



Office of the Ohio Consumers' Counsel

February 5, 2021

Hon. Gregory Price and Hon. Megan Addison
Attorney Examiners
Public Utilities Commission of Ohio
180 E. Broad St.
Columbus, OH 43215

Re: *In the Matter of the Review of the Alternative Energy Rider Contained in the Tariffs of Ohio Edison Company, the Cleveland Electric Illuminating Company, and the Toledo Edison Company*, Case No. 11-5201-EL-RDR, Consumers' Counsel's Unredacted Filings Under PUCO's January 13, 2021 Order

Dear Attorney Examiners Price and Addison:

On March 5, 2019, the Office of the Ohio Consumers' Counsel ("OCC"), Environmental Law & Policy Center, and the three FirstEnergy Utilities (Ohio Edison Company, The Toledo Edison Company, and The Cleveland Electric Illuminating Company) filed a Stipulation and Recommendation (the "Settlement") resolving the remaining issues in this case. On January 13, 2021, the Public Utilities Commission of Ohio ("PUCO") approved the Settlement in its entirety and without modification (the "Order").

In this case, and in the Supreme Court of Ohio appeal that followed (Case No. 2013-2026), OCC was required to file various documents, including testimony and briefs, under seal because of FirstEnergy's claims that the documents contained trade secrets and thus could not be shared with the public. Under the Settlement, as approved by the Order, the vast majority of the information previously shielded from the public can now be made publicly available.

Accordingly, OCC is re-filing the following documents, concurrent with this letter, in unredacted form (with the exception of several data points in one exhibit, as noted below):

1. The Direct Testimony of Wilson Gonzalez on Behalf of the Office of the Ohio Consumers' Counsel initially filed in Case No. 11-5201-EL-RDR on January 31, 201, with one exception: On Exhibit WG-3, under 2011 Vintage, the "Price/REC" and "Total" columns will remain redacted for November 2011.
2. The Initial Brief by the Office of the Ohio Consumers' Counsel initially filed in Case No. 11-5201-EL-RDR on April 15, 2013.
3. The Reply Brief by the Office of the Ohio Consumers' Counsel initially filed in Case No. 11-5201-EL-RDR on May 6, 2013.

4. The Application for Rehearing by the Office of the Ohio Consumers' Counsel initially filed in Case No. 11-5201-EL-RDR on September 6, 2013.
5. The Second Merit Brief of Appellee/Cross-Appellant the Office of the Ohio Consumers' Counsel initially filed in Supreme Court of Ohio Case No. 2013-2026 on October 23, 2014.
6. The Fourth Merit Brief of Appellee/Cross-Appellant the Office of the Ohio Consumers' Counsel initially filed in Supreme Court of Ohio Case No. 2013-2026 on December 24, 2014.

These documents are the same as the ones previously filed under seal, except that (i) the agreed-upon portions have been unredacted but generally remain highlighted in yellow for ease in finding the previously redacted portions, and (ii) references on the title page, headers, and footers to "confidential" have been changed to "unredacted."

OCC appreciates the efforts of FirstEnergy and ELPC to reach mutual agreement with OCC as to those portions of filed pleadings that should be unredacted. This agreement allows OCC to share this important information with the public, much of which has been kept from public view for the past eight years.

Sincerely,

/s/ Christopher Healey
Christopher Healey (0086027)
Counsel of Record

cc: Parties of record

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

2/5/2021 11:43:12 AM

in

Case No(s). 11-5201-EL-RDR

Summary: Correspondence Letter Regarding the Filing of Unredacted Documents by Office of the Ohio Consumer's Counsel electronically filed by Ms. Deb J. Bingham on behalf of Healey, Christopher Mr.