

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Ohio Edison)	
Company, the Cleveland Electric)	
Illuminating Company, and the Toledo)	Case No. 17-974-EL-UNC
Edison Company's Compliance with)	
R.C. 4928.17 and the Ohio Adm. Code)	
Chapter 4901:1-37.)	

**NOTICE REGARDING FERNANDEZ
AND FIRSTENERGY CORP. DEPOSITIONS
BY
OFFICE OF THE OHIO CONSUMERS' COUNSEL**

Paragraph 51 of the PUCO's June 16, 2022 Entry states:

Within 15 days from the issuance of this Entry, OCC should file notice in the docket regarding whether it still seeks to depose Mr. Fernandez and the general FirstEnergy Corp. representative, and whether rulings on the motions to quash are still necessary or if the attorney examiner should consider those subpoenas withdrawn.

OCC took the depositions of Robert Mattiuz and Olenger Pannell on June 7, 2022 and June 8, 2022, respectively. For our consumer concerns, OCC intends to depose Ms. Ebony Yeboah Amankwah later this month (as well as others over time). The necessity for OCC to depose Mr. Fernandez will not be known until Ms. Yeboah's deposition has been completed.

The other matter is FirstEnergy's Motion to Quash OCC's March 10, 2022 Motion for Subpoena for FirstEnergy representative(s). OCC is not in a position to know whether a deposition of a corporate representative of FirstEnergy Corp. will be necessary until FirstEnergy Corp. responds to OCC's June 30, 2022 subpoena.

OCC filed a subpoena on June 30, 2022 for FirstEnergy Corp. The subpoena is for production of deposition materials from the deposition of a FirstEnergy Corp. corporate representative ordered by a U.S. District Judge to be taken on May 19-20, 2022 in *In re FirstEnergy Corp. Securities Litigation*.¹ FirstEnergy Corp. has not yet responded to the June 30, 2022 motion for subpoena.

OCC asks that the Attorney Examiner defer ruling on both the motion to quash related to Mr. Fernandez and the motion to quash on the deposition notice related to a FirstEnergy Corp. representative until further notice.

Respectfully submitted,

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Counsel for Ohio Consumers' Counsel

¹ *In re FirstEnergy Corp. Securities Litigation*, Case No. 2:20-cv-03785, Order (S.D. Ohio) (Apr. 25, 2022).

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing pleading was served on the persons stated below via electronic transmission, this 1st day of July 2022.

/s/ John Finnigan
John Finnigan
Assistant Consumers' Counsel

The PUCO's e-filing system will electronically serve notice of the filing of this document on the following parties:

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in

Case No(s). 17-0974-EL-UNC

Summary: Notice Notice Regarding Fernandez and FirstEnergy Corp. Depositions
by Office of the Ohio Consumers' Counsel electronically filed by Mrs. Tracy J.
Greene on behalf of Finnigan, John