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BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO

RECEIVED-DOCKETING DIV  
2009 SEP 15 PM 3:36  
PUCO

DENVER R. GATRELL,

Complainant,

v.

OHIO EDISON COMPANY,

Respondent.

Case No. 09-740-EL-CSS

**MOTION FOR LEAVE TO FILE ANSWER *INSTANTER***

Respondent Ohio Edison Company ("Respondent") respectfully moves the Commission for leave to file its Answer *instanter*. According to the service letter for the Complaint, and pursuant to Rule 4901-9-01, O.A.C., the Answer was due to be filed yesterday, on September 14, 2009.<sup>1</sup> Because of counsel's error in calculating the twenty-day response time period, Respondent did not timely file its Answer.

Complainant, however, will not be prejudiced by this delayed filing. A procedural schedule for this case, including a settlement conference, has not yet been set, and Complainant therefore will have sufficient time for preparation of his case.

Therefore, Respondent respectfully requests that the Court grant Respondent's motion and accept the Answer filed concurrently herewith.

<sup>1</sup> Although the Complaint appears to have been filed on August 24, 2009, the service letter for the Complaint indicates that the Answer was due to be filed within twenty days of August 25, 2009.

DATED: September 15, 2009

Respectfully submitted,



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(Counsel of Record)

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ATTORNEYS FOR RESPONDENT

OHIO EDISON COMPANY

## CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion for Leave to File Answer *Instante*  
was sent by first class U.S. mail, postage prepaid, to the following person this 15th day of  
September, 2009:

Denver R. Gatrell  
14521 Ellsworth Road  
Berlin Center, Ohio 44401

  
Grant W. Garber  
An Attorney for Respondent