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To: PUCO Docketing Date: July 31, 2008
Fax #: 614-466-0313
From: James W. Burk Pages: 10, including this cover page
Subject: *PUCO Case No. 07-796-EL-ATA, Case No. 07-797-EL-AAM*

In the Matter of the Application of the Ohio Edison Company, The Cleveland 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.
Ohio Edison Company, The Cleveland Electric Illuminating Company, and the Toledo Edison Company's Motion to Withdraw Application

COMMENTS: Attached are Ohio Edison Company, The Cleveland Electric Illuminating Company, and the Toledo Edison Company's Motion to Withdraw Application regarding the above case. The original and required number of copies will be sent via overnight mail for delivery on Friday, August 1, 2008. Please call me at 330 384-5861 if you have questions. Thank you.

NOTE: IF YOU DO NOT RECEIVE ALL OF THE PAGES MENTIONED ABOVE, PLEASE CALL CONFIRMATION NO. 330-384-5861 or 330-384-5308.

The information contained in this facsimile transmission is confidential and privileged pursuant to the attorney-client privilege and the work product doctrine. Disclosure to anyone other than the named recipient, or an authorized agent thereof, is strictly prohibited. If this transmission was received in error, please immediately notify us by telephone and return the transmission to the above address via U.S. Mail. Thank you.

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Technician 5 Date Processed 7/31/08

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July 31, 2008

Ms. Renee J. Jenkins
Director, Administration Department
Secretary to the Commission
Docketing Division
The Public Utilities Commission of Ohio
180 East Broad Street
Columbus, OH 43215

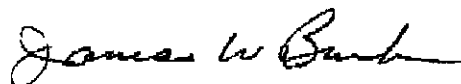
RE: *PUCO Case No. 07-796-EL-ATA, Case No. 07-797-EL-AAM*
In the Matter of the Application of the Ohio Edison Company, The Cleveland Illuminating Company, and The Toledo Edison Company, for Approval of a Competitive Bidding Process for Standard Service Offer Electric Generation Supply, Accounting Modifications Associated with Reconciliation Mechanisms and Phase In, and Tariffs for Generation Service.
Ohio Edison Company, The Cleveland Electric Illuminating Company, and the Toledo Edison Company's Motion to Withdraw Application

Dear Ms. Jenkins:

Enclosed for filing please find the original and twelve (12) copies of *Ohio Edison Company, The Cleveland Electric Illuminating Company, and the Toledo Edison Company's Motion to Withdraw Application* regarding the above-referenced case which was fax-filed today. Please file the attached. File-stamp the two extra copies and return them to the undersigned in the enclosed envelope.

Thank you for your assistance in this matter. Please contact me if you have any questions concerning this matter.

Very truly yours,



James W. Burk

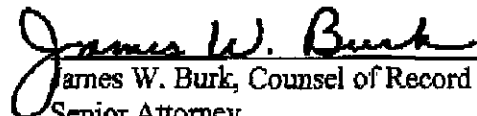
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By Federal Express Priority Overnight
Enclosures 12

BEFORE**THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of the Ohio)	
Edison Company, The Cleveland Illuminating)	
Company, and The Toledo Edison Company,)	Case No. 07-796-EL-ATA
For Approval of a Competitive Bidding Process)	Case No. 07-797-EL-AAM
for Standard Service Offer Electric Generation)	
Supply, Accounting Modifications Associated)	
With Reconciliation Mechanisms and Phase In,)	
and Tariffs for Generation Service.)	

MOTION TO WITHDRAW APPLICATION

Ohio Edison Company, The Cleveland Electric Illuminating Company and The Toledo Edison Company (the "Companies"), pursuant to Rule 4901-1-14, Ohio Administrative Code, respectfully request an Order granting the Companies' request to withdraw the above-captioned matters and closing the record of the proceedings. This motion should be granted for the reasons set forth in the accompanying Memorandum in Support.



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On behalf of Ohio Edison Company,

The Cleveland Electric Illuminating Company,

and The Toledo Edison Company

BEFORE**THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of the Ohio)	
Edison Company, The Cleveland Illuminating)	
Company, and The Toledo Edison Company,)	Case No. 07-796-EL-ATA
For Approval of a Competitive Bidding Process)	Case No. 07-797-EL-AAM
for Standard Service Offer Electric Generation)	
Supply, Accounting Modifications Associated)	
With Reconciliation Mechanisms and Phase In,)	
and Tariffs for Generation Service.)	

MEMORANDUM IN SUPPORT OF MOTION TO WITHDRAW APPLICATION

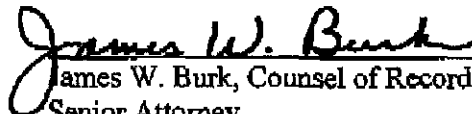
On July 10, 2007, Ohio Edison Company, The Cleveland Electric Illuminating Company and The Toledo Edison Company (the "Companies"), in anticipation of the end of the market development period established by Senate Bill 3 ("SB 3"), filed an Application to establish a competitive bidding process and mechanisms necessary for the Companies to acquire generation service to supply retail customers in the Companies' service areas beginning in 2009. Although the Commission established a comment period for the Companies' Application, the Application has not been ruled upon by the Commission.

On May 1, 2008, the Governor signed into law Amended Substitute Senate Bill 221 ("SB 221") that, among other things, amended various provisions of SB 3. Among those amendments were changes to R.C. 4928.14 to establish a standard service offer ("SSO"). Pursuant to the amended language of R.C. 4928.14, now R.C. 4928.141, electric utilities are required to provide consumers with an SSO, consisting of either a market-rate offer ("MRO") or an electric security plan ("ESP"). The SSO shall serve as the electric utility's default SSO. SB 221 becomes effective today, July 31, 2008.

Pursuant to R.C. 4928.141, the Companies must now establish pricing for retail generation service to customers under either an ESP pursuant to R.C. 4928.143 or an MRO pursuant to R.C. 4928.142. On this date, the Companies filed separate applications: one proposing to establish an SSO pursuant to an ESP, and the other pursuant to an MRO. Under R.C. 4928.141, as a part of S.B. 221, retail generation pricing must be established pursuant to one of these applications. The Commission may not establish an SSO pursuant to the Application filed in the instant docket. Therefore, the Application pending in the instant docket has been rendered moot.

Because the Commission lacks authority to approve the Application in the instant docket and because separate applications are pending to establish an SSO under S.B. 221, the pending Application in this docket moot, the Companies respectfully request that the Commission grant the Companies' request to withdraw the pending Application, that this matter be dismissed, and the record in these proceedings closed.

Respectfully submitted,


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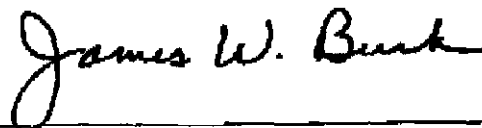
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On behalf of Ohio Edison Company,
The Cleveland Electric Illuminating Company,
and The Toledo Edison Company

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion to Dismiss Application and Memorandum in Support was sent by ordinary U.S. mail to the following parties on this 31st day of July 2008.



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