docx

Murphy- Per my text, here is the testimony for County Executive Shapiro. Please review and make sure that everything is still accurate after I edited the draft that was sent yesterday. Other than that, everything should be in order for Wednesday on our end. My understanding is that you will file on our behalf.

Thank you!

Jason

**Ilene Shapiro, County Executive
County of Summit, Ohio**

Testimony before the Ohio Energy & Natural Resources Subcommittee on Generation

Mr. Chairman, Vice Chairman and members of the House Energy and Natural Resources Subcommittee on Generation, my name is Ilene Shapiro and I am the County Executive for Summit County. Thank you for the opportunity to address you all today.

I am here to testify in support of HB 6, which would create the Ohio Clean Air Program to support clean forms of energy generation, including Ohio's nuclear plants. After hearing from all of the proponents of this legislation, I hope you will understand the importance of advancing this legislation and how vital these nuclear facilities are to the economy and environment of our great State.

Specifically, I am here today to support this legislation because it will assist FirstEnergy Solutions with continuing to generate electricity from its nuclear facilities in the State. FirstEnergy Solutions' nuclear facilities support more than 4,300 jobs in all parts of Ohio, not just in the counties in which the plants are located. Each of those employees, their families, and their communities, including Summit County, are depending on this subcommittee to advance HB 6. Each employee represents a highly skilled worker who will be forced to find a job elsewhere, uproot their family, pull their children from our schools and drain our communities of tax revenue and business activities. In Summit County alone, over 300 employees are employed at FirstEnergy Solutions' Akron headquarters, all of which may face these difficult situations if HB 6 is not passed into law.

For each of the 700 FirstEnergy Solutions' employees at the nuclear facilities and the 300 at the Akron headquarters, there will be many more jobs lost from vendors and service providers

throughout the State who will shut their doors and move away if the plants close. In Summit County alone, FirstEnergy Solutions has spent more than \$9 million over the past five years with 80 vendors. It will be incredibly difficult to fill the void left for those vendors if the nuclear facilities are prematurely shutdown.

Our County and many Ohio counties also depend on the significant tax revenue generated directly and indirectly by the FirstEnergy Solutions' nuclear facilities. The state of Ohio collects about \$30 million from the two nuclear facilities. That does not account for the additional revenue generated for the state and localities from related vendors, property taxes, sales taxes, and hotel taxes. And, as you can imagine, with over 300 employees, FirstEnergy Solutions is one of our major income tax payers in Summit County.

My economic development team is currently working with representatives from the City of Akron and the Greater Akron Chamber to keep FirstEnergy Solutions' headquarters in Summit County. We want to see this company and its employees succeed and we should all be encouraged by the fact that FirstEnergy Solutions is committed to staying and growing in Ohio. While we are working hard at the local level to ensure the company's ongoing success in Summit County, we need the State to be a partner in these efforts. Through HB 6, the State will ensure that FirstEnergy Solutions will remain in the energy generation business, thereby keeping and growing jobs in Summit County and Ohio.

Finally, as County Executive, I support any effort to provide our communities with clean air and a healthy environment. FirstEnergy Solutions' zero-carbon nuclear facilities are critical to our state's clean air future. These two plants are responsible for 90 percent of Ohio's carbon-free electricity generation. Furthermore, the facilities' nuclear-generated electricity is available 24/7 and at affordable prices, which are two necessary ingredients to help attract businesses and investments into our community. We can choose to move forward with clean, reliable nuclear energy or remain in the past and become less competitive in an ever-changing economy.

On behalf of Summit County and our more than 540,000 residents, I urge you to support this legislation and preserve jobs, communities, and Ohio's carbon-free nuclear future.

Thank you.

Nott, Dave

From: Spaugy, Mary
Sent: Tuesday, April 16, 2019 3:51 PM
To: Dodson, Jason; Krauss, Connie; Shapiro, Ilene
Subject: RE: IMPORTANT UPDATE - Hearing Room Changed

Updated the calendar.

From: Dodson, Jason <jdodson@summitoh.net>
Sent: Tuesday, April 16, 2019 3:49 PM
To: Spaugy, Mary <mspaugy@summitoh.net>; Krauss, Connie <ckrauss@summitoh.net>; Shapiro, Ilene <ilshapiro@summitoh.net>
Subject: Fw: IMPORTANT UPDATE - Hearing Room Changed

FYI- Please see below.

From: Montler, Murphy (Griffing, David L.) <montlerm@firstenergycorp.com>
Sent: Tuesday, April 16, 2019 3:45 PM
To: Shapiro, Ilene; Dodson, Jason; dean.murphy@brattle.com; Jerry.Cirino@lakecountyohio.gov; mstahl@co.ottawa.oh.us; m.joyce@orrvilon.com; tjoyce@local310.com; larry@ibew245.com; columbusbuildingtrades@gmail.com; mark@tricitybuildingtrades.org; ibgrant@ocic.biz; ckeeton@bcssd.com; CSIZMADIA, Christine
Cc: Christopher Curry; Juan Cespedes; Griffing, David L.
Subject: IMPORTANT UPDATE - Hearing Room Changed

The Energy Generation Subcommittee hearing on HB6 has changed. It will now be conducted in the House Finance Room 313.

Murphy

From: Montler, Murphy (Griffing, David L.)
Sent: Tuesday, April 16, 2019 3:41 PM
To: ilshapiro@summitoh.net; jdodson@summitoh.net; dean.murphy@brattle.com; Jerry.Cirino@lakecountyohio.gov; mstahl@co.ottawa.oh.us; m.joyce@orrvilon.com; tjoyce@local310.com; larry@ibew245.com; columbusbuildingtrades@gmail.com; mark@tricitybuildingtrades.org; ibgrant@ocic.biz; ckeeton@bcssd.com; CSIZMADIA, Christine <CMC@nei.org>
Cc: Christopher Curry <Christopher.Curry@deweysquare.com>; Juan Cespedes <juan@oxley-group.com>; Griffing, David L. <griffingdl@firstenergycorp.com>
Subject: Energy Generation Subcommittee Hearing - Wed 4/17

Hello Everyone,

Chris Curry – Dewey Square, will be sending you your final written testimony for the Energy Generation Subcommittee Hearing tomorrow. Your testimony will be filed with Chairman Dick Stein this evening and then

downloaded to the iPads of the (5) committee members in the morning. We will have hardcopies of your testimony to distribute to the committee in the unlikely event the technology fails.

For most of you I would suggest going directly to the State House Meeting Room 121. Our team plans to depart from Roetzel & Andress at 8:30 AM for the 9:00 AM hearing and remain there all day.

Reminder – For those of you traveling directly to the State House:

If you park at the statehouse in the underground parking garage signage is good. Look for the statehouse signs. Then once inside find the rotunda. There are guards and posted guides at information desks all over. It is in the main statehouse building under the house chamber on the first floor. Look for the highway patrol security at the side door of the statehouse to identify the house side. Look for room 121. The doors are all marked. Should be fairly easy to find or ask the patrol.

If you have any questions, please don't hesitate to call me. When you arrive at the State House, please send me a text message.

Thanks again and safe travels.

Murphy

Murphy Montler
341 White Pond Dr.
Akron, OH
Office 330-436-2726
Mobile 330-730-8964
montlerm@firstenergycorp.com

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Nott, Dave

From: Spaugy, Mary
Sent: Tuesday, April 16, 2019 3:18 PM
To: Dodson, Jason; Krauss, Connie; Shapiro, Ilene
Subject: RE: Final Testimony for Wednesday

Ilene will print it off and swap them out.

Thanks.

From: Dodson, Jason <jdodson@summitoh.net>
Sent: Tuesday, April 16, 2019 3:16 PM
To: Spaugy, Mary <mspaugy@summitoh.net>; Krauss, Connie <ckrauss@summitoh.net>; Shapiro, Ilene <ilshapiro@summitoh.net>
Subject: Fwd: Final Testimony for Wednesday

All- just a small update to Ilene's testimony tomorrow. Can you please see that she gets it??? Thank you!

Sent via the Samsung Galaxy S9+, an AT&T 5G Evolution capable smartphone

----- Original message -----

From: Christopher Curry <Christopher.Curry@deweysquare.com>
Date: 4/16/19 3:11 PM (GMT-05:00)
To: "Shapiro, Ilene" <ilshapiro@summitoh.net>, "Dodson, Jason" <jdodson@summitoh.net>
Cc: "Montler, Murphy (Griffing, David L.)" <montlerm@firstenergycorp.com>
Subject: Final Testimony for Wednesday

County Executive Shapiro – attached please find an updated version of your testimony for tomorrow. We made a slight change to the intro paragraph to recognize Chairman O'Brien. Reps. Stein and O'Brien are both co-chairs of the subcommittee.

A conference room at Roetzel and Andress are available tomorrow before or after your testimony.

Roetzel & Andress

41 South High Street, Huntington Center, 21st Floor,
Columbus, OH 43215

Parking

Double Tree Downtown Columbus 50 S Front St,
Columbus, OH 43215

Please let me know if you have any questions.

-Chris

Nott, Dave

From: Krauss, Connie
Sent: Tuesday, April 16, 2019 3:20 PM
To: Spaugy, Mary; Dodson, Jason; Shapiro, Ilene
Subject: RE: Final Testimony for Wednesday

I have also printed the newest copy so will have with me as well.

Connie Krauss
Director, Community and Economic Development
County of Summit, Executive Ilene Shapiro
175 S. Main Street, Akron OH 44308
(o) 330-643-2396
(c) 330-703-1034



From: Spaugy, Mary
Sent: Tuesday, April 16, 2019 3:18 PM
To: Dodson, Jason; Krauss, Connie; Shapiro, Ilene
Subject: RE: Final Testimony for Wednesday

Ilene will print it off and swap them out.

Thanks.

From: Dodson, Jason <jdodson@summitoh.net>
Sent: Tuesday, April 16, 2019 3:16 PM
To: Spaugy, Mary <mspaugy@summitoh.net>; Krauss, Connie <ckrauss@summitoh.net>; Shapiro, Ilene <ilshapiro@summitoh.net>
Subject: Fwd: Final Testimony for Wednesday

All- just a small update to Ilene's testimony tomorrow. Can you please see that she gets it??? Thank you!

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----- Original message -----

From: Christopher Curry <Christopher.Curry@deweysquare.com>
Date: 4/16/19 3:11 PM (GMT-05:00)
To: "Shapiro, Ilene" <ilshapiro@summitoh.net>, "Dodson, Jason" <jdodson@summitoh.net>

Cc: "Montler, Murphy (Griffing, David L.)" <montlerm@firstenergycorp.com>
Subject: Final Testimony for Wednesday

County Executive Shapiro – attached please find an updated version of your testimony for tomorrow. We made a slight change to the intro paragraph to recognize Chairman O'Brien. Reps. Stein and O'Brien are both co-chairs of the subcommittee.

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Roetzel & Andress

41 South High Street, Huntington Center, 21st Floor,
Columbus, OH 43215

Parking

Double Tree Downtown Columbus 50 S Front St,
Columbus, OH 43215

Please let me know if you have any questions.

-Chris

Nott, Dave

From: Montler, Murphy (Griffing, David L.) <montlerm@firstenergycorp.com>
Sent: Monday, April 15, 2019 9:09 PM
To: Dodson, Jason; Shapiro, Ilene; Spaugy, Mary; Krauss, Connie
Subject: RE: County Executive Ilene Shapiro Testimony

Jason/Ilene,

Thanks so much for rearranging your schedules to be there on Wednesday. I will make sure the testimony is filed and that copies are made for the Energy Generation Subcommittee members.

Murphy

From: Dodson, Jason <jdodson@summitoh.net>
Sent: Monday, April 15, 2019 9:00 PM
To: Montler, Murphy (Griffing, David L.) <montlerm@firstenergycorp.com>; Shapiro, Ilene <ilshapiro@summitoh.net>; Spaugy, Mary <mspaugy@summitoh.net>; Krauss, Connie <ckrauss@summitoh.net>
Subject: [EXTERNAL] County Executive Ilene Shapiro Testimony

Murphy- Per my text, here is the testimony for County Executive Shapiro. Please review and make sure that everything is still accurate after I edited the draft that was sent yesterday. Other than that, everything should be in order for Wednesday on our end. My understanding is that you will file on our behalf.

Thank you!

Jason

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Nott, Dave

From: Montler, Murphy (Griffing, David L.) <montlerm@firstenergycorp.com>
Sent: Monday, July 15, 2019 10:53 AM
To: edklco@northperry.org; Jerry.Cirino@lakecountyohio.gov; ronaldeyoung974@gmail.com; John.Hamercheck@lakecountyohio.gov; rregovich@cityofwillowick.com; jmcDonald@perryfire.info; thompsonj@perry-lake.org; GalanteL@perry-lake.org; MRantala@lcport.org; kstonebrook75@gmail.com; Larry.Greene@lakecountyohio.gov; Joe.Busher@lakecountyohio.gov; jagessic@gmail.com; perrycouncilmanrick@gmail.com; dphillips@ibew673.org; mstahl@co.ottawa.oh.us; Mark Coppeler; ddouglas@co.ottawa.oh.us; Rhonda Slauterbeck; Jamie Beier; Petersen, Fred (Ottawa Co); Guy Parmigian; Keeton, Cajon; Miller, Scott; Hal Hawk; Beth Hannam; Jill Simpson; Matthew Mackowiak; ilshapiro@aol.com; Shapiro, Ilene; phil.rudolphjr@rlgbuilds.com; par5@akronohio.gov; thegeorgegoup@aol.com; Phillips, Aaron (yahoo.com)
Cc: Griffing, David L.; 'Christopher Curry'; 'Jonathan Drobis'; Zele, Wendy F.; Rosebrock, Hans D.; D'Arcy, Sean
Subject: RE: ACTION REQUIRED - HB 6 Update

Hello Everyone,

Update on Sub HB 6

The Senate Energy & Public Utilities Committee will be meeting today at 2:00 pm and members will cast votes to accept Sub HB 6. We understand that on Wednesday, July 17th, the Committee will vote to move HB 6 to the full Senate. The full Senate will then vote on HB 6 at 1:30 pm during their scheduled Session.

We are encouraging all supportive stakeholders to attend the Senate Session on Wednesday. It is our last chance to demonstrate support for HB 6 and influence members to vote for its passage. We're suggesting that our supporters arrive by 12:30 pm.

Any questions, please don't hesitate to call me.

Thanks,

Murphy Montler
330-730-8964

From: Montler, Murphy (Griffing, David L.)
Sent: Monday, July 8, 2019 10:08 AM
To: edklco@northperry.org; Jerry.Cirino@lakecountyohio.gov; ronaldeyoung974@gmail.com; John.Hamercheck@lakecountyohio.gov; rregovich@cityofwillowick.com; jmcDonald@perryfire.info; thompsonj@perry-lake.org; GalanteL@perry-lake.org; MRantala@lcport.org; kstonebrook75@gmail.com; Larry.Greene@lakecountyohio.gov; Joe.Busher@lakecountyohio.gov; jagessic@gmail.com; perrycouncilmanrick@gmail.com; dphillips@ibew673.org; mstahl@co.ottawa.oh.us; Mark Coppeler <mcoppeler@co.ottawa.oh.us>; ddouglas@co.ottawa.oh.us; Rhonda Slauterbeck <rslauterbeck@co.ottawa.oh.us>; Jamie Beier <jbgrant@ocic.biz>; Petersen, Fred (Ottawa Co <fpetersen@co.ottawa.oh.us>; Guy Parmigian <gparmigian@bcssd.com>; Keeton, Cajon <ckeeton@bcssd.com>; Miller, Scott <miller_scott@co.sandusky.oh.us>; Hal

Hawk <HHawk@crownbattery.com>; Beth Hannam <director@sanduskycountyedc.org>; Jill Simpson <ceo@scchamber.org>; Matthew Mackowiak <MMackowiak@co.lucas.oh.us>; ilshapiro@aol.com; ilshapiro@summitoh.net; phil.rudolphjr@rlgbuilds.com; par5@akronohio.gov; thegeorgegoup@aol.com; surehousepastor@yahoo.com
Cc: Griffing, David L. <griffingdl@firstenergycorp.com>; 'Christopher Curry' <christopher.curry@deweysquare.com>; 'Jonathan Drobis' <jonathan.drobis@deweysquare.com>; Zele, Wendy F. <wfzele@firstenergycorp.com>; Rosebrock, Hans D. <hdrosebrock@firstenergycorp.com>; D'Arcy, Sean <sdarcy@AKINGUMP.COM>
Subject: ACTION REQUIRED - HB 6 Update

Thank you for your continued leadership in Columbus to advocate for HB 6 and engaging your constituents to do the same. We are on the final stretch and now more than ever we need to flood our elected officials with a strong message of support for HB 6.

Update

HB 6 currently sits in the Senate Energy & Public Utilities Committee chaired by Senator Steve Wilson. Since being introduced in the Senate, a sub bill to HB 6 was created and 57 amendments have been offered by Proponents, Opponents and Interested Parties for the Committee to consider. From recent discussions with Senate Leadership, we understand that HB 6 will be voted on by the full Senate no later than Wednesday, July 17th. While no Senate Energy & Public Utilities Committee hearings are scheduled this week, please understand that much is happening behind the scenes and the process could be accelerated with little notice. We will keep you informed as new information becomes available.

How can you help?

There are only (8) business days remaining to have our voices heard before this important vote. We need everyone (family, friends & neighbors) to make calls today and throughout the weekend. Attached is a list of all Ohio Senators with phone numbers and email addresses. Please focus on calling and emailing the highlighted Senators who are in leadership or on the committee that is considering HB 6. We've also pasted the contact information for the highest priority Senators below – especially Senators Obhof & Wilson.

The messages to support HB 6 should be very short and sweet:

1. Start the call & email off with a strong message of appreciation for their hard work – working extended hours and weekends to get this done
2. Be direct and ask the Senator to please support HB 6 because it protects 4300 Ohio jobs and strengthens Ohio's energy future

If you are not able to talk to a staff person, please leave a message urging the Senator to support HB 6.

Thank you for your help!

Murphy Montler
330-730-8964

President Larry Obhof	(614) 466-7505
Sen. Steve Wilson	(614) 466-9737
Sen. Robert McColley	(614) 466-8150
Sen. Sandra Williams	(614) 466-4857
Sen. Andrew Brenner	(614) 466-8086
Sen. Dave Burke	(614) 466-8049

Sen. Hearcel Craig	(614) 466-5131
Sen. Matt Dolan	(614) 466-8056
Sen. John Eklund	(614) 644-7718
Sen. Frank Hoagland	(614) 466-6508
Sen. Matt Huffman	(614) 466-7584
Sen. Sean O'Brien	(614) 466-7182
Sen. Bob Peterson	(614) 466-8156
Sen. Michael Rulli	(614) 466-8285

The information contained in this message is intended only for the personal and confidential use of the recipient(s) named above. If the reader of this message is not the intended recipient or an agent responsible for delivering it to the intended recipient, you are hereby notified that you have received this document in error and that any review, dissemination, distribution, or copying of this message is strictly prohibited. If you have received this communication in error, please notify us immediately, and delete the original message.

Nott, Dave

From: Montler, Murphy (Griffing, David L.) <montlerm@firstenergycorp.com>
Sent: Monday, July 22, 2019 8:17 AM
To: edklco@northperry.org; Jerry.Cirino@lakecountyohio.gov; ronaldeyoung974@gmail.com; John.Hamercheck@lakecountyohio.gov; rregovich@cityofwillowick.com; jmcDonald@perryfire.info; thompsonj@perry-lake.org; GalanteL@perry-lake.org; MRantala@lcport.org; kstonebrook75@gmail.com; Larry.Greene@lakecountyohio.gov; Joe.Busher@lakecountyohio.gov; jagessic@gmail.com; perrycouncilmanrick@gmail.com; dphillips@ibew673.org; mstahl@co.ottawa.oh.us; Mark Coppeler; ddouglas@co.ottawa.oh.us; Rhonda Slauterbeck; Jamie Beier; Petersen, Fred (Ottawa Co); Guy Parmigian; Keeton, Cajon; Miller, Scott; Hal Hawk; Beth Hannam; Jill Simpson; Matthew Mackowiak; ilshapiro@aol.com; Shapiro, Ilene; phil.rudolphjr@rlgbuilds.com; par5@akronohio.gov; thegeorgegoup@aol.com; Phillips, Aaron (yahoo.com)
Cc: Griffing, David L.; 'Christopher Curry'; 'Jonathan Drobis'; Zele, Wendy F.; Rosebrock, Hans D.; D'Arcy, Sean; Bailey, Joel D.
Subject: RE: ACTION REQUIRED - HB 6 Senate Vote

Good Morning Everyone,

It is our understanding that the Ohio House of Representatives will hold a special session tomorrow, Tuesday, July 23rd, at 11:00 am, to vote on HB 6. ***Please help us fill the House Chambers to demonstrate support for passage of HB6.***

Murphy

From: Montler, Murphy (Griffing, David L.)
Sent: Tuesday, July 16, 2019 9:55 AM
To: edklco@northperry.org; Jerry.Cirino@lakecountyohio.gov; ronaldeyoung974@gmail.com; John.Hamercheck@lakecountyohio.gov; rregovich@cityofwillowick.com; jmcDonald@perryfire.info; thompsonj@perry-lake.org; GalanteL@perry-lake.org; MRantala@lcport.org; kstonebrook75@gmail.com; Larry.Greene@lakecountyohio.gov; Joe.Busher@lakecountyohio.gov; jagessic@gmail.com; perrycouncilmanrick@gmail.com; dphillips@ibew673.org; mstahl@co.ottawa.oh.us; Mark Coppeler <mcoppeler@co.ottawa.oh.us>; ddouglas@co.ottawa.oh.us; Rhonda Slauterbeck <rslauterbeck@co.ottawa.oh.us>; Jamie Beier <jbgrant@ocic.biz>; Petersen, Fred (Ottawa Co <fpetersen@co.ottawa.oh.us>; Guy Parmigian <gparmigian@bcssd.com>; Keeton, Cajon <ckeeton@bcssd.com>; Miller, Scott <miller_scott@co.sandusky.oh.us>; Hal Hawk <HHawk@crownbattery.com>; Beth Hannam <director@sanduskycountyedc.org>; Jill Simpson <ceo@scchamber.org>; Matthew Mackowiak <MMackowiak@co.lucas.oh.us>; ilshapiro@aol.com; ilshapiro@summitoh.net; phil.rudolphjr@rlgbuilds.com; par5@akronohio.gov; thegeorgegoup@aol.com; surehousepastor@yahoo.com
Cc: Griffing, David L. <griffingdl@firstenergycorp.com>; 'Christopher Curry' <christopher.curry@deweysquare.com>; 'Jonathan Drobis' <jonathan.drobis@deweysquare.com>; Zele, Wendy F. <wfzele@firstenergycorp.com>; Rosebrock, Hans D. <hdrosebrock@firstenergycorp.com>; D'Arcy, Sean <sdarcy@AKINGUMP.COM>; Bailey, Joel D. <baileyj@firstenergycorp.com>
Subject: ACTION REQUIRED - HB 6 Senate Vote

Ohio Senate Session Details – please help us fill the Senate Chambers with supporters

Date: Wednesday, July 17th, @ 1:30 pm

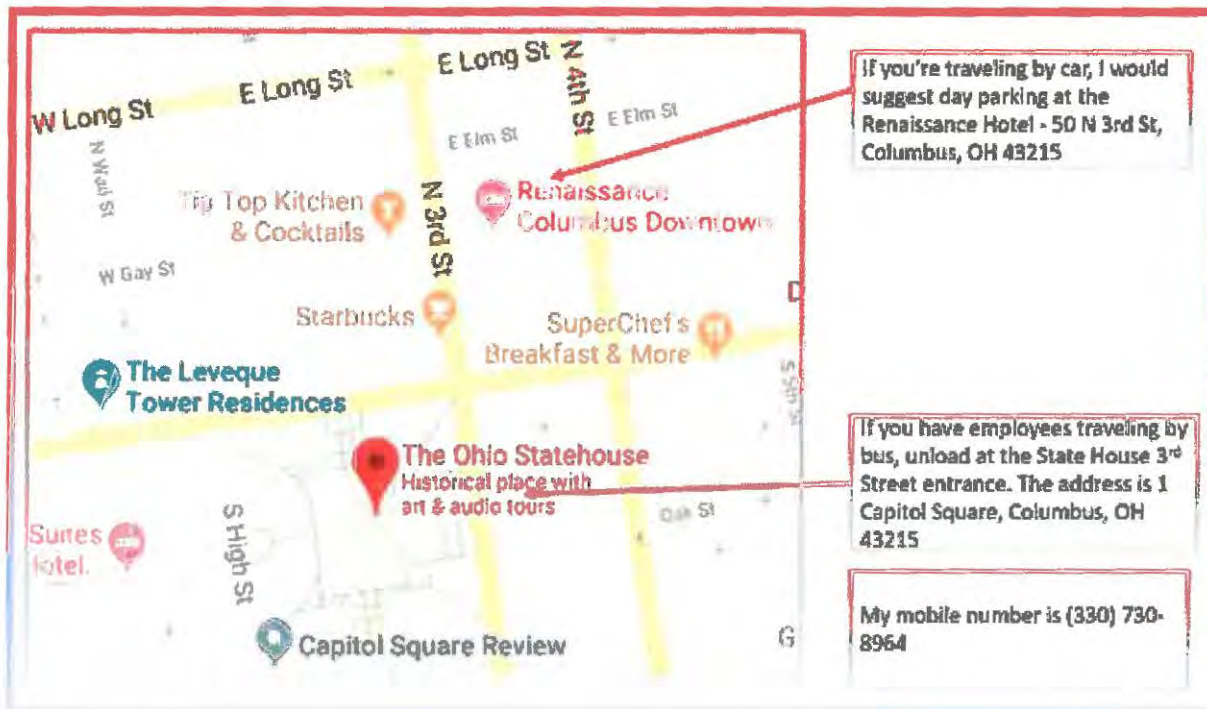
Location: Ohio State House - 1 Capitol Square, Columbus, OH 43215

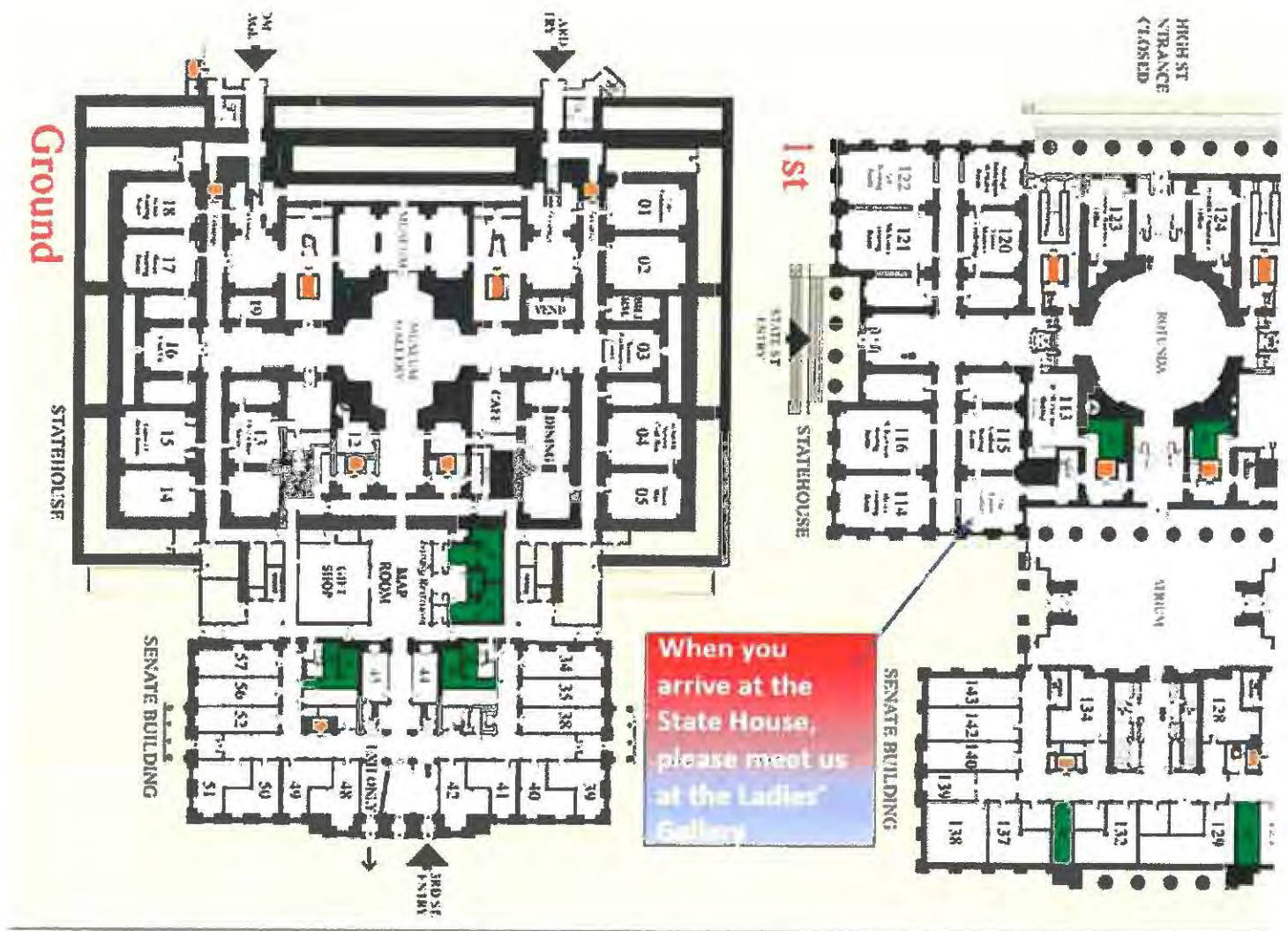
Suggested arrival time: Noon

Other note: Enter the State House from the 3rd Street entrance

Supporter Meeting Location: Ladies' Gallery Room (main floor) – security can direct you there (see the map below)

State Capital Contact: Murphy Montler (FES) 330-730-8964





From: Montler, Murphy (Griffing, David L.)

Sent: Thursday, July 11, 2019 12:34 PM

To: 'edklco@northperry.org' <edklco@northperry.org>; 'Jerry.Cirino@lakecountyohio.gov' <Jerry.Cirino@lakecountyohio.gov>; 'ronaldeyoung974@gmail.com' <ronaldeyoung974@gmail.com>; 'John.Hamercheck@lakecountyohio.gov' <John.Hamercheck@lakecountyohio.gov>; 'rregovich@cityofwillowick.com' <rregovich@cityofwillowick.com>; 'jmcDonald@perryfire.info' <jmcDonald@perryfire.info>; 'thompsonj@perry-lake.org' <thompsonj@perry-lake.org>; 'GalanteL@perry-lake.org' <GalanteL@perry-lake.org>; 'MRantala@lcport.org' <MRantala@lcport.org>; 'kstonebrook75@gmail.com' <kstonebrook75@gmail.com>; 'Larry.Greene@lakecountyohio.gov' <Larry.Greene@lakecountyohio.gov>; 'Joe.Busher@lakecountyohio.gov' <Joe.Busher@lakecountyohio.gov>; 'jagessic@gmail.com' <jagessic@gmail.com>; 'perrycouncilmanrick@gmail.com' <perrycouncilmanrick@gmail.com>; 'dphillips@ibew673.org' <dphillips@ibew673.org>; 'mstahl@co.ottawa.oh.us' <mstahl@co.ottawa.oh.us>; 'Mark Coppeler' <mcoppeler@co.ottawa.oh.us>; 'ddouglas@co.ottawa.oh.us' <ddouglas@co.ottawa.oh.us>; 'Rhonda Slauterbeck' <rslauterbeck@co.ottawa.oh.us>; 'Jamie Beier' <jbgrant@ocic.biz>; 'Petersen, Fred (Ottawa Co)' <fpetersen@co.ottawa.oh.us>; 'Guy Parmigian' <gparmigian@bcssd.com>; 'Keeton, Cajon' <ckeeton@bcssd.com>; 'Miller, Scott' <miller_scott@co.sandusky.oh.us>; 'Hal Hawk' <HHawk@crownbattery.com>; 'Beth Hannam' <director@sanduskycountyedc.org>; 'Jill Simpson' <ceo@scchamber.org>; 'Matthew Mackowiak' <MMackowiak@co.lucas.oh.us>; 'ilshapiro@aol.com' <ilshapiro@aol.com>; 'ilshapiro@summitoh.net' <ilshapiro@summitoh.net>; 'phil.rudolphjr@rlgbuilds.com' <phil.rudolphjr@rlgbuilds.com>; 'par5@akronohio.gov'

<par5@akronohio.gov>; 'thegeorgegoup@aol.com' <thegeorgegoup@aol.com>; 'surehousepastor@yahoo.com' <surehousepastor@yahoo.com>
Cc: Griffing, David L. <griffingdl@firstenergycorp.com>; 'Christopher Curry' <christopher.curry@deweysquare.com>; 'Jonathan Drobis' <jonathan.drobis@deweysquare.com>; Zele, Wendy F. <wfzele@firstenergycorp.com>; Rosebrock, Hans D. <hdrosebrock@firstenergycorp.com>; 'D'Arcy, Sean' <sdarcy@AKINGUMP.COM>
Subject: ACTION REQUIRED - HB 6 Senate Vote

Hello Everyone,

The next scheduled Senate session is Wednesday, July 17th, at 1:30 pm. It continues to be our understanding that the Senate will vote on HB 6 during this session. Until we hear otherwise, our plan is to mobilize people to the state house for the Senate vote. Please help us fill the Senate chambers with supporters. I would suggest having people arrive no later than 12:30 pm.

If anything changes, I will notify you immediately.

Thanks,

Murphy Montler
330-730-8964

From: Montler, Murphy (Griffing, David L.)
Sent: Monday, July 8, 2019 10:08 AM
To: edkico@northperry.org; Jerry.Cirino@lakecountyohio.gov; ronaldeyoung974@gmail.com; John.Hamercheck@lakecountyohio.gov; rregovich@cityofwillowick.com; jmcDonald@perryfire.info; thompsonj@perry-lake.org; GalanteL@perry-lake.org; MRantala@lcport.org; kstonebrook75@gmail.com; Larry.Greene@lakecountyohio.gov; Joe.Busher@lakecountyohio.gov; jagessic@gmail.com; perrycouncilmanrick@gmail.com; dphillips@ibew673.org; mstahl@co.ottawa.oh.us; Mark Coppeler <mcoppeler@co.ottawa.oh.us>; ddouglas@co.ottawa.oh.us; Rhonda Slauterbeck <rslauterbeck@co.ottawa.oh.us>; Jamie Beier <jbgrant@ocic.biz>; Petersen, Fred (Ottawa Co <fpetersen@co.ottawa.oh.us>; Guy Parmigian <gparmigian@bcssd.com>; Keeton, Cajon <ckeeton@bcssd.com>; Miller, Scott <miller_scott@co.sandusky.oh.us>; Hal Hawk <HHawk@crownbattery.com>; Beth Hannam <director@sanduskycountyedc.org>; Jill Simpson <ceo@scchamber.org>; Matthew Mackowiak <MMackowiak@co.lucas.oh.us>; ilshapiro@aol.com; ilshapiro@summitoh.net; phil.rudolphjr@rlgbuilds.com; par5@akronohio.gov; thegeorgegoup@aol.com; surehousepastor@yahoo.com
Cc: Griffing, David L. <griffingdl@firstenergycorp.com>; 'Christopher Curry' <christopher.curry@deweysquare.com>; 'Jonathan Drobis' <jonathan.drobis@deweysquare.com>; Zele, Wendy F. <wfzele@firstenergycorp.com>; Rosebrock, Hans D. <hdrosebrock@firstenergycorp.com>; D'Arcy, Sean <sdarcy@AKINGUMP.COM>
Subject: ACTION REQUIRED - HB 6 Update

Thank you for your continued leadership in Columbus to advocate for HB 6 and engaging your constituents to do the same. We are on the final stretch and now more than ever we need to flood our elected officials with a strong message of support for HB 6.

Update

HB 6 currently sits in the Senate Energy & Public Utilities Committee chaired by Senator Steve Wilson. Since being introduced in the Senate, a sub bill to HB 6 was created and 57 amendments have been offered by Proponents, Opponents and Interested Parties for the Committee to consider. From recent discussions with Senate Leadership, we understand that HB 6 will be voted on by the full Senate no later than Wednesday, July 17th. While no Senate Energy & Public Utilities Committee hearings are scheduled this week, please understand that much is happening behind the

scenes and the process could be accelerated with little notice. We will keep you informed as new information becomes available.

How can you help?

There are only (8) business days remaining to have our voices heard before this important vote. We need everyone (family, friends & neighbors) to make calls today and throughout the weekend. Attached is a list of all Ohio Senators with phone numbers and email addresses. Please focus on calling and emailing the highlighted Senators who are in leadership or on the committee that is considering HB 6. We've also pasted the contact information for the highest priority Senators below – especially Senators Obhof & Wilson.

The messages to support HB 6 should be very short and sweet:

1. Start the call & email off with a strong message of appreciation for their hard work – working extended hours and weekends to get this done
2. Be direct and ask the Senator to please support HB 6 because it protects 4300 Ohio jobs and strengthens Ohio's energy future

If you are not able to talk to a staff person, please leave a message urging the Senator to support HB 6.

Thank you for your help!

Murphy Montler
330-730-8964

President Larry Obhof	(614) 466-7505
Sen. Steve Wilson	(614) 466-9737
Sen. Robert McColley	(614) 466-8150
Sen. Sandra Williams	(614) 466-4857
Sen. Andrew Brenner	(614) 466-8086
Sen. Dave Burke	(614) 466-8049
Sen. Hearcel Craig	(614) 466-5131
Sen. Matt Dolan	(614) 466-8056
Sen. John Eklund	(614) 644-7718
Sen. Frank Hoagland	(614) 466-6508
Sen. Matt Huffman	(614) 466-7584
Sen. Sean O'Brien	(614) 466-7182
Sen. Bob Peterson	(614) 466-8156
Sen. Michael Rulli	(614) 466-8285

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Nott, Dave

From: Montler, Murphy (Griffing, David L.) <montlerm@firstenergycorp.com>
Sent: Monday, April 15, 2019 8:17 PM
To: Shapiro, Ilene; Dodson, Jason; dean.murphy@brattle.com; Jerry.Cirino@lakecountyohio.gov; mstahl@co.ottawa.oh.us; m.joyce@orrvilon.com; tjoyce@local310.com; larry@ibew245.com; columbusbuildingtrades@gmail.com; mark@tricitybuildingtrades.org; jbgrant@ocic.biz; ckeeton@bcssd.com; CSIZMADIA, Christine
Subject: Parking at the State House

For those of you traveling directly to the State House:

If you park at the statehouse in the underground parking garage signage is good. Look for the statehouse signs. Then once inside find the rotunda. There are guards and posted guides at information desks all over. It is in the main statehouse building under the house chamber on the first floor. Look for the highway patrol security at the side door of the statehouse to identify the house side. Look for room 121. The doors are all marked. Should be fairly easy to find or ask the patrol.

From: Montler, Murphy (Griffing, David L.)
Sent: Monday, April 15, 2019 5:06 PM
To: Ilshapiro@summitoh.net; jdodson@summitoh.net; dean.murphy@brattle.com; Jerry.Cirino@lakecountyohio.gov; mstahl@co.ottawa.oh.us; m.joyce@orrvilon.com; tjoyce@local310.com; larry@ibew245.com; columbusbuildingtrades@gmail.com; mark@tricitybuildingtrades.org; jbgrant@ocic.biz; ckeeton@bcssd.com; CSIZMADIA, Christine <CMC@nei.org>
Subject: Electric Generation Subcommittee Hearing - Wednesday April 17th

Hello Everyone,

Attached please find the following information related to the Electric Generation Subcommittee hearing on Wednesday, April 17th:

1. Order of Proponent Hearing Witnesses
2. Location of Roetzel & Andress Offices & Parking – the offices are open from 8:00 am – 4:00 pm for our Proponent Witnesses
3. Members of the Electric Generation Subcommittee & Hearing Announcement

If you need any assistance, please don't hesitate to call me.

Thanks so much for your continued support.

Murphy

Murphy Montler
341 White Pond Dr.
Akron, OH
Office 330-436-2726
Mobile 330-730-8964
montlerm@firstenergycorp.com

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Nott, Dave

From: Montler, Murphy (Griffing, David L.) <montlerm@firstenergycorp.com>
Sent: Tuesday, April 16, 2019 3:45 PM
To: Shapiro, Ilene; Dodson, Jason; dean.murphy@brattle.com; Jerry.Cirino@lakecountyohio.gov; mstahl@co.ottawa.oh.us; m.joyce@orrvilon.com; tjoyce@local310.com; larry@ibew245.com; columbusbuildingtrades@gmail.com; mark@tricitybuildingtrades.org; jbgrant@ocic.biz; ckeeton@bcssd.com; CSIZMADIA, Christine
Cc: Christopher Curry; Juan Cespedes; Griffing, David L.
Subject: IMPORTANT UPDATE - Hearing Room Changed

The Energy Generation Subcommittee hearing on HB6 has changed. It will now be conducted in the House Finance Room 313.

Murphy

From: Montler, Murphy (Griffing, David L.)
Sent: Tuesday, April 16, 2019 3:41 PM
To: llshapiro@summitoh.net; jdodson@summitoh.net; dean.murphy@brattle.com; Jerry.Cirino@lakecountyohio.gov; mstahl@co.ottawa.oh.us; m.joyce@orrvilon.com; tjoyce@local310.com; larry@ibew245.com; columbusbuildingtrades@gmail.com; mark@tricitybuildingtrades.org; jbgrant@ocic.biz; ckeeton@bcssd.com; CSIZMADIA, Christine <CMC@nei.org>
Cc: Christopher Curry <Christopher.Curry@deweysquare.com>; Juan Cespedes <juan@oxley-group.com>; Griffing, David L. <griffingdl@firstenergycorp.com>
Subject: Energy Generation Subcommittee Hearing - Wed 4/17

Hello Everyone,

Chris Curry – Dewey Square, will be sending you your final written testimony for the Energy Generation Subcommittee Hearing tomorrow. Your testimony will be filed with Chairman Dick Stein this evening and then downloaded to the iPads of the (5) committee members in the morning. We will have hardcopies of your testimony to distribute to the committee in the unlikely event the technology fails.

For most of you I would suggest going directly to the State House Meeting Room 121. Our team plans to depart from Roetzel & Andress at 8:30 AM for the 9:00 AM hearing and remain there all day.

Reminder – For those of you traveling directly to the State House:

If you park at the statehouse in the underground parking garage signage is good. Look for the statehouse signs. Then once inside find the rotunda. There are guards and posted guides at information desks all over. It is in the main statehouse building under the house chamber on the first floor. Look for the highway patrol security at the side door of the statehouse to identify the house side. Look for room 121. The doors are all marked. Should be fairly easy to find or ask the patrol.

If you have any questions, please don't hesitate to call me. When you arrive at the State House, please send me a text message.

Thanks again and safe travels.

Murphy

Murphy Montler
341 White Pond Dr.
Akron, OH
Office 330-436-2726
Mobile 330-730-8964
montlerm@firstenergycorp.com

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Nott, Dave

From: Montler, Murphy (Griffing, David L.) <montlerm@firstenergycorp.com>
Sent: Monday, July 1, 2019 10:02 AM
To: Shapiro, Ilene
Cc: DeVille, Daniel P.; Gardner, Kirk W.
Subject: HB 6 Press Release
Attachments: 7 1 19 HB6 Release FINAL.pdf

Ilene,

Enjoy your time in Italy. Attached is the press release on HB 6. It all comes down to July 17th. Thanks so much for your continued support.

Let's catch up when you get back. Would love to hear about your trip.

Murphy

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FIRSTENERGY SOLUTIONS CORP.

Company is pleased with progress and outlook on HB6

AKRON, Ohio, July 1, 2019 – FirstEnergy Solutions Corp. (“FES”) applauds the progress on HB6 and is thankful for the effort legislators have demonstrated in crafting a bill that prevents the premature closure of the state’s two nuclear facilities. FES is pleased with the consensus forming to take action to avoid the loss of 90% of Ohio’s carbon-free generation, 4,300 direct and indirect family-sustaining jobs and substantial tax revenue. The company appreciates the hard work, support and commitment of House Speaker Householder, Senate President Obhof and Governor DeWine to work toward final passage of HB6 on July 17.

While FES is optimistic about the outcome for HB6, the company remains unable to purchase the fuel required for Davis-Besse’s next refueling cycle without the certainty of critical legislative support. We remain on path for a safe deactivation and decommissioning. Should we receive the long-term certainty that comes with an affirmative vote within this timeframe, we will immediately reevaluate our options. Given the expectation that the legislation will be passed in the coming weeks, we have communicated our commitment to doing everything possible to accommodate this process, which will come with increased financial burden associated with missing the June 30th fuel purchasing deadline for Davis-Besse.

FES, its subsidiaries and FENOC voluntarily filed for bankruptcy on March 31, 2018 in order to facilitate an orderly financial and operational restructuring. The case is proceeding in the U.S. Bankruptcy Court for the Northern District of Ohio, in Akron.

###

Media Contact:

Sitrick And Company: 212-573-6100

Tom Becker: Tom_Becker@sitrick.com

Brenda Adrian: badrian@sitrick.com

Angela Pruitt: apruitt@sitrick.com

Nott, Dave

From: Dodson, Jason
Sent: Tuesday, April 16, 2019 3:16 PM
To: Spaugy, Mary; Krauss, Connie; Shapiro, Ilene
Subject: Fwd: Final Testimony for Wednesday
Attachments: Ilene Shapiro Testimony FINAL 4 17 19.pdf

All- just a small update to Ilene's testimony tomorrow. Can you please see that she gets it??? Thank you!

Sent via the Samsung Galaxy S9+, an AT&T 5G Evolution capable smartphone

----- Original message -----

From: Christopher Curry <Christopher.Curry@deweysquare.com>
Date: 4/16/19 3:11 PM (GMT-05:00)
To: "Shapiro, Ilene" <ilshapiro@summitoh.net>, "Dodson, Jason" <jdodson@summitoh.net>
Cc: "Montler, Murphy (Griffing, David L.)" <montlerm@firstenergycorp.com>
Subject: Final Testimony for Wednesday

County Executive Shapiro – attached please find an updated version of your testimony for tomorrow. We made a slight change to the intro paragraph to recognize Chairman O'Brien. Reps. Stein and O'Brien are both co-chairs of the subcommittee.

A conference room at Roetzel and Andress are available tomorrow before or after your testimony.

Roetzel & Andress

41 South High Street, Huntington Center, 21st Floor,
Columbus, OH 43215

Parking

Double Tree Downtown Columbus 50 S Front St,
Columbus, OH 43215

Please let me know if you have any questions.

-Chris

**Ilene Shapiro, County Executive
County of Summit, Ohio**

Testimony before the Ohio Energy & Natural Resources Subcommittee on Generation

Chairman Stein, Chairman O'Brien and members of the House Energy and Natural Resources Subcommittee on Generation, my name is Ilene Shapiro and I am the County Executive for Summit County. Thank you for the opportunity to address you all today.

I am here to testify in support of HB 6, which would create the Ohio Clean Air Program to support clean forms of energy generation, including Ohio's nuclear plants. After hearing from all of the proponents of this legislation, I hope you will understand the importance of advancing this legislation and how vital these nuclear facilities are to the economy and environment of our great State.

Specifically, I am here today to support this legislation because it will assist FirstEnergy Solutions with continuing to generate electricity from its nuclear facilities in the State. FirstEnergy Solutions' nuclear facilities support more than 4,300 jobs in all parts of Ohio, not just in the counties in which the plants are located. Each of those employees, their families, and their communities, including Summit County, are depending on this subcommittee to advance HB 6. Each employee represents a highly skilled worker who will be forced to find a job elsewhere, uproot their family, pull their children from our schools and drain our communities of tax revenue and business activities. In Summit County alone, over 300 employees are employed at FirstEnergy Solutions' Akron headquarters, all of which may face these difficult situations if HB 6 is not passed into law.

For each of the 700 FirstEnergy Solutions' employees at the nuclear facilities and the 300 at the Akron headquarters, there will be many more jobs lost from vendors and service providers

throughout the State who will shut their doors and move away if the plants close. In Summit County alone, FirstEnergy Solutions has spent more than \$9 million over the past five years with 80 vendors. It will be incredibly difficult to fill the void left for those vendors if the nuclear facilities are prematurely shutdown.

Our County and many Ohio counties also depend on the significant tax revenue generated directly and indirectly by the FirstEnergy Solutions' nuclear facilities. The state of Ohio collects about \$30 million from the two nuclear facilities. That does not account for the additional revenue generated for the state and localities from related vendors, property taxes, sales taxes, and hotel taxes. And, as you can imagine, with over 300 employees, FirstEnergy Solutions is one of our major income tax payers in Summit County.

My economic development team is currently working with representatives from the City of Akron and the Greater Akron Chamber to keep FirstEnergy Solutions' headquarters in Summit County. We want to see this company and its employees succeed and we should all be encouraged by the fact that FirstEnergy Solutions is committed to staying and growing in Ohio. While we are working hard at the local level to ensure the company's ongoing success in Summit County, we need the State to be a partner in these efforts. Through HB 6, the State will ensure that FirstEnergy Solutions will remain in the energy generation business, thereby keeping and growing jobs in Summit County and Ohio.

Finally, as County Executive, I support any effort to provide our communities with clean air and a healthy environment. FirstEnergy Solutions' zero-carbon nuclear facilities are critical to our state's clean air future. These two plants are responsible for 90 percent of Ohio's carbon-free electricity generation. Furthermore, the facilities' nuclear-generated electricity is available 24/7 and at affordable prices, which are two necessary ingredients to help attract businesses and investments into our community. We can choose to move forward with clean, reliable nuclear energy or remain in the past and become less competitive in an ever-changing economy.

On behalf of Summit County and our more than 540,000 residents, I urge you to support this legislation and preserve jobs, communities, and Ohio's carbon-free nuclear future.

Thank you.

Nott, Dave

From: Dodson, Jason
Sent: Tuesday, April 16, 2019 3:49 PM
To: Spaugy, Mary; Krauss, Connie; Shapiro, Ilene
Subject: Fw: IMPORTANT UPDATE - Hearing Room Changed

FYI- Please see below.

From: Montler, Murphy (Griffing, David L.) <montlerm@firstenergycorp.com>
Sent: Tuesday, April 16, 2019 3:45 PM
To: Shapiro, Ilene; Dodson, Jason; dean.murphy@brattle.com; Jerry.Cirino@lakecountyohio.gov; mstahl@co.ottawa.oh.us; m.joyce@orrvilon.com; tjoyce@local310.com; larry@ibew245.com; columbusbuildingtrades@gmail.com; mark@tricitybuildingtrades.org; jbgrant@ocic.biz; ckeeton@bcssd.com; CSIZMADIA, Christine
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Cc: Christopher Curry <Christopher.Curry@deweysquare.com>; Juan Cespedes <juan@oxley-group.com>; Griffing, David L. <griffingdl@firstenergycorp.com>
Subject: Energy Generation Subcommittee Hearing - Wed 4/17

Hello Everyone,

Chris Curry – Dewey Square, will be sending you your final written testimony for the Energy Generation Subcommittee Hearing tomorrow. Your testimony will be filed with Chairman Dick Stein this evening and then downloaded to the iPads of the (5) committee members in the morning. We will have hardcopies of your testimony to distribute to the committee in the unlikely event the technology fails.

For most of you I would suggest going directly to the State House Meeting Room 121. Our team plans to depart from Roetzel & Andress at 8:30 AM for the 9:00 AM hearing and remain there all day.

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If you have any questions, please don't hesitate to call me. When you arrive at the State House, please send me a text message.

Thanks again and safe travels.

Murphy

Murphy Montler
341 White Pond Dr.
Akron, OH
Office 330-436-2726
Mobile 330-730-8964
montlerm@firstenergycorp.com

The information contained in this message is intended only for the personal and confidential use of the recipient(s) named above. If the reader of this message is not the intended recipient or an agent responsible for delivering it to the intended recipient, you are hereby notified that you have received this document in error and that any review, dissemination, distribution, or copying of this message is strictly prohibited. If you have received this communication in error, please notify us immediately, and delete the original message.

Nott, Dave

From: Dodson, Jason
Sent: Monday, April 15, 2019 8:56 PM
To: Spaugy, Mary; Krauss, Connie; Shapiro, Ilene
Subject: Fw: Electric Generation Subcommittee Hearing - Wednesday April 17th
Attachments: Witness List Order - Electric Generation Subcommittee.docx; Roetzel & Andress - Conference Room & Parking.docx; Electric Generation Subcommittee & Hearing Announcement.docx

Mary- Please print for Ilene's trip to Columbus on Wednesday. Thank you!

From: Montler, Murphy (Griffing, David L.) <montlerm@firstenergycorp.com>
Sent: Monday, April 15, 2019 5:05 PM
To: Shapiro, Ilene; Dodson, Jason; dean.murphy@brattle.com; Jerry.Cirino@lakecountyohio.gov; mstahl@co.ottawa.oh.us; m.joyce@orrvilon.com; tjoyce@local310.com; larry@ibew245.com; columbusbuildingtrades@gmail.com; mark@tricitybuildingtrades.org; jbgrant@ocic.biz; ckeeton@bcssd.com; CSIZMADIA, Christine
Subject: Electric Generation Subcommittee Hearing - Wednesday April 17th

Hello Everyone,

Attached please find the following information related to the Electric Generation Subcommittee hearing on Wednesday, April 17th:

1. Order of Proponent Hearing Witnesses
2. Location of Roetzel & Andress Offices & Parking – the offices are open from 8:00 am – 4:00 pm for our Proponent Witnesses
3. Members of the Electric Generation Subcommittee & Hearing Announcement

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Thanks so much for your continued support.

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Organization	Witness Name	Address	Email	Phone
1. Summit County Executive	Irene Shapiro	Ohio Building - 8th Floor 175 South Main Street Akron, Ohio 44308	ishapiro@summitoh.net	330-648-2520
2. FirstEnergy Solutions - VP Governmental Affairs	Dave Griffing	341 White Pond Drive, Akron,	griffingdl@firstenergycorp.com	330-315-7328
3. Brattle Principal	Dean Murphy	One Beacon Street Suite 2800 Boston, MA 02108, US	Dean.Murphy@brattle.com	617-234-5654
4. Nuclear Energy Institute – President & CEO	Marie Korsnic	1201 F Street, NW Suite 1100, Washington DC 20004		(202) 739-3047
5. Lake County Commissioner	Jerry Clrino	105 Main St., Palmyra, Ohio 44077	jerry.clrino@lakecountyohio.gov	440-850-2882
Ottawa County Commissioner	Mark Stani	315 Madison St #108, Port Clinton, OH 43430	mstani@co.ottawa.oh.us	(419) 734-6710
6. Drivillon Inc. Division of Holtec International - Assistant General Manager	Michael Joyce	1400 Dairy Lane, Orrville, Wayne County Ohio	m.joyce@drivillon.com	(330) 684-3414
7A. Laborers' Local 310 Business Manager	Terry Joyce	3250 Euclid Ave, Cleveland, OH 44115	tjoyce@local310.com	(200) 733-3903
IBEW Local 245 Business Manager/Financial Secretary	Larry Tscheme	706 Lima City Rd. Rossford, OH 48460	larry@ibew245.com	419-666-3950
Columbus Building Trades Council - Executive Secretary-Treasurer	Dorsey Hager	999 Goodale Blvd., Suite 202 Columbus, OH 43212	columbusbuildingtrades@gmail.com	(614) 221-7171
Tri-County Construction & Building Trades Council - President	Mark Dougless	67 South Maple Street, Akron, Ohio 44302	mark@tricitybuildingtrades.org	330-759-3935
8. Ottawa County Improvement Corporation – Director	Jamie Belar Grant	8043 W. State Route 169, #100 Oak Harbor, OH 43449	jgrant@ocic.biz	419-398-6242
9. Bennett Carroll Salem School - CFO	Dejon Keeton	11535 W. State Route 169, Oak Harbor, OH 43449	dkeeton@bcssd.com	419-898-4903

Roetzel & Address

41 South High Street, Huntington Center, 21st Floor,
Columbus, OH 43215

Parking

Double Tree Downtown Columbus 50 S Front St,
Columbus, OH 43215





The Ohio House of Representatives

1300 HENRY STREET, COLUMBUS, OHIO 43260-1500

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ENERGY AND NATURAL RESOURCES SUBCOMMITTEE ON ENERGY GENERATION

SCHEDULE

Date	Time	Location	Agenda
April 17, 2019	09:00 AM	Room 121	Download

HEARINGS

March 28, 2019	
March 19, 2019	
March 12, 2019	
February 12, 2019	

MEMBERS



Dick Stein (R)
Co-Chair



Michael J. O'Brien (D)
Co-Chair



Brian Baldridge (R)



Jon Cross (R)



Glenn W. Holmes (D)



ANNOUNCEMENT OF COMMITTEE MEETING

COMMITTEE: Energy and Natural Resources Subcommittee on Energy Generation
CO-CHAIRS: Dick Stein, Michael J. O'Brien
DATE: Wednesday, April 17, 2019
TIME: 9:00 AM
ROOM: Room 121

AGENDA

BILL	SPONSOR	TITLE	STATUS
HB 6	Rep Callender, Rep Wilkin	Creates Ohio Clean Air Program	1st Hearing Pending Referral Proponent

Cc: House Clerk
 Committee Clerk
 Assistant Majority Floor Leader's Office
 Bill Sponsor
 LSC
 Minority Leader's Office

Committee Members
 Speaker's Office
 Caucus Staff
 Legislative Information Systems
 Press Room

Nott, Dave

From: Christopher Curry <Christopher.Curry@deweysquare.com>
Sent: Tuesday, April 16, 2019 3:11 PM
To: Shapiro, Ilene; Dodson, Jason
Cc: Montler, Murphy (Griffing, David L.)
Subject: Final Testimony for Wednesday
Attachments: Ilene Shapiro Testimony FINAL 4 17 19.pdf

County Executive Shapiro – attached please find an updated version of your testimony for tomorrow. We made a slight change to the intro paragraph to recognize Chairman O'Brien. Reps. Stein and O'Brien are both co-chairs of the subcommittee.

A conference room at Roetzel and Andress are available tomorrow before or after your testimony.

Roetzel & Andress

41 South High Street, Huntington Center, 21st Floor,
Columbus, OH 43215

Parking

Double Tree Downtown Columbus 50 S Front St,
Columbus, OH 43215

Please let me know if you have any questions.

-Chris

**Ilene Shapiro, County Executive
County of Summit, Ohio**

Testimony before the Ohio Energy & Natural Resources Subcommittee on Generation

Chairman Stein, Chairman O'Brien and members of the House Energy and Natural Resources Subcommittee on Generation, my name is Ilene Shapiro and I am the County Executive for Summit County. Thank you for the opportunity to address you all today.

I am here to testify in support of HB 6, which would create the Ohio Clean Air Program to support clean forms of energy generation, including Ohio's nuclear plants. After hearing from all of the proponents of this legislation, I hope you will understand the importance of advancing this legislation and how vital these nuclear facilities are to the economy and environment of our great State.

Specifically, I am here today to support this legislation because it will assist FirstEnergy Solutions with continuing to generate electricity from its nuclear facilities in the State. FirstEnergy Solutions' nuclear facilities support more than 4,300 jobs in all parts of Ohio, not just in the counties in which the plants are located. Each of those employees, their families, and their communities, including Summit County, are depending on this subcommittee to advance HB 6. Each employee represents a highly skilled worker who will be forced to find a job elsewhere, uproot their family, pull their children from our schools and drain our communities of tax revenue and business activities. In Summit County alone, over 300 employees are employed at FirstEnergy Solutions' Akron headquarters, all of which may face these difficult situations if HB 6 is not passed into law.

For each of the 700 FirstEnergy Solutions' employees at the nuclear facilities and the 300 at the Akron headquarters, there will be many more jobs lost from vendors and service providers

throughout the State who will shut their doors and move away if the plants close. In Summit County alone, FirstEnergy Solutions has spent more than \$9 million over the past five years with 80 vendors. It will be incredibly difficult to fill the void left for those vendors if the nuclear facilities are prematurely shutdown.

Our County and many Ohio counties also depend on the significant tax revenue generated directly and indirectly by the FirstEnergy Solutions' nuclear facilities. The state of Ohio collects about \$30 million from the two nuclear facilities. That does not account for the additional revenue generated for the state and localities from related vendors, property taxes, sales taxes, and hotel taxes. And, as you can imagine, with over 300 employees, FirstEnergy Solutions is one of our major income tax payers in Summit County.

My economic development team is currently working with representatives from the City of Akron and the Greater Akron Chamber to keep FirstEnergy Solutions' headquarters in Summit County. We want to see this company and its employees succeed and we should all be encouraged by the fact that FirstEnergy Solutions is committed to staying and growing in Ohio. While we are working hard at the local level to ensure the company's ongoing success in Summit County, we need the State to be a partner in these efforts. Through HB 6, the State will ensure that FirstEnergy Solutions will remain in the energy generation business, thereby keeping and growing jobs in Summit County and Ohio.

Finally, as County Executive, I support any effort to provide our communities with clean air and a healthy environment. FirstEnergy Solutions' zero-carbon nuclear facilities are critical to our state's clean air future. These two plants are responsible for 90 percent of Ohio's carbon-free electricity generation. Furthermore, the facilities' nuclear-generated electricity is available 24/7 and at affordable prices, which are two necessary ingredients to help attract businesses and investments into our community. We can choose to move forward with clean, reliable nuclear energy or remain in the past and become less competitive in an ever-changing economy.

On behalf of Summit County and our more than 540,000 residents, I urge you to support this legislation and preserve jobs, communities, and Ohio's carbon-free nuclear future.

Thank you.

Nott, Dave

From: Montler, Murphy (Griffing, David L.) <montlerm@firstenergycorp.com>
Sent: Tuesday, April 16, 2019 3:41 PM
To: Shapiro, Ilene; Dodson, Jason; dean.murphy@brattle.com;
Jerry.Cirino@lakecountyohio.gov; mstahl@co.ottawa.oh.us; m.joyce@orrvilon.com;
tjoyce@local310.com; larry@ibew245.com; columbusbuildingtrades@gmail.com;
mark@tricitybuildingtrades.org; jbgrant@ocic.biz; ckeeton@bcssd.com; CSIZMADIA,
Christine
Cc: Christopher Curry; Juan Cespedes; Griffing, David L.
Subject: Energy Generation Subcommittee Hearing - Wed 4/17

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Nott, Dave

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Sent: Monday, April 15, 2019 5:06 PM
To: Shapiro, Ilene; Dodson, Jason; dean.murphy@brattle.com; Jerry.Cirino@lakecountyohio.gov; mstahl@co.ottawa.oh.us; m.joyce@orrvilon.com; tjoyce@local310.com; larry@ibew245.com; columbusbuildingtrades@gmail.com; mark@tricitybuildingtrades.org; jbgrant@ocic.biz; ckeeton@bcssd.com; CSIZMADIA, Christine
Subject: Electric Generation Subcommittee Hearing - Wednesday April 17th
Attachments: Witness List Order - Electric Generation Subcommittee.docx; Roetzel & Andress - Conference Room & Parking.docx; Electric Generation Subcommittee & Hearing Announcement.docx

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2. FirstEnergy Solutions - VP Governmental Affairs	Dave Griffing	841 White Pond Drive, Akron,	griffingdl@firstenergycorp.com	330-813-7323
3. Brettle Principal	Dean Murphy	One Beacon Street Suite 2600 Boston, MA 02108, US	Dean.Murphy@brettle.com	617-234-3334
4. Nuclear Energy Institute – President & CEO	Marie Korsnic	1201 F Street, NW Suite 2100, Washington DC 20004		(202) 739-3047
5. Lake County Commissioner	Jerry Cirino	105 Main St., Painesville, Ohio 44077	jerry.cirino@lakecountyohio.gov	440-330-2832
Ottawa County Commissioner	Mark Stahl	615 Madison St #108, Port Clinton, OH 43460	mstahl@co.ottawa.oh.us	(419) 734-8710
6. Orrville Inc, division of Hiltex Internationals - Assistant General Manager	Michael Joyce	1400 Dairy Lane, Orrville, Wayne County Ohio	m.joyce@orrville.com	(330) 634-3414
7A. Laborers' Local 810 Business Manager	Terry Joyce	3250 Euclid Ave, Cleveland, OH 44115	tjoyce@local810.com	(300) 733-3303
IBEW Local 245 Business Manager/Financial Secretary	Larry Tachene	705 Lima City Rd, Rossford, OH 43460	larry@ibew245.com	419-566-3330
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The Ohio House of Representatives 118th GENERAL ASSEMBLY

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ENERGY AND NATURAL RESOURCES SUBCOMMITTEE ON ENERGY GENERATION

SCHEDULE

Date	Time	Location	Agenda
April 17, 2019	09:00 AM	Room 121	Download

HEARINGS

March 28, 2019
March 19, 2019
March 12, 2019
February 12, 2019

MEMBERS



Dick Stein (R)
Co-Chair



Michael J.
O'Brien (D)
Co-Chair



Brian
Boland (R)



Jon Grass (R)



Glenn W.
Holmes (D)



ANNOUNCEMENT OF COMMITTEE MEETING

COMMITTEE: Energy and Natural Resources Subcommittee on Energy Generation
CO-CHAIRS: Dick Stein, Michael J. O'Brien
DATE: Wednesday, April 17, 2019
TIME: 9:00 AM
ROOM: Room 121

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Cc: House Clerk
Committee Clerk
Assistant Majority Floor Leader's Office
Bill Sponsor
LSC
Minority Leader's Office

Committee Members
Speaker's Office
Caucus Staff
Legislative Information Systems
Press Room

Nott, Dave

From: Dodson, Jason
Sent: Monday, April 15, 2019 9:00 PM
To: Montler, Murphy (Griffing, David L); Shapiro, Ilene; Spaugy, Mary; Krauss, Connie
Subject: County Executive Ilene Shapiro Testimony
Attachments: Ilene Shapiro Testimony on HB6.docx

Murphy- Per my text, here is the testimony for County Executive Shapiro. Please review and make sure that everything is still accurate after I edited the draft that was sent yesterday. Other than that, everything should be in order for Wednesday on our end. My understanding is that you will file on our behalf.

Thank you!

Jason

**Ilene Shapiro, County Executive
County of Summit, Ohio**

Testimony before the Ohio Energy & Natural Resources Subcommittee on Generation

Mr. Chairman, Vice Chairman and members of the House Energy and Natural Resources Subcommittee on Generation, my name is Ilene Shapiro and I am the County Executive for Summit County. Thank you for the opportunity to address you all today.

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On behalf of Summit County and our more than 540,000 residents, I urge you to support this legislation and preserve jobs, communities, and Ohio's carbon-free nuclear future.

Thank you.

Nott, Dave

From: janiceelaineoakley@yahoo.com
Sent: Friday, April 19, 2019 2:32 PM
To: Shapiro, Ilene
Subject: Another environmental issue

Ilene,

I heard your testimony before the House Energy Generation committee this week. Like you, I want to save the nuclear plants on Lake Erie- perhaps not for the same reason as you. I am passionate about climate change. And, as a Democrat, I hope you are too. I'm convinced that the only way we are going to quickly decarbonize the world is with nuclear energy. I'm reading a great book on the subject (A Bright Future- reviewed in the NYT: <https://gcc01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.nytimes.com%2F2019%2F04%2F06%2Fopinion%2Fsunday%2Fclimate-change-nuclear-power.html%3Fsmid%3Dnytcore-ios-share&data=02%7C01%7Cilshapiro%40summitoh.net%7Cd3c20f7f115642e11e3e08d6c4f5474d%7C7775a6aacb264e0c8a60cff842613af2%7C0%7C1%7C636912955077383282&sdata=loo42maELLu1raspYf2%2BedexG7JuuEtQmzJFj4fMVZk%3D&reserved=0>) which I am recommending to all my environmental friends- especially those who are scared to death of nuclear power.

Anyway, the experts give us a very few years to turn around our energy production from fossil fuels. Wind and solar are great, although intermittent, but they can't move the needle quickly enough- maybe 100-150 years or so.

The problem is with HB6. I am in touch with the energy expert at Ohio Environmental Council- Trish Demeter (<https://gcc01.safelinks.protection.outlook.com/?url=https%3A%2F%2Ftheoec.org%2Fauthor%2Ftdemeter%2F&data=02%7C01%7Cilshapiro%40summitoh.net%7Cd3c20f7f115642e11e3e08d6c4f5474d%7C7775a6aacb264e0c8a60cff842613af2%7C0%7C1%7C636912955077383282&sdata=eAKKi2G34l%2FS2IR%2BBao8WNYP4pueFbnUVF5vNa7C6mM%3D&reserved=0>). OEC advises that there are terrible things in this bill. I believe it was written by First Energy because it sounds like it is good for clean energy but it, instead, helps coal and gas and hurts wind and solar. It is a very technical bill. I don't think the technicalities can be explained easily to most people- I just know the general problems. That's why I rely on Trish to do the analyses and explain it to me. But, I have read enough to know that what she says is true- backed up by all the information about the politics of the issue- all the money that First Energy has contributed to Householder and other Republicans. It is my wish that you could add an addendum to your testimony- that you have problems with the non-nuclear aspects of this bill- and then you can tell Householder that you could help him get the votes of Summit Co. Democratic legislators which he needs- (he's about 20 votes short in his Republican caucus in the House) in return for fixing this bill. I don't expect you to know all the intricacies of the bill but Trish could help you. Here's her last email to me and Denise Woods and Steve Cochran and Tom Collins- (energy chair for Sierra Club)-all from Summit County.

Jan Oakley
Sagamore Hills
330-468-2488

Talking points on HB 6
Apr 18 at 1:53 PM

Trish Demeter <tdemeter@theoec.org>
To: oakley janice <janiceelaineoakley@yahoo.com>

Here are topline summaries of provisions in the bill, and impact if passed.

We have heard there will likely be OPPONENT testimony in a hearing on Tuesday, April 23. If you know anyone that would be willing to show up at the next hearing on this bill (to demonstrate strong opposition) or provide testimony, please let me know if you think there would be interest and I can follow up with details once they are firmed up. Thanks so much!

Impact of HB 6:

Would INCREASE Ohio's carbon footprint because the bill proposes to do away with Ohio's RPS and EERS which together are reducing Ohio's reliance on coal fired power plants. These policies are slated to reduce Ohio's annual carbon pollution by about 10 million tons between 2017 and 2029—equivalent to avoiding emissions from the annual electricity consumption of 1 million homes.

Dials back investment in cost-saving energy efficiency. Ohio's EERS had delivered over \$4.5 billion in energy savings to Ohioans' utility bills since 2009. HB 6 proposes to dismantle this policy, leaving a lot of untapped energy efficiency potential on the table.

Puts Ohio jobs at risk: Over 112,000 Ohioans are employed in the clean energy sector. The 80,000 Ohioans employed in the energy efficiency sector stand to be impacted the most.

Impacts Ohioans' health: Due to rollback of Ohio's RPS and EERS, the legislation would forgo the projected health benefits that these standards provide - prevention of over 44,000 asthma attacks, 2,400 asthma-related emergency room visits, 4,400 heart attacks and over 2,800 premature deaths attributable to coal-plant pollution.

Summary:

House Bill 6, as introduced, proposes a new "Ohio Clean Air Program," which would create new subsidies for Ohio's two nuclear power plants—Davis Besse and Perry Station - as well as coal and natural gas power plants. Despite claims that renewable energy projects would qualify to receive a portion of the new subsidies, the bill creates so many exclusions that no wind and solar projects are effectively disqualified. At the same time, the legislation proposes an effective repeal of Ohio's Renewable Portfolio Standard (RPS) and Energy Efficiency Resource Standard (EERS). These two policies have delivered millions in bill savings to customers, reduced carbon emissions from the power sector significantly, and generated new jobs and new tax revenue for Ohio.

Primary provisions:

Effectively eliminates Ohio's Renewable Portfolio Standard (RPS) and Energy Efficiency Resource Standard (EERS) by exempting all customers from the riders that support utility compliance with these standards, essentially de-funding the standards.

Establishes new monthly surcharges imposed on all Ohio customers of electric distribution utilities that would generate approximately \$300 million annually. Estimated breakdown: \$125M/yr from residential; \$130M/yr from commercial; \$45 million/annually from industrial.

Creates a new "Ohio Clean Air Program," a new state program that would disburse subsidies to qualified "clean air resources," (nuclear) and "reduced emissions resources" (essentially, coal plants that have upgraded pollution controls). While the bill proponents claim that renewables would qualify for new subsidies, the definitions create so many exclusions for what kinds of renewables could qualify that essentially no renewable project existing now or in the future would be able to qualify.

Funds would be administered by the Ohio Air Quality Development Authority (OAQDA), to which the bill proposes to add four members of the Ohio General Assembly to the authority which would be appointed by the majority and minority leaders in each chamber.

Establishes maximum caps on monthly surcharges: \$2.50 a month for residential customers, \$20 for commercial customers, \$250 a month for industrial customers, and \$2,500 for very large users.

Trish Demeter | Vice President of Policy - Energy Ohio Environmental Council Ohio Environmental Council Action Fund

1145 Chesapeake Avenue, Suite I, Columbus, 43212

(614) 487-5829 direct

Nott, Dave

From: Montler, Murphy (Griffing, David L.) <montlerm@firstenergycorp.com>
Sent: Tuesday, July 16, 2019 9:55 AM
To: edklco@northperry.org; Jerry.Cirino@lakecountyohio.gov; ronaldeyoung974@gmail.com; John.Hamercheck@lakecountyohio.gov; rregovich@cityofwillowick.com; jmcDonald@perryfire.info; thompsonj@perry-lake.org; GalanteL@perry-lake.org; MRantala@lcport.org; kstonebrook75@gmail.com; Larry.Greene@lakecountyohio.gov; Joe.Busher@lakecountyohio.gov; jagessic@gmail.com; perrycouncilmanrick@gmail.com; dphillips@ibew673.org; mstahl@co.ottawa.oh.us; Mark Coppeler; ddouglas@co.ottawa.oh.us; Rhonda Slauterbeck; Jamie Beier; Petersen, Fred (Ottawa Co); Guy Parmigian; Keeton, Cajon; Miller, Scott; Hal Hawk; Beth Hannam; Jill Simpson; Matthew Mackowiak; ilshapiro@aol.com; Shapiro, Ilene; phil.rudolphjr@rlgbuilds.com; par5@akronohio.gov; thegeorgegoup@aol.com; Phillips, Aaron (yahoo.com)
Cc: Griffing, David L.; 'Christopher Curry'; 'Jonathan Drobis'; Zele, Wendy F.; Rosebrock, Hans D.; D'Arcy, Sean; Bailey, Joel D.
Subject: ACTION REQUIRED - HB 6 Senate Vote

Ohio Senate Session Details – please help us fill the Senate Chambers with supporters

Date: Wednesday, July 17th, @ 1:30 pm

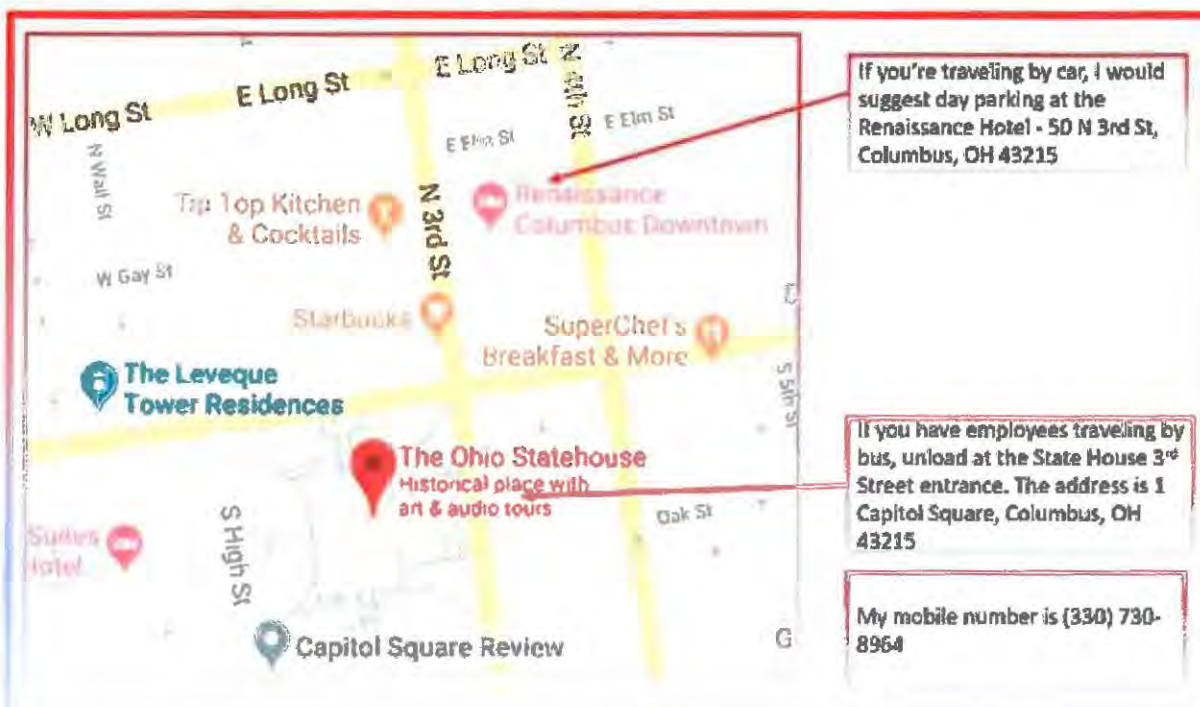
Location: Ohio State House - 1 Capitol Square, Columbus, OH 43215

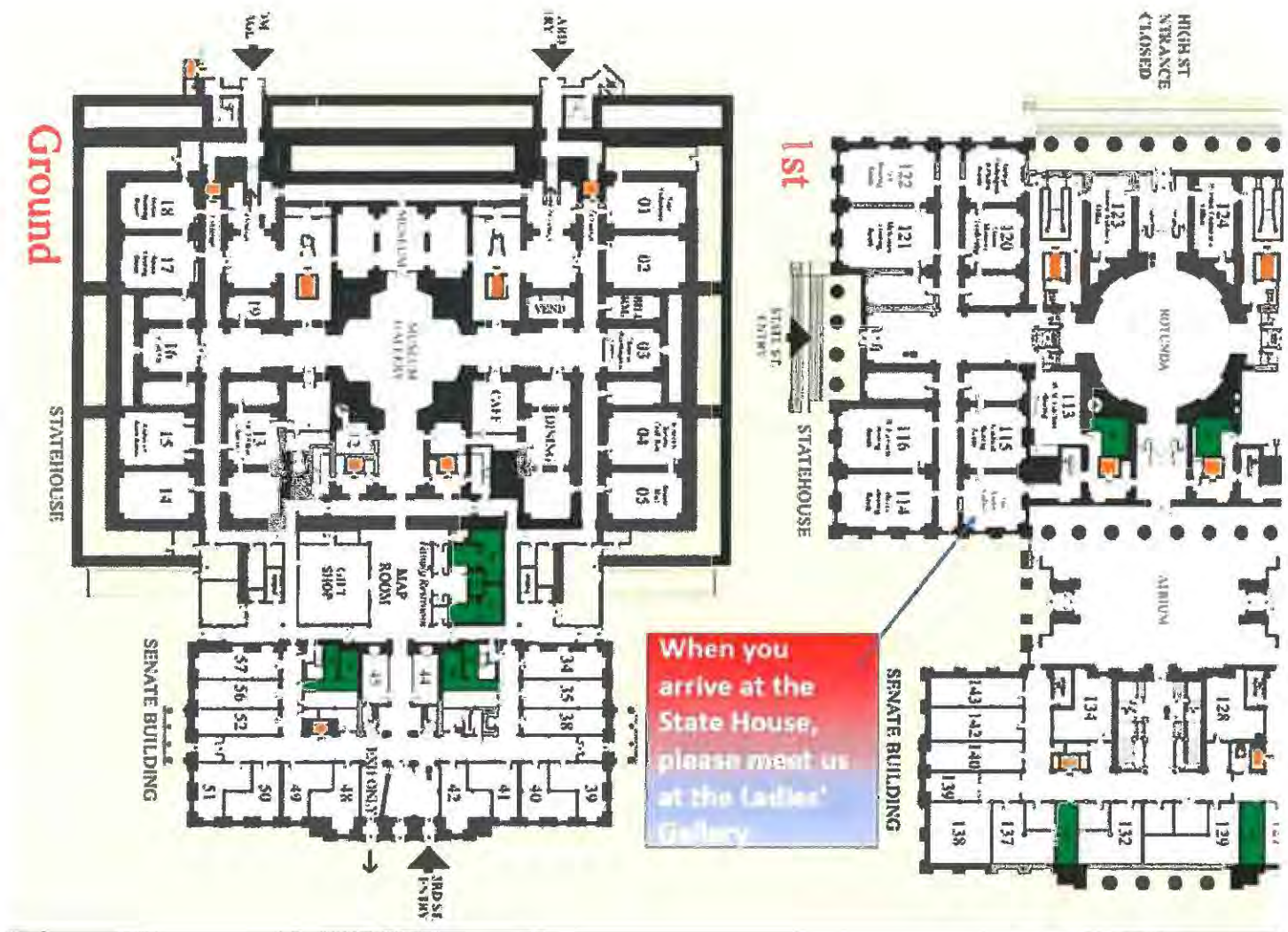
Suggested arrival time: Noon

Other note: Enter the State House from the 3rd Street entrance

Supporter Meeting Location: Ladies' Gallery Room (main floor) – security can direct you there (see the map below)

State Capital Contact: Murphy Montler (FES) 330-730-8964





From: Montler, Murphy (Griffing, David L.)

Sent: Thursday, July 11, 2019 12:34 PM

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330-730-8964

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Subject: ACTION REQUIRED - HB 6 Update

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HB 6 currently sits in the Senate Energy & Public Utilities Committee chaired by Senator Steve Wilson. Since being introduced in the Senate, a sub bill to HB 6 was created and 57 amendments have been offered by Proponents, Opponents and Interested Parties for the Committee to consider. From recent discussions with Senate Leadership, we understand that HB 6 will be voted on by the full Senate no later than Wednesday, July 17th. While no Senate Energy & Public Utilities Committee hearings are scheduled this week, please understand that much is happening behind the

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Thank you for your help!

Murphy Montler
330-730-8964

President Larry Obhof	(614) 466-7505
Sen. Steve Wilson	(614) 466-9737
Sen. Robert McColley	(614) 466-8150
Sen. Sandra Williams	(614) 466-4857
Sen. Andrew Brenner	(614) 466-8086
Sen. Dave Burke	(614) 466-8049
Sen. Hearcel Craig	(614) 466-5131
Sen. Matt Dolan	(614) 466-8056
Sen. John Eklund	(614) 644-7718
Sen. Frank Hoagland	(614) 466-6508
Sen. Matt Huffman	(614) 466-7584
Sen. Sean O'Brien	(614) 466-7182
Sen. Bob Peterson	(614) 466-8156
Sen. Michael Rulli	(614) 466-8285

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Nott, Dave

From: Montler, Murphy (Griffing, David L.) <montlerm@firstenergycorp.com>
Sent: Monday, July 22, 2019 12:04 PM
To: edklco@northperry.org; Jerry.Cirino@lakecountyohio.gov; ronaldeyoung974@gmail.com; John.Hamercheck@lakecountyohio.gov; rregovich@cityofwillowick.com; jmcDonald@perryfire.info; thompsonj@perry-lake.org; GalanteL@perry-lake.org; MRantala@lcport.org; kstonebrook75@gmail.com; Larry.Greene@lakecountyohio.gov; Joe.Busher@lakecountyohio.gov; jagessic@gmail.com; perrycouncilmanrick@gmail.com; dphillips@ibew673.org; mstahl@co.ottawa.oh.us; Mark Coppeler; ddouglas@co.ottawa.oh.us; Rhonda Slauterbeck; Jamie Beier; Petersen, Fred (Ottawa Co); Guy Parmigian; Keeton, Cajon; Miller, Scott; Hal Hawk; Beth Hannam; Jill Simpson; Matthew Mackowiak; ilshapiro@aol.com; Shapiro, Ilene; phil.rudolphjr@rlgbuilds.com; par5@akronohio.gov; thegeorgegoup@aol.com; Phillips, Aaron (yahoo.com)
Cc: Griffing, David L.; 'Christopher Curry'; 'Jonathan Drobis'; Zele, Wendy F.; Rosebrock, Hans D.; D'Arcy, Sean; Bailey, Joel D.; Juan Cespedes
Subject: ACTION REQUIRED - Details for HB 6 House Session Vote

Hello Everyone,

Details for the special House Session scheduled for tomorrow:

Subject: HANNAH NEWS UPDATE: House Announces Tuesday Session

The House announced Sunday afternoon that it will be in session on Tuesday, Ju

Date: Tuesday, July 23rd, @ 11:00 am

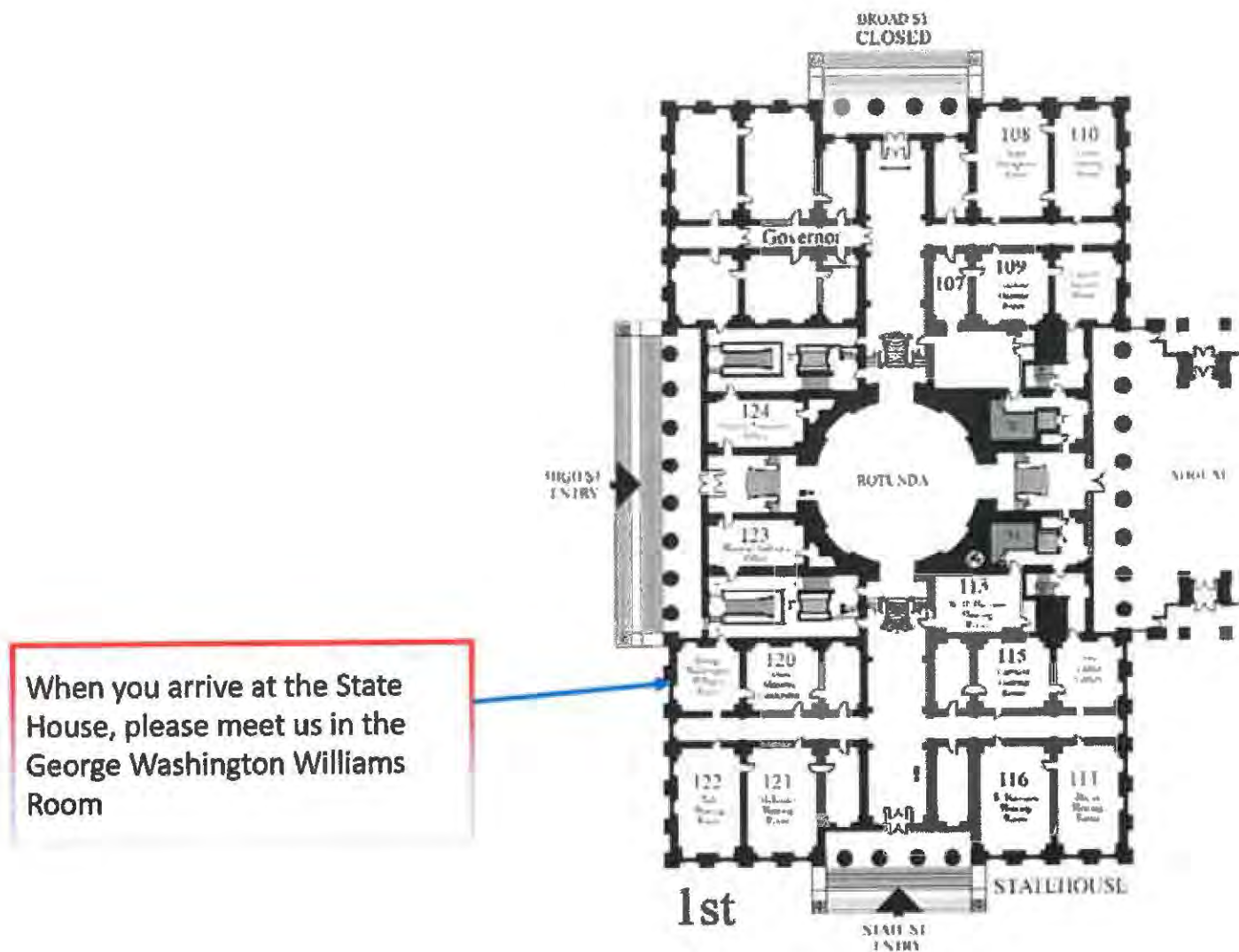
Location: House Chambers, Ohio State House - 1 Capitol Square, Columbus, OH 43215

Suggested arrival time: 10:00 am

Other note: Enter the State House from the 3rd Street entrance

Pre-Session Supporter Meeting Location: George Washington Williams Room (first floor) – security can direct you there (see the map below)

State Capital Contact: Murphy Montler (FES) 330-730-8964



From: Montler, Murphy (Griffing, David L.)

Sent: Monday, July 22, 2019 8:17 AM

To: edklco@northperry.org; Jerry.Cirino@lakecountyohio.gov; ronaldeyoung974@gmail.com; John.Hamercheck@lakecountyohio.gov; rregovich@cityofwillowick.com; jmcDonald@perryfire.info; thompsonj@perry-lake.org; GalanteL@perry-lake.org; MRantala@lcport.org; kstonebrook75@gmail.com; Larry.Greene@lakecountyohio.gov; Joe.Busher@lakecountyohio.gov; jagessic@gmail.com; perrycouncilmanrick@gmail.com; dphillips@ibew673.org; mstahl@co.ottawa.oh.us; Mark Coppeler <mcoppeler@co.ottawa.oh.us>; ddouglas@co.ottawa.oh.us; Rhonda Slauterbeck <rslauterbeck@co.ottawa.oh.us>; Jamie Beier <jbgrant@ocic.biz>; Petersen, Fred (Ottawa Co <fpetersen@co.ottawa.oh.us>; Guy Parmigian <gparmigian@bcssd.com>; Keeton, Cajon <ckeeton@bcssd.com>; Miller, Scott <miller_scott@co.sandusky.oh.us>; Hal Hawk <HHawk@crownbattery.com>; Beth Hannam <director@sanduskycountyedc.org>; Jill Simpson <ceo@scchamber.org>; Matthew Mackowiak <MMackowiak@co.lucas.oh.us>; ilshapiro@aol.com; ilshapiro@summitoh.net; phil.rudolphjr@rlgbuils.com; par5@akronohio.gov; thegeorgegoup@aol.com; surehousepastor@yahoo.com

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Subject: RE: ACTION REQUIRED - HB 6 Senate Vote

Good Morning Everyone,

It is our understanding that the Ohio House of Representatives will hold a special session tomorrow, Tuesday, July 23rd, at 11:00 am, to vote on HB 6. ***Please help us fill the House Chambers to demonstrate support for passage of HB6.***

Murphy

From: Montler, Murphy (Griffing, David L.)

Sent: Tuesday, July 16, 2019 9:55 AM

To: edklco@northperry.org; Jerry.Cirino@lakecountyohio.gov; ronaldeyoung974@gmail.com; John.Hamercheck@lakecountyohio.gov; rregovich@cityofwillowick.com; jmcdonald@perryfire.info; thompsonj@perry-lake.org; GalanteL@perry-lake.org; MRantala@lcport.org; kstonebrook75@gmail.com; Larry.Greene@lakecountyohio.gov; Joe.Busher@lakecountyohio.gov; jagessic@gmail.com; perrycouncilmanrick@gmail.com; dphillips@ibew673.org; mstahl@co.ottawa.oh.us; Mark Coppeler <mcoppeler@co.ottawa.oh.us>; ddouglas@co.ottawa.oh.us; Rhonda Slauterbeck <rslauterbeck@co.ottawa.oh.us>; Jamie Beier <jbgrant@ocic.biz>; Petersen, Fred (Ottawa Co <fpetersen@co.ottawa.oh.us>; Guy Parmigian <gparmigian@bcssd.com>; Keeton, Cajon <ckeeton@bcssd.com>; Miller, Scott <miller_scott@co.sandusky.oh.us>; Hal Hawk <HHawk@crownbattery.com>; Beth Hannam <director@sanduskycountyedc.org>; Jill Simpson <ceo@scchamber.org>; Matthew Mackowiak <MMackowiak@co.lucas.oh.us>; ilshapiro@aol.com; ilshapiro@summitoh.net; phil.rudolphjr@rlgbuilds.com; par5@akronohio.gov; thegeorgegoup@aol.com; surehousepastor@yahoo.com
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Subject: ACTION REQUIRED - HB 6 Senate Vote

Ohio Senate Session Details – ***please help us fill the Senate Chambers with supporters***

Date: Wednesday, July 17th, @ 1:30 pm

Location: Ohio State House - 1 Capitol Square, Columbus, OH 43215

Suggested arrival time: Noon

Other note: Enter the State House from the 3rd Street entrance

Supporter Meeting Location: Ladies' Gallery Room (main floor) – security can direct you there (see the map below)

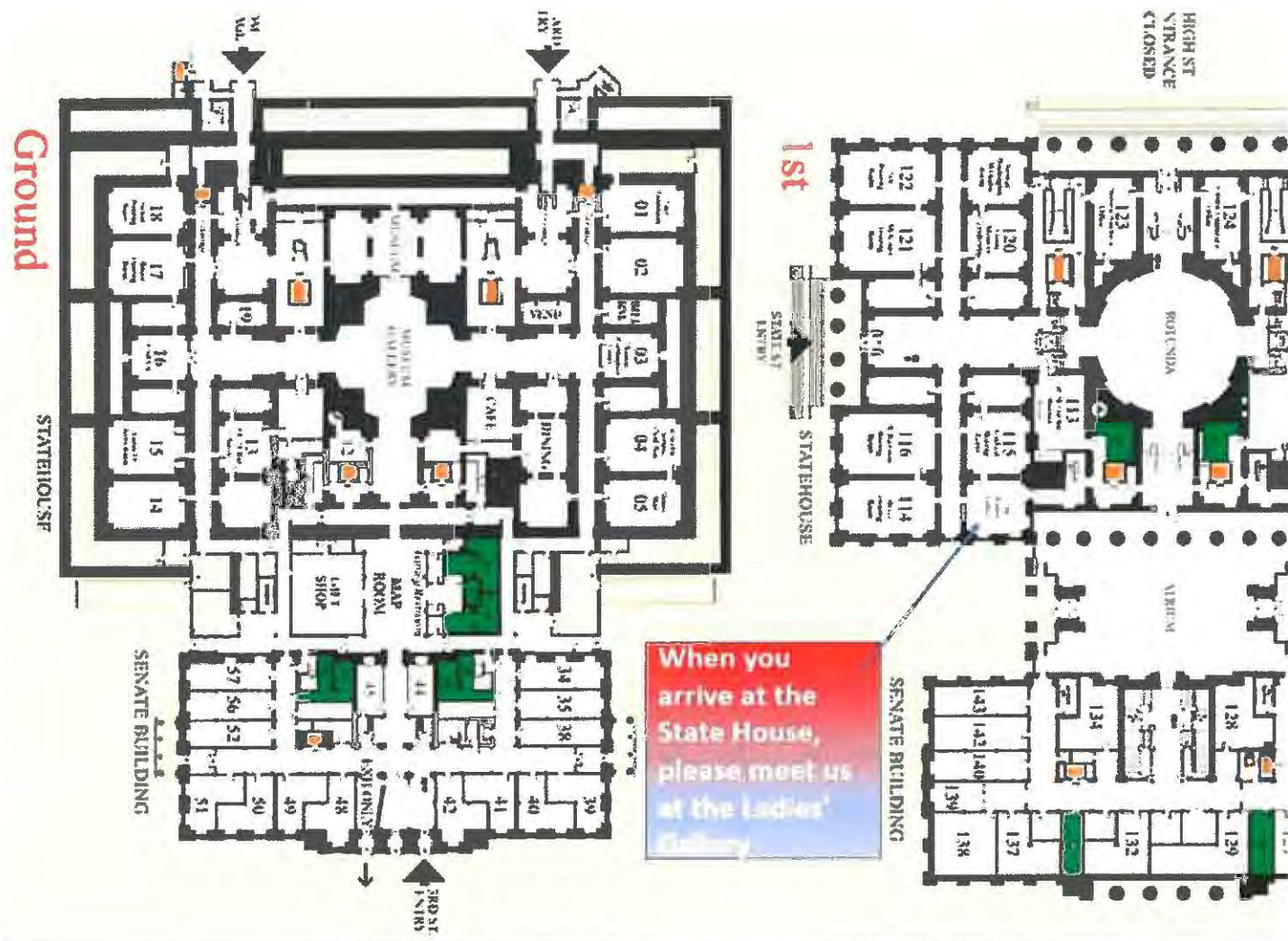
State Capital Contact: Murphy Montler (FES) 330-730-8964



If you're traveling by car, I would suggest day parking at the Renaissance Hotel - 50 N 3rd St, Columbus, OH 43215

If you have employees traveling by bus, unload at the State House 3rd Street entrance. The address is 1 Capitol Square, Columbus, OH 43215

My mobile number is (330) 730-8964



From: Montler, Murphy (Griffing, David L.)

Sent: Thursday, July 11, 2019 12:34 PM

To: 'edklco@northperry.org' <edklco@northperry.org>; 'Jerry.Cirino@lakecountyohio.gov'

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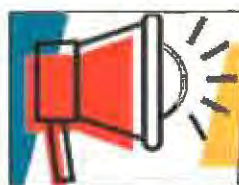
President Larry Obhof	(614) 466-7505
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Nott, Dave

From: Crain's Akron Business <crainscleveland@e.crainalerts.com>
Sent: Friday, May 24, 2019 8:31 AM
To: Shapiro, Ilene
Subject: A deeper look at the NFL draft in Cleveland | Nuclear bailout bill moves forward in Ohio House | Cleveland Fed sets policy summit | Akron working to be 'age-friendly'

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CRAIN'S CLEVELAND BUSINESS **Akron Daily**

Friday, May 24, 2019



Locations, economic impact, costs, clearing up misconceptions — a deeper look at Cleveland hosting the 2021 NFL draft

Events of this magnitude bring a lot of talk about economic impact, generate plenty of questions about who gets what and inspire a ton of snark from the Twitter trolls. With that in mind, let's try to clear up some of the confusion.

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Nuclear bailout bill clears Ohio House committee

From the Columbus Dispatch: A revised bill that would shore up the state's two nuclear power plants along with two coal-fired power plants cleared an Ohio House committee Thursday, May 23, along party lines.

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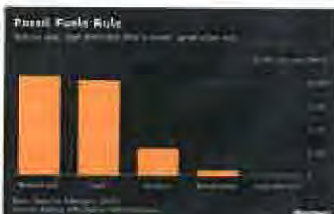




Nuclear bailout bill shows how big money can be put to work in the Ohio Statehouse

From Cleveland.com: From well-placed campaign contributions, to lobbyist-engineered testimony, to millions of dollars in mysteriously funded TV and radio ads, the effort to get the state legislature to pass a bill bailing out two nuclear plants owned by a former FirstEnergy subsidiary is a textbook example of how big money can be used to influence public policy in Ohio.

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Ohio energy fight has Koch, environmentalists on same side

From Bloomberg: The Sierra Club and billionaire Charles Koch have found at least one thing to agree on: They hate Ohio's plan to take away renewable power subsidies and give them to coal and nuclear plants.

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Federal Reserve Bank of Cleveland sets policy summit focused on 'connecting people and places to opportunity'

The summit takes place June 19-21 in Cincinnati. Raj Chetty, a Harvard economist, will provide a keynote address on Thursday, June 20, titled



'Improving Equality of Opportunity: New Insights from Big Data.' Lael Brainard, a Fed governor, and Cleveland Fed CEO Loretta J. Mester also are among the speakers.

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Akron gets intentional on helping seniors

From the Akron Beacon Journal: A team of local elders launched a five-year plan Thursday, May 23, to make Akron a place where everyone ages in good health and comfort. The 'age-friendly' designation — recognized by the World Health Organization and certified by the AARP — is an inclusive attempt to make sidewalks wider and install ramps so baby-strollers and wheelchairs alike can get by, to create hassle-free transportation options, to help residents live without fear in safer communities or to implement other initiatives that benefit seniors by making the city better for everyone.

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Bar owner pleads guilty to charges of wire and mail fraud

A Macedonia man who claimed to be a financial planner in the business of financing loans to rehabilitate commercial property has been sentenced to more than six years in prison for swindling three elderly people out of nearly \$575,000.

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Ohio Sen. Rob Portman urges quick agreement with China to stop trade war

From the Columbus Dispatch: Warning that the trade war with China 'is causing pain for our farmers (and) our workers,' Sen. Rob Portman called on the Trump administration to quickly reach a new trade agreement with Beijing. In a speech on the Senate floor late Wednesday, May 22, the Ohio Republican said while he wants the administration 'to hang tough' in negotiations with China, the tariffs imposed by the United States on Chinese imports combined with tariffs levied by China on American exports are damaging the economy.

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From Ford to Nissan: 38,000 job cuts and counting at carmakers

From Bloomberg: As global auto sales slow after a decade of growth, carmakers are girding for a deeper downturn by slashing payrolls.

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Off the Clock: Things to do in and around Akron through May 28

From Crain's Akron Business: Live music at Rock the Lock, an Akron RubberDucks homestand, Countryside Farmers Market, Memorial Day Flea in Hartville, Reggae Fest Cleveland, Rockin' Fore the Kids in Cuyahoga Falls and more make this week's list.

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Keeping life 100 after a century in the world

More people are living to age 100, according The Wall Street Journal, which explores the advantages — as well as the limitations — of hitting that mark and includes comments from a Clevelander who has made the most of her extended lifespan. Plus, Jones Day keeps getting paid (a lot) by the Republican Party, Cleveland moves up a bit in a ranking of cities with the best parks, an ice cream brand from New York makes a push into Ohio, and more.

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Meijer starts home delivery service at Stow, other Northeast Ohio stores

From the Akron Beacon Journal: Meijer said it is offering a discount on the annual Meijer Home Delivery service price to \$49 through June 4; the regular price is \$99. The annual membership allows for no fees on all orders of more than \$35; the company levies a \$7 flat fee on orders under \$35. Meijer is partnering with internet delivery company Shipt to provide the home delivery service.

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Uncertainty over Ohio's film tax credit leaves Bedford movie studio project in the lurch

Plans for Dakar Studios, an estimated \$30 million to \$40 million project for a Hollywood-inspired film studio and production campus, have faced several setbacks. The latest revolves around the unclear fate of Ohio's Motion Picture Tax Credit.

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Clinic takes aim at Canton's feral cat problem

From the Canton Repository: Director Laura Groves said a designated wing at AlterClinic and an additional veterinarian will roughly double the number of trapped cats accepted. That should be good news for frustrated residents in the city's southwestern Ward 5, where Councilman Robert Fisher has arranged for a local feral cat expert to begin a Trap, Neuter, Return program. Cats are humanely trapped and altered before being returned to their territory with an identifying notch on their left ear.

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U.S. opens antitrust probe of real estate brokerage industry



From Bloomberg: U.S. antitrust officials are investigating potentially anticompetitive practices in the residential real estate brokerage business, with a focus on compensation to brokers and restrictions on their access to listings.

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Event: Young Professionals Network Leadership Luncheon

11:30 a.m.-1 p.m. Wednesday, May 29; Mustard Seed Cafe, Highland Square, 867 W. Market St., Akron.

The speaker is Gregg Mervis, president and CEO of the Akron/Summit Convention and Visitors Bureau.

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Exhibit C



Wednesday, June 5, 2019

Article 7

Senators Consider Impact Of Nuclear Plant Closures

A Senate panel spent Wednesday grappling with the question of how subsidizing nuclear plants or letting them potentially close might impact customer bills.

It was the second informal hearing on the controversial House-passed measure (**HB 6**) to create a "Clean Air" credit program. Formal hearings before the Senate Energy & Public Utilities Committee will kick off Tuesday.

Wednesday's testimony featured Public Utilities Commission of Ohio Chair Sam Randazzo and Asim Haque, PJM's executive director for strategic policy and external affairs. Their remarks echoed comments from PUCO and PJM representatives to House lawmakers earlier this year, with neither party endorsing or opposing the legislation.

Mr. Randazzo outlined the history of the renewable and energy efficiency standards that would be eliminated by the bill and the related compliance costs for customers. He suggested the measure as written does not interfere with the ability of existing and new renewable energy resources from obtaining renewable energy credits. (See **Gongwer Ohio Report, May 7, 2019**)

But he did opine that customers may receive an overall cost reduction if the measure passed as written. He said estimated customers' out-of-pocket costs for demand-side compliance requirements is an average \$289 million per year – below the projected \$198 million annual cost of HB6's credit program.

"I think the cost of compliance with the mandates is greater than the cost associated with programs associated with HB6," Mr. Randazzo told **Sen. Sandra Williams** (D-Cleveland).

Sen. Dave Burke (R-Marysville) questioned Mr. Randazzo whether consumer bills would go up or down if both plants closed. Mr. Randazzo replied the answer depends on several factors including whether projected gas-fired generation is realized.

"There is I think reason to believe that prices would drop in the wholesale market as a result of keeping the nuclear plants around," Mr. Randazzo said.

Sen. Sean O'Brien (D-Bazetta) asked out of those compliance costs, how much might have been spent on programs such as energy efficiency that return dollars to consumers. Mr. Randazzo said he was unable to

quantity that.

Mr. Haque, who is also a prior chairman of the PUCO, emphasized his testimony was from an "educational" perspective and that the regional transmission operator has no opinion on the legislation at hand. He outlined the findings of a cost analysis released that same day by PJM following inquiries from the Ohio Consumers' Counsel and the Pennsylvania Public Utility Commission.

The **study** modeled wholesale energy market prices in 2023, examining several scenarios including those in which the Davis-Besse and Perry plants close or remain open. The study determined:

- In the base case, if FirstEnergy Solutions' nuclear plants retire and all expected new gas units come online, the market will produce about \$1.6 billion annual savings by 2023.
- If the nuclear plants continue operations and all new gas units enter the market Ohioans will save \$95 million more than in the base case in 2023, not including any nuclear subsidy.
- If the plants continue operations and only 50% of the planned new gas units come online, Ohioans would save about \$16 million less than in the base case in 2023.

Sen. Rob McColley (R-Napoleon) asked how likely it is that the plants retire and investors follow through on all planned generation. Mr. Haque said the general view among his colleagues is that scenario is unlikely.

Both sides of the debate are already touting the PJM study as a victory. The OCC, which opposes HB6, highlighted scenario No. 1 as worthy of note, while bill sponsor **Rep. Jamie Callender** (R-Concord) singled out the other scenarios in a statement.

"Even more good news for ratepayers is that the study does not even take into account the additional \$340 million annually Ohio's ratepayers will save by repealing the state's expensive, failed electric mandates, nor does the study take into account the Ohio jobs associated with those facilities," Rep. Callender said. "I look forward to working with my colleagues in the Senate to passing House Bill 6."

Sen. O'Brien questioned if the nuclear plants were to close whether reliability would continue to exist. Mr. Haque replied: "100% yes."

Mr. Haque urged **Sen. Hearcel Craig** (D-Columbus) to press future witnesses who claim the markets are broken.

"From PJM's perspective, we are proud of the markets we have developed," Mr. Haque said. "You'll probably hear during testimony going forward the markets aren't working. What I'd tell you is please evaluate who the markets aren't working for."

Sen. Matt Huffman (R-Lima) asked whether renewables could take the place of the carbon-free generation that would be eliminated if the plants close.

"I think if you were just looking to swap one for one as we sit here today, that's not going to be possible," Mr. Haque replied. "But how quickly this technology develops, with the cost associated with advancing that technology getting less and less, that world could conceivably occur."

"So why hasn't that happened within the last 10 years?" Sen. Huffman said.

"I think if that technology was the least cost, most reliable resource as we exist today, we'd see more in the marketplace," Mr. Haque answered.

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Exhibit D

Honorable Michael D. DeWine
Governor of the State of Ohio
Riffe Center, 30th Floor
77 South High Street
Columbus, Ohio 43215

November 20, 2020

Re: Resignation

Dear Governor DeWine:

The events and news of this week have undoubtedly been disturbing or worse to many stakeholders who rightfully look to the Public Utilities Commission of Ohio (PUCO), the Ohio Power Siting Board (OPSB) and me as the Chair to act in the public interest within the statutory legal framework. Regardless of disclosures of prior business relationships to you and your team prior to my PUCO Nominating Council interview (January 31, 2019), the impression left by an FBI raid on our home, the statement included in FirstEnergy Corp.'s filing with the Securities and Exchange Commission yesterday and the accompanying publicity will, right or wrong, fuel suspicions about and controversy over decisions I may render in my current capacity. In present times, when you, good sir, are valiantly battling to save Ohioans from the surging attack of COVID-19, there is no room or time for me to be a distraction. Accordingly, I hereby resign from my position as Chair effective immediately.

There will be those who will eagerly contest what I say next. But it needs to be said.

When you asked me to consider going to the PUCO after discussions about opportunities to improve the public interest performance of the PUCO (rather than continue on with my semi-retirement plan), I took heart.

Since being appointed by you, much has been accomplished inside the PUCO to shed a dysfunctional Chair-centric operating system and to transparently render PUCO decisions based on the law, good engineering, good accounting and, of course, the public interest. The worst out-of-market compensation abuses of the Strickland Administration's electric security plan (ESP) statute, all of which were imposed on customers well prior to my arrival, have been mitigated or cut short where possible. The next step is, in my view, elimination of the ESP statute itself and focusing on the use of a proper competitive bidding process to set the generation supply price for retail electric customers not served by a competitive supplier. Ohio's pro-competitive legal framework, which I greatly helped to get incorporated into Ohio law, is working for customers. The elimination of the too-utility-friendly ESP statute will improve outcomes for customers and fairly compensate Ohio's electric distribution utilities while, hopefully, reducing the number, size and scope of riders that transfer utility business and financial risk to captive customers with little or no recognition in the specification of a just and reasonable return. And, in this regard, the legislation currently being advanced by

Representative Romanchuk is a fine vehicle to rescind the nuclear bailout, the OVEC bailout, rescind the unbalanced version of decoupling given to FirstEnergy Ohio's operating companies (despite the concerns we raised), put the ESP statute out of commission and allow Ohio's electric customers to enjoy an even greater electric bill reduction (in excess of \$300,000,000) that is scheduled to take place through current law on January 1, 2021.

Among other things, the PUCO and Federal Energy Advocate have taken on the runaway electric transmission service rate increases by proactive intervention and advocacy at the Federal Energy Regulatory Commission, a federal agency that has exclusive jurisdiction in this area and seems eager to give transmission utilities money for nothing. Prior to my arrival, this important work was not getting much if any attention and the customer impacts of federal decisions on the price and availability of energy in Ohio were not getting their deserved attention.

Prior to my arrival at the OPSB, decisions were better characterized as being the product of a rubber stamp than reasoned analysis and proper application of the law. Local interests were unnecessarily subordinated to the virtue signaling demands of wind and solar farm developers some of which were only interested in flipping their project. Prior to my arrival, no OPSB Board Member attended local public hearings further signaling disinterest in local views and concerns. Since my arrival, I have personally attended almost all of these hearings listening for hours as citizens offered their testimony. Further reform is also needed here, however. In my opinion, the next step is to modify the OPSB's statutory framework to require the OPSB to consider the views and preferences of local land use planning authorities on the front end of the process so that decisions might better balance local and statewide interests when determining public convenience and necessity.

In any event, I believe my actions as Chair have done much to put the PUCO and OPSB on a better foundation to serve the public interest. In the days ahead, I hope the Commissioners and Board Members who remain or follow me can continue this important mission.

Your efforts to save Ohioans from the COVID-19 virus continue to inspire hope that we might all come together for the common good. I will continue to do my part.

I will greatly miss working with the dedicated public servants who make up the PUCO and OPSB staff as well as other agency Directors and your team. I regret that I must step away but it is the right and necessary thing to do.

Respectfully yours,

Sam

Samuel C. Randazzo

Exhibit E

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Review of the)
Political and Charitable Spending by Ohio) Case No. 20-1502-EL-UNC
Edison Company, The Cleveland Electric)
Illuminating Company, and the Toledo)
Edison Company.)

**RESPONSE TO SECOND SET OF INTERROGATORIES, REQUESTS FOR
ADMISSIONS AND REQUESTS FOR PRODUCTION OF DOCUMENTS PROPOUNDED
UPON FIRSTENERGY UTILITIES BY THE OFFICE OF THE OHIO CONSUMERS'
COUNSEL**

Ohio Edison Company, The Cleveland Electric Illuminating Company and The Toledo Edison Company (the “Companies”), pursuant to O.A.C. 4901-1-19, -20 and -22, hereby submit these Objections and Responses to the First Set of Interrogatories, Requests for Admissions and Requests for Production of Documents (collectively, the “Requests”) served by the Office of the Ohio Consumers’ Counsel.

GENERAL OBJECTIONS

The Companies assert the following general objections (the “General Objections”). The General Objections are incorporated into each response by the Companies in the Specific Objections and Responses (the “Responses”) set forth below and, therefore, any failure to repeat the General Objections in any of the Responses shall not be deemed a waiver.

1. The Companies object to OCC’s “Instructions for Answering,” “Definitions,” and to the Requests as improper to the extent they purport to impose obligations beyond those required or permitted by the Ohio Rules of Civil Procedure, the procedural rules of the Commission, or any other applicable law or rule (the “Applicable Laws”).

2. Any Response to the Requests is made by the Companies solely for the purpose of this action and without waiving or intending to waive, but, on the contrary, preserving and intending to preserve:
 - a. the right to object, on the grounds of propriety, competency, privilege, relevancy, materiality, confidentiality, authenticity, admissibility or any other proper grounds, to the use of the Responses, documents, or information provided by the Companies as evidence for any purpose, in whole or in part, in any subsequent proceeding, or in any trial in this or any other action;
 - b. the right to object on any grounds, at any time, to other discovery requests involving or relating to the subject of the Requests to which the Companies have responded herein; and
 - c. the right at any time to revise, correct, supplement or clarify these Responses, General Objections, and other objections propounded herein.
3. The Companies object to the Requests as overly broad and unduly burdensome to the extent they are not reasonably limited in time and, in particular, to the extent the Instructions require Requests to include the period from January 1, 2008 through the present.
4. The Companies object to each Request to the extent that it seeks production of information that is confidential business, commercial, financial, or proprietary information belonging to the Companies or third parties.
5. The Companies object to the Requests to the extent the Requests demand that the Companies do anything other than conduct a reasonably diligent search of centralized files and electronic records reasonably likely to contain requested documents. To the extent the Companies agree to produce documents responsive to a Request, the Companies are not

stating, agreeing, or representing that any such documents in fact exist or that, if such documents do exist, they are within the Companies' possession, custody or control. Neither the fact that an objection is interposed nor the fact that no objection is interposed necessarily means that responsive documents or information exist.

6. The General Objections and Specific Objections and Responses set forth herein are based upon information now available to the Companies, and the Companies reserve the right at any time to amend, revise, correct, add to, or clarify any of the General Objections, other objections and/or Responses set forth herein.

INTERROGATORIES

INT-02-001. In 2007, Charles E. Jones (the current CEO) was the president of FirstEnergy Solution and his salary was not part of the 2007 test year expenses. Does this mean the current base distribution rates of the three EDUs, set in 2007, do not include the millions of compensation dollars earned by Charles E. Jones?

RESPONSE:

The Companies object to this Interrogatory on the grounds that it seeks information irrelevant to the subject matter involved in the proceeding and not reasonably calculated to lead to the discovery of relevant or admissible evidence because it does not involve whether the costs of any political or charitable spending in support of Am. H.B. 6 – either supporting enactment of the bill or opposing the subsequent referendum effort (hereinafter, “H.B. 6 Spending”), were included, directly or indirectly, in any rates or charges paid by the Companies’ ratepayers in Ohio. The Companies further object to this Interrogatory because it is overly broad, unduly burdensome, misstates the facts of Case No. 07-551-EL-AIR, *et al.*, harassing, oppressive, vague, ambiguous and seeks to impose an undue expense.

Subject to and without waiving the foregoing objections, labor costs associated with FirstEnergy Solutions would not have been included in base distribution rates. *See* Case No. 07-551-EL-AIR.

INT-02-002. Did the FirstEnergy Utilities (or any FirstEnergy Utilities’ affiliates) use any of the money collected from Ohio electric customers under distribution rates set in the FirstEnergy Utilities’ last base rate case for political and charitable spending?

If so, please identify on a yearly basis how much was used for that purpose since the approval of base rates.

RESPONSE:

The Companies object to this Interrogatory on the grounds that it seeks information irrelevant to the subject matter involved in the proceeding and not reasonably calculated to lead to the discovery of relevant or admissible evidence because it involves the possible expenditures by the Companies (and their affiliates) instead of whether the costs of any H.B. 6 Spending were included, directly or indirectly, in any rates or charges paid by the Companies' ratepayers in Ohio. The Companies further object to this Interrogatory because expenditures made by the Companies and their affiliates are outside OCC's jurisdiction and, thus, unlawful for OCC to investigate. The Companies further object to this Interrogatory because it is overly broad, unduly burdensome, harassing, oppressive, vague, ambiguous and seeks to impose an undue expense by, among other things, requesting all information related to any political or charitable spending dating from the effective date of the last base rate case to the present.

INT-02-003. Did the FirstEnergy Utilities (or any FirstEnergy Utilities' affiliates) use any of the money collected from Ohioans under FirstEnergy Utilities' "riders or other charges in their approved tariffs" (see affidavit of Santino Fanelli) for political and charitable spending? If so, please identify on a yearly basis how much was used for that purpose, and which riders and charges were the source of the political and charitable spending?

RESPONSE:

The Companies object to this Interrogatory on the grounds that it seeks information irrelevant to the subject matter involved in the proceeding and not reasonably calculated to lead to the discovery of relevant or admissible evidence because it involves the possible expenditures by the Companies (and their affiliates) instead of whether the costs of any H.B. 6 Spending were included, directly or indirectly, in any rates or charges paid by the Companies' ratepayers in Ohio. The Companies further object to this Interrogatory because expenditures made by the Companies and their affiliates are outside OCC's jurisdiction and, thus, unlawful for OCC to investigate. The Companies further object to this Interrogatory because it is overly broad, unduly burdensome, harassing, oppressive, vague, ambiguous and seeks to impose an undue expense by, among other things, requesting all information related to any political or charitable spending dating from January 1, 2008 to the present.

INT-02-004. Did the FirstEnergy Utilities (or any FirstEnergy Utilities' affiliates) use any of the money collected from Ohio electric customers under FirstEnergy Utilities' distribution rates set in their last base rate case for House Bill 6 activities? If so, please identify on a yearly basis how much was used for that purpose since the approval of base rates.

RESPONSE:

The Companies object to this Interrogatory on the grounds that it seeks information irrelevant to the subject matter involved in the proceeding and not reasonably calculated to lead to the discovery of relevant or admissible evidence because it involves the possible expenditures by the Companies (and their affiliates) instead of whether the costs of any H.B. 6 Spending were

included, directly or indirectly, in any rates or charges paid by the Companies' ratepayers in Ohio. The Companies further object to this Interrogatory because expenditures made by the Companies and their affiliates are outside OCC's jurisdiction and, thus, unlawful for OCC to investigate. The Companies further object to this Interrogatory because it is overly broad, unduly burdensome, harassing, oppressive, vague, ambiguous and seeks to impose an undue expense by, among other things, requesting all information related to any H.B. 6 Spending.

INT-02-005. Did the FirstEnergy Utilities (or any FirstEnergy Utilities affiliates') use any of the money collected from Ohioans under "riders and charges" (see affidavit of Santino Fanelli) under FirstEnergy Utilities' tariffs for House Bill 6 activities? If so, please identify on a yearly basis how much was used for that purpose, and which riders and charges were the source of the House Bill 6 activities funds?

RESPONSE:

The Companies object to this Interrogatory on the grounds that it seeks information irrelevant to the subject matter involved in the proceeding and not reasonably calculated to lead to the discovery of relevant or admissible evidence because it involves the possible expenditures by the Companies (and their affiliates) instead of whether the costs of any H.B. 6 Spending were included, directly or indirectly, in any rates or charges paid by the Companies' ratepayers in Ohio. The Companies further object to this Interrogatory because expenditures made by the Companies and their affiliates are outside OCC's jurisdiction and, thus, unlawful for OCC to investigate. The Companies further object to this Interrogatory because it is overly broad, unduly burdensome,

harassing, oppressive, vague, ambiguous and seeks to impose an undue expense by, among other things, requesting all information related to any H.B. 6 Spending.

INT-02-006. Did the FirstEnergy Utilities (or any FirstEnergy Utilities' affiliates) use any of the money collected from Ohioans under "riders and charges" (see affidavit of Santino Fanelli) under FirstEnergy Utilities' tariffs for House Bill 6 activities? If so, please identify on a yearly basis how much was used for that purpose, and which riders and charges were the source of the House Bill 6 activities funds?

RESPONSE:

See Objections to INT-02-005.

INT-02-007. Did the FirstEnergy Utilities (or any FirstEnergy Utilities' affiliates) use any of the money collected from Ohioans under "riders and charges" (see affidavit of Santino Fanelli) approved in FirstEnergy Utilities latest electric security plan in PUCO Case No. 14-1297-EL-SSO, et al. for House Bill 6 activities? If so, please identify on a yearly basis how much was used for that purpose, and which electric security plan riders and charges were the source of the House Bill 6 activities funds?

RESPONSE:

The Companies object to this Interrogatory on the grounds that it seeks information irrelevant to the subject matter involved in the proceeding and not reasonably calculated to lead to the discovery of relevant or admissible evidence because it involves the possible expenditures by the Companies (and their affiliates) instead of whether the costs of any H.B. 6 Spending were

included, directly or indirectly, in any rates or charges paid by the Companies' ratepayers in Ohio. The Companies further object to this Interrogatory because expenditures made by the Companies and their affiliates are outside OCC's jurisdiction and, thus, unlawful for OCC to investigate. The Companies further object to this Interrogatory because it is overly broad, unduly burdensome, harassing, oppressive, vague, ambiguous and seeks to impose an undue expense by, among other things, requesting all information related to any H.B. 6 spending associated with riders and charges approved in the Companies' ESP4 proceeding.

INT-02-008. Did the FirstEnergy Utilities (or any FirstEnergy Utilities' affiliates) use any of the money collected from Ohioans under FirstEnergy Utilities' "riders and charges" (see affidavit of Santino Fanelli) approved in FirstEnergy's latest electric security plan, in PUCO Case No. 14-1297-EL-SSO, et al, for political and charitable spending? If so, please identify on a yearly basis how much was used for that purpose, and which electric security plan riders and charges were the source of the political and charitable spending?

RESPONSE:

The Companies object to this Interrogatory on the grounds that it seeks information irrelevant to the subject matter involved in the proceeding and not reasonably calculated to lead to the discovery of relevant or admissible evidence because it involves the possible expenditures by the Companies (and their affiliates) instead of whether the costs of any H.B. 6 Spending were included, directly or indirectly, in any rates or charges paid by the Companies' ratepayers in Ohio. The Companies further object to this Interrogatory because expenditures made by the Companies and their affiliates are outside OCC's jurisdiction and, thus, unlawful for OCC to investigate. The

Companies further object to this Interrogatory because it is overly broad, unduly burdensome, harassing, oppressive, vague, ambiguous and seeks to impose an undue expense by, among other things, requesting all information related to any political or charitable spending associated with riders and charges approved in the Companies' ESP4 proceeding.

INT-02-009. How do FirstEnergy Utilities fund political and charitable spending? Please identify the specific source of the funding.

RESPONSE:

The Companies object to this Interrogatory on the grounds that it seeks information irrelevant to the subject matter involved in the proceeding and not reasonably calculated to lead to the discovery of relevant or admissible evidence because it involves the possible expenditures by the Companies instead of whether the costs of any H.B. 6 Spending were included, directly or indirectly, in any rates or charges paid by the Companies' ratepayers in Ohio. The Companies further object to this Interrogatory because expenditures made by the Companies are outside OCC's jurisdiction and, thus, unlawful for OCC to investigate. The Companies further object to this Interrogatory because it is overly broad, unduly burdensome, harassing, oppressive, vague, ambiguous, assumes facts, and seeks to impose an undue expense by, among other things, requesting all information related to any political or charitable spending dating from January 1, 2008 to the present.

REQUESTS FOR PRODUCTION OF DOCUMENTS

RPD-02-001. Referencing 2020 Proxy Statement and Notice of Annual Shareholder Meeting May 19, 2020, Section 1. Corporate Governance and Board of Directors: Under Section 1 Corporate Governance it states: “Based on feedback from our shareholder engagement and outreach, we expanded our website disclosure to include reports on federal and state level lobbying, as well as, the lobbying portion of certain trade association dues.”

- a. please provide all reports on federal and state level lobbying for the period 2017 through 2020.
- b. please provide all reports on lobbying pertaining to trade association dues for the period 2017 through 2020.

RESPONSE:

The Companies object to this Request on the grounds that it seeks information irrelevant to the subject matter involved in the proceeding and not reasonably calculated to lead to the discovery of relevant or admissible evidence because it involves the possible expenditures by the Companies and their affiliates instead of whether the costs of any H.B. 6 Spending were included, directly or indirectly, in any rates or charges paid by the Companies’ ratepayers in Ohio. The Companies further object to this Request because expenditures made by the Companies and their affiliates are outside OCC’s jurisdiction and, thus, unlawful for OCC to investigate. The Companies further object to this Request because it is overly broad, unduly burdensome, harassing, oppressive, vague, ambiguous, and seeks to impose an undue expense by, among other things, potentially requesting all information related to any political or charitable spending for the period 2017 through 2020.

Subject to and without waiving the foregoing objections, see OCC RPD-02-001
Attachment 1.

REQUESTS FOR ADMISSIONS

RFA-02-001. Admit or deny that FirstEnergy Utilities (or any FirstEnergy Utilities' affiliates) used any of the money collected from Ohio electric customers under distribution rates set in the FirstEnergy Utilities' last base rate case for political and charitable spending.

ADMIT/DENY:

The Companies object to this Request on the grounds that it seeks information irrelevant to the subject matter involved in the proceeding and not reasonably calculated to lead to the discovery of relevant or admissible evidence because it involves the possible expenditures by the Companies (and their affiliates) instead of whether the costs of any H.B. 6 Spending were included, directly or indirectly, in any rates or charges paid by the Companies' ratepayers in Ohio. The Companies further object to this Request because expenditures made by the Companies and their affiliates are outside OCC's jurisdiction and, thus, unlawful for OCC to investigate. The Companies further object to this Request because it is overly broad, unduly burdensome, harassing, oppressive, vague, ambiguous and seeks to impose an undue expense by, among other things, requesting all information related to any political or charitable spending dating from the effective date of the last base rate case to the present.

Subject to and without waiving the foregoing objections, the Companies deny that they included, directly or indirectly, the costs of any H.B. 6 Spending in any rates or charges paid by ratepayers in Ohio. Further, following a reasonable inquiry, the Companies lack information sufficient to either admit or deny this Request because funds received from base distribution rates are not differentiated from funds received by the Companies from other revenues or sources.

RFA-02-002. Admit or deny that FirstEnergy Utilities (or any FirstEnergy Utilities affiliates) used any of the money collected from Ohioans under FirstEnergy Utilities' "riders and charges" (see Santino Fanelli affidavit) in their tariffs for political and charitable spending.

ADMIT/DENY:

The Companies object to this Request on the grounds that it seeks information irrelevant to the subject matter involved in the proceeding and not reasonably calculated to lead to the discovery of relevant or admissible evidence because it involves the possible expenditures by the Companies (and their affiliates) instead of whether the costs of any H.B. 6 Spending were included, directly or indirectly, in any rates or charges paid by the Companies' ratepayers in Ohio. The Companies further object to this Request because expenditures made by the Companies and their affiliates are outside OCC's jurisdiction and, thus, unlawful for OCC to investigate. The Companies further object to this Request because it is overly broad, unduly burdensome, harassing, oppressive, vague, ambiguous and seeks to impose an undue expense by, among other things, requesting all information related to any political or charitable spending dating from January 1, 2008 to the present.

Subject to and without waiving the foregoing objections, the Companies deny that they included, directly or indirectly, the costs of any H.B. 6 Spending in any rates or charges paid by ratepayers in Ohio. Further, following a reasonable inquiry, the Companies lack information sufficient to either admit or deny this Request because funds received from riders and charges are not differentiated from funds received by the Companies from other revenues or sources.

RFA-02-003. Admit or deny that FirstEnergy Utilities (or any FirstEnergy Utilities affiliates) used any of the money collected from Ohio electric customers under FirstEnergy Utilities' distribution rates set in their last base rate case for House Bill 6 activities.

ADMIT/DENY:

The Companies object to this Request on the grounds that it seeks information irrelevant to the subject matter involved in the proceeding and not reasonably calculated to lead to the discovery of relevant or admissible evidence because it involves the possible expenditures by the Companies (and their affiliates) instead of whether the costs of any H.B. 6 Spending were included, directly or indirectly, in any rates or charges paid by the Companies' ratepayers in Ohio. The Companies further object to this Request because expenditures made by the Companies and their affiliates are outside OCC's jurisdiction and, thus, unlawful for OCC to investigate. The Companies further object to this Request because it is overly broad, unduly burdensome, harassing, oppressive, vague, ambiguous and seeks to impose an undue expense by, among other things, requesting all information related to any H.B. 6 Spending.

Subject to and without waiving the foregoing objections, the Companies deny that they included, directly or indirectly, the costs of any H.B. 6 Spending in any rates or charges paid by ratepayers in Ohio. Further, following a reasonable inquiry, the Companies lack information sufficient to either admit or deny this Request because funds received from base distribution rates are not differentiated from funds received by the Companies from other revenues or sources.

RFA-02-004. Admit or deny that FirstEnergy Utilities (or any FirstEnergy Utilities affiliates) used any of the money collected from Ohioans under “riders and charges” (see affidavit of Santino Fanelli) under FirstEnergy Utilities’ tariffs for House Bill 6 activities.

ADMIT/DENY:

The Companies object to this Request on the grounds that it seeks information irrelevant to the subject matter involved in the proceeding and not reasonably calculated to lead to the discovery of relevant or admissible evidence because it involves the possible expenditures by the Companies (and their affiliates) instead of whether the costs of any H.B. 6 Spending were included, directly or indirectly, in any rates or charges paid by the Companies’ ratepayers in Ohio. The Companies further object to this Request because expenditures made by the Companies and their affiliates are outside OCC’s jurisdiction and, thus, unlawful for OCC to investigate. The Companies further object to this Request because it is overly broad, unduly burdensome, harassing, oppressive, vague, ambiguous and seeks to impose an undue expense by, among other things, requesting all information related to any H.B. 6 Spending.

Subject to and without waiving the foregoing objections, the Companies deny that they included, directly or indirectly, the costs of any H.B. 6 Spending in any rates or charges paid by ratepayers in Ohio. Further, following a reasonable inquiry, the Companies lack information sufficient to either admit or deny this Request because funds received from riders and charges in the Companies’ tariffs are not differentiated from funds received by the Companies from other revenues or sources.

RFA-02-005. Admit or deny that FirstEnergy Utilities (or any of the FirstEnergy Utilities affiliates) used any of the money collected from Ohioans under “riders and charges” (see affidavit of Santino Fanelli) under FirstEnergy Utilities’ tariffs for House Bill 6 activities.

ADMIT/DENY:

See Objections and Response to RFA-02-004.

RFA-02-006. Admit or deny that FirstEnergy Utilities (or any FirstEnergy Utilities’ affiliates) used any of the money collected from Ohioans under “riders and charges” (see affidavit of Santino Fanelli) approved in FirstEnergy Utilities latest electric security plan (Case No. 14-1297-EL-SSO) for House Bill 6 activities.

ADMIT/DENY:

The Companies object to this Request on the grounds that it seeks information irrelevant to the subject matter involved in the proceeding and not reasonably calculated to lead to the discovery of relevant or admissible evidence because it involves the possible expenditures by the Companies (and their affiliates) instead of whether the costs of any H.B. 6 Spending were included, directly or indirectly, in any rates or charges paid by the Companies’ ratepayers in Ohio. The Companies further object to this Request because expenditures made by the Companies and their affiliates are outside OCC’s jurisdiction and, thus, unlawful for OCC to investigate. The Companies further object to this Request because it is overly broad, unduly burdensome, harassing,

oppressive, vague, ambiguous and seeks to impose an undue expense by, among other things, requesting all information related to any H.B. 6 Spending.

Subject to and without waiving the foregoing objections, the Companies deny that they included, directly or indirectly, the costs of any H.B. 6 Spending in any rates or charges paid by ratepayers in Ohio. Further, following a reasonable inquiry, the Companies lack information sufficient to either admit or deny this Request because funds received from riders and charges approved in Case No. 14-1297-EL-SSO are not differentiated from funds received by the Companies from other revenues or sources.

RFA-02-007. Admit or deny that FirstEnergy Utilities (or any FirstEnergy Utilities affiliates) used any of the money collected from Ohioans under FirstEnergy Utilities' "riders and charges" (see affidavit of Santino Fanelli) approved in FirstEnergy's latest electric security plan (Case No. 14-1297-EL-SSO) for political and charitable spending.

ADMIT/DENY:

The Companies object to this Interrogatory on the grounds that it seeks information irrelevant to the subject matter involved in the proceeding and not reasonably calculated to lead to the discovery of relevant or admissible evidence because it involves the possible expenditures by the Companies (and their affiliates) instead of whether the costs of any H.B. 6 Spending were included, directly or indirectly, in any rates or charges paid by the Companies' ratepayers in Ohio. The Companies further object to this Interrogatory because expenditures made by the Companies and their affiliates are outside OCC's jurisdiction and, thus, unlawful for OCC to investigate. The Companies further object to this Interrogatory because it is overly broad, unduly burdensome,

harassing, oppressive, vague, ambiguous and seeks to impose an undue expense by, among other things, requesting all information related to any political or charitable spending associated with riders and charges approved in the Companies' ESP4 proceeding.

Subject to and without waiving the foregoing objections, the Companies deny that they included, directly or indirectly, the costs of any H.B. 6 Spending in any rates or charges paid by ratepayers in Ohio. Further, following a reasonable inquiry, the Companies lack information sufficient to either admit or deny this Request because funds received from riders and charges approved in Case No. 14-1297-EL-SSO are not differentiated from funds received by the Companies from other revenues or sources.

AS TO OBJECTIONS,¹

/s/ James F. Lang

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¹ Answers to interrogatories were prepared by Santino Fanelli.

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Case No(s). 20-1756-EL-CSS

Summary: Application In the Matter of the Complaint of the Citizens' Utility Board of Ohio against Ohio Edison Co., The Toledo Edison Co., and The Cleveland Electric illuminating Co. electronically filed by Ms. Madeline Fleisher on behalf of Citizens' Utility Board of Ohio