

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

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

**JOINT DISCOVERY STATUS REPORT**

Pursuant to the Attorney Examiners' Entry of March 15, 2024,<sup>1</sup> the Ohio Utilities<sup>2</sup> and the Consumer Parties<sup>3</sup> provide this Joint Discovery Status Report.

Since the Commission's February 21, 2024 Entry lifting the stay,<sup>4</sup> no new discovery requests have been served on the Ohio Utilities in this proceeding, and the Ohio Utilities have not produced further documents. The Ohio Utilities are assessing the extent to which they must supplement earlier discovery responses, and expect to begin serving supplemental responses, as applicable, in the next two weeks.

With respect to nonparty FirstEnergy Corp., before the stay, pursuant to the September 24, 2021 nonparty subpoena, FirstEnergy Corp. produced documents relating to *In re FirstEnergy Corp. Securities Litigation*, No. 2:20-cv-03785-ALM-KAJ (S.D. Ohio) (the "Securities Action"). OCC has reviewed those documents.

On March 11, 2024, FirstEnergy Corp. produced additional documents relating to the Securities Action pursuant to the September 24, 2021 nonparty subpoena. FirstEnergy Corp. anticipates completing its production of remaining materials associated with the Securities Action by

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<sup>1</sup> Case No. 17-974-EL-UNC, Entry (Mar. 15, 2024) at ¶ 23.

<sup>2</sup> The Ohio Utilities are the Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company.

<sup>3</sup> The Consumer Parties are the Office of the Ohio Consumers' Counsel ("OCC"), the Northeast Ohio Public Energy Council ("NOPEC") and the Ohio Manufacturers' Association Energy Group ("OMAEG").

<sup>4</sup> Case Nos. 17-974-EL-UNC et al., Entry (Feb. 21, 2024).

March 28, 2024. In addition, on March 12, 2024, FirstEnergy Corp. produced transcripts from the deposition of Joseph Storsin, as FirstEnergy Corp.'s corporate designee under Federal Rule of Civil Procedure 30(b)(6), in the Securities Action to the Consumer Parties, consisting of approximately 700 transcript pages.

OCC is currently working with counsel for FirstEnergy Corp. on the format of the additional production, and will be able to provide more detailed information about the volume of the production, and OCC's efforts to review the materials, once those formatting issues are addressed.

OMAEG estimates it has reviewed approximately 33,700 pages of the FirstEnergy Corp. production.

FirstEnergy Corp. produced the materials in the Securities Action only to parties who had executed a protective agreement in this case and the three related cases (Case Nos. 17-2474-EL-RDR, 20-1502-EL-UNC, and 20-1629-EL-RDR). NOPEC formally moved to intervene in these three related proceedings on March 4, 2024, after the Commission lifted its stay (see Entry of February 26, 2024) and the attorney examiner set a procedural schedule (see Entry of March 1, 2024). NOPEC is in the process of executing protective agreements with FirstEnergy Corp. NOPEC will be provided the material for review upon execution. For this reason, NOPEC has not reviewed the documents produced by FirstEnergy Corp. in the Securities Action.

NOPEC has entered into a protective agreement with the Ohio Utilities in Case No. 17-974-EL-UNC. It has reviewed documents produced by the Ohio Utilities in Case No. 17-794-EL-UNC pursuant to written discovery requests made in that case prior to the discovery cut-off date of November 1, 2021. *See* Entry of September 17, 2021.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the foregoing submission on behalf of Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company was filed electronically through the Docketing Information System of the Public Utilities Commission of Ohio on March 22, 2024. The PUCO's e-filing system will electronically serve notice of the filing of this document on counsel for all parties.

*/s/ Nicole Allen*

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

Summary: Correspondence Joint Discovery Status Report electronically filed by  
Nicole A Allen on behalf of Ohio Edison Company and The Cleveland Electric  
Illuminating Company and The Toledo Edison Company.