

**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 ("Joint 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.

On March 30, 2024, the Ohio Utilities served a supplemental production of FERC audit-related documents in Case No. 20-1502-EL-UNC, which consisted of 129 documents (approximately 866 pages).<sup>5</sup> The Ohio Utilities continue to assess the extent to which they should supplement earlier discovery responses, and will supplement earlier responses as appropriate.

On March 11, 2024, pursuant to the September 24, 2021 nonparty subpoena, FirstEnergy Corp. produced 365,527 documents consisting of 717,444 pages relating to *In re FirstEnergy Corp. Securities Litigation*, No. 2:20-cv-03785-ALM-KAJ (S.D. Ohio) (the "Securities Action"). On March 27, 2024, FirstEnergy Corp. produced 986 additional documents (approximately 3,756 pages)

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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).

<sup>5</sup> Certain documents, like excel files, that were produced in native file format will each be reflected in page counts as a single page regardless of the size of the document.

relating to the Securities Action. FirstEnergy Corp. produced documents in the e-discovery format that it had used for all prior document productions in the PUCO proceedings and the same format in which the documents were produced in the Securities Action. But the documents produced in that format were not readily usable by OCC. At OCC's request, FirstEnergy Corp. has agreed to convert the produced documents to PDF format (with natives for certain file types). FirstEnergy Corp. expects to complete the requested conversion by April 19, 2024.

**Review of Documents Produced by FirstEnergy Corp.  
Since February 21, 2024 (estimates)**

<b>Produced</b>	<b>Reviewed Since Last Report</b>	<b>Total Reviewed</b>
721,200 pages	OCC: 4,642 OMAEG: 16,456 NOPEC: N/A – See Below	OCC: 4,642 OMAEG: 50,156 NOPEC: N/A – See Below

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 executed a protective agreement with FirstEnergy Corp. on April 3, 2024. NOPEC and FirstEnergy Corp. are arranging for the delivery of the discovery, which is expected to occur early next week. For this reason, NOPEC has not reviewed the documents produced by FirstEnergy Corp. in the Securities Action.

Respectfully submitted,

Maureen R. Willis (0020847)  
Ohio Consumers' Counsel

/s/ William J. Michael  
William J. Michael (0070921)  
Counsel of Record  
Thomas J. Brodbeck (0093920)  
Donald J. Kral (0042091)  
John R. Varanese (0044176)  
Assistant Consumers' Counsel

**Office of the Ohio Consumers' Counsel**  
65 East State Street, Suite 700  
Columbus, Ohio 43215  
Telephone [Michael]: (614) 466-1291  
Telephone [Brodbeck]: (614) 466-9565  
Telephone [Kral]: (614) 466-9571  
Telephone [Varanese]: (614) 387-2965  
william.michael@occ.ohio.gov  
thomas.brodbeck@occ.ohio.gov  
donald.kral@occ.ohio.gov  
john.varanese@occ.ohio.gov  
(willing to accept service by e-mail)

/s/ Kimberly W. Bojko  
Kimberly W. Bojko (0069402)  
(Counsel of Record)  
Emma Y. Easley (0102144)  
Carpenter Lipps LLP  
280 North High Street, Suite 1300  
Columbus, Ohio 43215  
Telephone: (614) 365-4100  
Bojko@carpenterlipps.com  
Easley@carpenterlipps.com  
(willing to accept service by email)

*Counsel for the Ohio Manufacturers'  
Association Energy Group*

/s/ Nicole Allen  
Nicole Allen  
Ohio Bar No. 104015\*  
Jenner & Block LLP 353 N. Clark Street  
Chicago, IL 60654-3456  
Telephone: +1 312 923 2868  
Facsimile: +1 312 527 0484  
NAllen@jenner.com  
(willing to accept service by e-mail)

*Attorney for Ohio Edison Company, The  
Cleveland Electric Illuminating Company, and  
The Toledo Edison Company*

*\*Practice Pending Admission (Expires January  
23, 2025)*

/s/ Dane Stinson  
Dane Stinson (0019101)  
BRICKER GRAYDON LLP  
100 South Third Street  
Columbus, OH 43215  
Telephone: (614) 227-2300  
Facsimile: (614) 227-2390  
Email:dstinson@brickergraydon.com

and

Glenn S. Krassen (0007610)  
General Counsel  
NORTHEAST OHIO PUBLIC ENERGY  
COUNCIL  
31360 Solon Road, Suite 33  
Solon, Ohio 44139  
Telephone: (440) 249-7831  
Facsimile: (440) 248-1986  
E-mail: gkrassen@nopec.org  
*Attorneys for Northeast Ohio Public Energy  
Council*

**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 April 5, 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*

Nicole Allen

Ohio Bar No. 104015\*

Jenner & Block LLP

353 N. Clark Street

Chicago, IL 60654-3456

Telephone: +1 312 923 2868

Facsimile: +1 312 527 0484

NAllen@jenner.com

*Attorney for Ohio Edison Company, The  
Cleveland Electric Illuminating Company, and  
The Toledo Edison Company*

*\*Practice Pending Admission (Expires January  
23, 2025)*

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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.