**Before**

**The Public Utilities Commission of Ohio**

In the Matter of the Application for )

Establishment of a Reasonable ) Case No. 12-1494-EL-AEC

Arrangement Between ASHTA )

Chemicals Inc. and The Cleveland )

Electric Illuminating Company. )

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**ASHTA Chemicals Inc.’s Memorandum in Response to the Motion to Expedite Discovery Schedule of the Ohio Energy Group**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

Samuel C. Randazzo (Counsel of Record)

Scott Elisar

McNees Wallace & Nurick LLC

21 East State Street, 17TH Floor

Columbus, OH 43215

Telephone: (614) 469-8000

Telecopier: (614) 469-4653

sam@mwncmh.com

[selisar@mwncmh.com](mailto:selisar@mwncmh.com)

**November 8, 2012 Attorneys for ASHTA Chemicals Inc.**

**Before**

**The Public Utilities Commission of Ohio**

In the Matter of the Application for )

Establishment of a Reasonable ) Case No. 12-1494-EL-AEC

Arrangement Between ASHTA )

Chemicals Inc. and The Cleveland )

Electric Illuminating Company. )

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**ashta chemicals inc.’s Memorandum in Response to the Motion to Expedite Discovery Schedule of the Ohio Energy Group**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

On November 6, 2012, Ohio Energy Group (“OEG”) filed a motion seeking an expedited discovery schedule. Specifically, OEG seeks an order establishing a ten day deadline for responses. Memorandum in Support of the Ohio Energy Group’s Motion to Expedite Discovery Schedule at 3 (Nov. 6, 2012). On November 7, 2012, counsel for ASHTA Chemicals Inc. (“ASHTA”) served discovery on OEG.

ASHTA has previously demonstrated to the Commission Staff and the Attorney Examiner its interest in assuring that parties understand the nature and effect of the proposed reasonable arrangement. As the Attorney Examiner has concluded, ASHTA has provided requested information when concerns have been raised regarding the proposed arrangement. Entry at 2 (Sept. 21, 2012).

ASHTA does not oppose the motion and only requests that the same requirements be placed on all parties.

Respectfully submitted:

\_\_/s/ Samuel C. Randazzo

Samuel C. Randazzo

Scott Elisar

McNees Wallace & Nurick LLC

21 East State Street, 17th Floor

Columbus, OH 43215-4228

Telephone: (614) 469-8000

Telecopier: (614) 469-4653

[sam@mwncmh.com](mailto:sam@mwncmh.com)

selisar@mwncmh.com

**Certificate of Service**

I hereby certify that a copy of the foregoing ASHTA *Chemicals Inc.’s Memorandum in Response to the Motion to Expedite Discovery Schedule of the Ohio Energy Group* was served upon the following parties of record this 8th day of November 2012, *via* hand-delivery, electronic transmission, or first class mail, U.S. postage prepaid.

/s/ Samuel C. Randazzo

Samuel C. Randazzo

James W. Burk

Firstenergy Service Company

76 South Main Street

Akron, OH 44308

burkj@firstenergycorp.com

**Counsel for The Cleveland Electric Illuminating Company**

David F. Boehm

Michael L. Kurtz

Jody M. Kyler

Boehm, Kurtz & Lowry

36 East Seventh Street, Suite 1510

Cincinnati, OH 45202

[dboehm@BKLlawfirm.com](mailto:dboehm@BKLlawfirm.com)

[mkurtz@BKLlawfirm.com](mailto:mkurtz@BKLlawfirm.com)

jklyer@BKLlawfirm.com

**Counsel for Ohio Energy Group**

William Wright, Section Chief

Thomas McNamee

Assistant Attorneys General

Public Utilities Section

180 East Broad Street, 6th Floor

Columbus, OH 43215-3793

[thomas.mcnamee@puc.state.oh.us](mailto:thomas.mcnamee@puc.state.oh.us)

william.wright@puc.state.oh.us

**Counsel for the Staff of the Public Utilities Commission of Ohio**

Katie Stenman

Public Utilities Commission of Ohio

180 East Broad Street, 12th Floor

Columbus, OH 43215

katie.stenman@puc.state.oh.us

**Attorney Examiner**