

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of First-	)	
Energy Corp. on Behalf of Ohio Edison	)	Case No. 99-1212-EL-ETP
Company, The Cleveland Electric	)	
Illuminating Company, and The Toledo	)	Case No. 99-1213-EL-ATA
Edison Company for Approval of Their	)	
Transition Plans and for Authorization	)	Case No. 99-1214-EL-AAM
to Collect Transition Revenues.	)	

THIRD ENTRY ON REHEARING

The Commission finds:

- (1) On July 19, 2000, the Commission issued its opinion and order in this proceeding approving, to the extent set forth in the order, the electric restructuring transition plan submitted by FirstEnergy Corporation, on behalf of its operating companies, Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company (jointly referred to as FirstEnergy). In its order, the Commission adopted a stipulation and recommendation filed on behalf of FirstEnergy, the Commission staff, and a number of other intervenors. The order also approved a separate agreement that was signed by FirstEnergy and a number of marketer intervenors.
- (2) On September 13, 2000, the Commission issued an entry on rehearing that denied applications for rehearing filed by FirstEnergy and several intervenors. In the entry, the Commission also found that the applications for rehearing filed by Citizen Power and the Utility Workers Union of America (UWUA) were untimely filed because they were submitted via facsimile, in violation of Rule 4901-1-02, Ohio Administrative Code (O.A.C.). Accordingly, FirstEnergy's motion to strike the Citizen Power and UWUA applications for rehearing was granted.
- (3) On October 12, 2000, UWUA filed an additional application for rehearing. According to the application, UWUA believes that the September 13, 2000 entry on rehearing was unreasonable because the Commission granted FirstEnergy's motion to strike UWUA's original application for rehearing. FirstEnergy filed a memorandum contra on October 19, 2000.
- (4) In our September 13, 2000 entry on rehearing, we determined that UWUA's original application for rehearing was untimely filed pursuant to Rule 4901-1-02, O.A.C., and that the application was, therefore, procedurally deficient. We went on, however, to discuss the merits of the application for rehearing and determined that UWUA had not raised any issues that would

warrant being granted rehearing, even if the original application for rehearing had been filed in a timely manner under the Commission's rules and the applicable statute. In our *Second Entry on Rehearing* in this proceeding, issued October 18, 2000, we denied Citizen Power's application for rehearing on the same grounds. UWUA has not raised any issues not previously considered by the Commission and its October 12, 2000 application for rehearing is, therefore, denied.

It is, therefore,

ORDERED, That UWUA's October 12, 2000 application for rehearing is denied. It is, further,

ORDERED, That a copy of this third entry on rehearing be served on all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

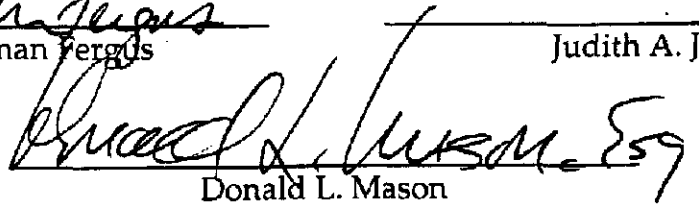


Alan R. Schriber, Chairman



Ronda Hartman Fergus

Judith A. Jones



Donald L. Mason

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Gary L. Vigorito  
Secretary