

FILE

BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

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IN THE MATTER OF THE APPLICATION)
OF THE CLEVELAND BOARD OF)
EDUCATION FOR THE CLEVELAND)
MUNICIPAL SCHOOL DISTRICT TO)
ESTABLISH A REASONABLE)
ARRANGEMENT WITH THE)
CLEVELAND ELECTRIC)
ILLUMINATING COMPANY FOR)
ELECTRICAL SERVICE.)

CASE NO. 08-1238-EL-AEC

MOTION FOR EXTENSION OF TIME AND CONTINUANCE
AND
REQUEST FOR EXPEDITED RULING
OF
THE CLEVELAND MUNICIPAL SCHOOL DISTRICT

The Cleveland Municipal School District ("CMSD"), the applicant herein, pursuant to Rules 4901-1-12 and 4901-1-13, Ohio Administrative Code ("OAC"), hereby moves for an order extending the due date for the filing of testimony in this matter to April 30, 2009 and continuing the hearing currently scheduled for April 23, 2009 to May 5, 2009 for those reasons set forth in the accompanying memorandum. CMSD requests an expedited ruling on this motion pursuant to Rule 4901-1-12(C), OAC.

WHEREFORE, CMSD respectfully request that its motion and request for an expedited ruling be granted.

Respectfully submitted,

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A handwritten signature in dark ink, appearing to read "B. Royer", with a long horizontal line extending to the right.

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THE PUBLIC UTILITIES COMMISSION OF OHIO**

IN THE MATTER OF THE APPLICATION)	
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EDUCATION FOR THE CLEVELAND)	
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ESTABLISH A REASONABLE)	CASE NO. 08-1238-EL-AEC
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**MEMORANDUM IN SUPPORT
OF
MOTION FOR EXTENSION OF TIME AND CONTINUANCE
OF
THE CLEVELAND MUNICIPAL SCHOOL DISTRICT**

By entry in this docket of April 6, 2009, the attorney examiner granted the motion filed herein by CMSD on April 2, 2009 requesting an extension of the due date for the filing of testimony in this matter to April 16, 2009 and a continuance of the commencement of the hearing to April 23, 2009. As explained in CMSD's April 2, 2009 motion, the delay in the procedural schedule was requested to permit representatives of CMSD and The Cleveland Electric Illuminating Company ("CEI") to consider changes to the reasonable arrangement that is the subject of this proceeding to reflect the impact of Commission's March 25, 2009 opinion and order in the FirstEnergy ESP case.¹ Because those discussions are still continuing, CMSD is now requesting an additional extension of the due date for the filing of testimony to April 30, 2009 and that commencement of the hearing be continued until May 7, 2009. CMSD regrets any inconvenience this additional motion for an extension and continuance may cause, but believes that the interests of all concerned will be best served by granting this motion.

¹ See Case No. 08-935-EL-SSO (Opinion and Order dated March 25, 2009).


In view of the proximity to the otherwise applicable due date for expert testimony, CMSD has requested an expedited ruling on its motion. In accordance with the requirements of Rule 4901-1-12(C), OAC, undersigned counsel has contacted counsel for staff and for intervenor CEI, the only other party to the case, and is authorized to represent that neither objects to the issuance of an expedited ruling or to the extension and continuance requested in CMSD's motion.

WHEREFORE, CMSD respectfully requests that its motion and request for an expedited ruling be granted.

Respectfully submitted,

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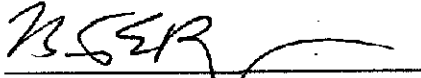

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been served upon the following parties by first class mail, postage prepaid, and/or by electronic mail this 16th day of April 2009.


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