

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of the Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company, for approval of a Competitive Bidding Process for Standard Service Offer Electric Generation Supply, Accounting Modifications Associated With Reconciliation Mechanisms and Phase In, and Tariffs for Generation Service	)	Case No. 07-796-EL-ATA
	)	Case No. 07-797-EL-AAM
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**MOTION FOR ADMISSION PRO HAC VICE  
OF CYNTHIA A. FONNER AND DIVESH GUPTA**

Pursuant to Rule 4901-1-08(B) of the Ohio Administrative Code, M. Howard Petricoff, an attorney licensed to practice in the State of Ohio, respectfully moves that Cynthia A. Fonner and Divesh Gupta be admitted *pro hac vice* to practice before the Public Utilities Commission of Ohio (the "Commission") for the purpose of representing Constellation NewEnergy, Inc. ("CNE") and Constellation Energy Commodities Group, Inc. ("CCG") in the instant matters, and in support thereof, states as follows:

1. Cynthia A. Fonner is Senior Counsel for Constellation Energy Group, Inc., the parent company of CNE and CCG. Ms. Fonner is admitted to, and a member in good standing of, the Bar of the State of Illinois, as well as the U.S. District Court, Northern District of Illinois Trial Bar. Ms. Fonner is an experienced practitioner in the field of utility regulation who has appeared in numerous proceedings before state regulatory bodies. Ms. Fonner is familiar with the issues involved in this litigation.

2. Divesh Gupta is Counsel for Constellation Energy Group, Inc. Mr. Gupta is admitted to, and is a member in good standing of, the Bars of the District of Columbia and the

State of Texas. Mr. Gupta is an experienced practitioner in the field of regulatory law who has appeared in numerous proceedings before the public service commissions of Delaware, the District of Columbia and Maryland, as well as the Illinois Commerce Commission and the New Jersey Board of Public Utilities and has previously represented CNE and CCG before the Pennsylvania Public Utility Commission. Mr. Gupta is familiar with the issues involved in this litigation.

3. Contact information for Ms. Fonner and Mr. Gupta is as follows:

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Ms. Fonner is in-house counsel for CNE and Mr. Gupta is in-house counsel for CCG. Their expertise in the regulation of electricity and knowledge concerning the operation of CNE and CEG will be of great assistance to CNE and CCG in its participation in the matter at bar.

WHEREFORE, M. Howard Petricoff respectfully requests that Cynthia A. Fonner and Divesh Gupta be permitted to practice before the Commission in the above styled proceedings.

Respectfully Submitted,

/s/

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Attorneys for Constellation NewEnergy, Inc. and Constellation Energy Commodities Group, Inc.

## CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and accurate copy of the foregoing documents was served this 10th day of August, 2007 by regular U.S. mail, postage prepaid, or by electronic mail, upon the persons listed below.

/s/

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Summary: Motion Constellation NewEnergy, Inc. and Constellation Energy Commodities Group, Inc. Motion for Admission Pro Hac Vice of Cynthia A. Fonner and Divesh Gupta electronically filed by Stephen M Howard on behalf of Constellation NewEnergy, Inc. and Constellation Energy Commodities Group, Inc.