

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of Ohio)
Edison Company, The Cleveland Electric)
Illuminating Company, and the Toledo) Case Nos. 07-1003-EL-ATA
Edison Company for Authority to Modify) 07-1004-EL-ATA
Certain Accounting Practices and for Tariff)
Approvals.)

ENTRY

The attorney examiner finds:

- (1) On January 9, 2008, the Commission approved the fuel cost recovery rider (Fuel Rider) proposed by Ohio Edison Company, The Cleveland Electric Illuminating Company, and the Toledo Edison Company (collectively, FirstEnergy) to recover actual fuel costs incurred commencing January 1, 2008, and expiring December 31, 2008. The Commission directed FirstEnergy to adjust and reconcile quarterly the Fuel Rider to ensure no under- or over-recovery of actual fuel costs. Any differences between actual fuel costs and revenues would be deferred and recovered or returned through the reconciliation component of the Fuel Rider. The Commission also ordered that an audit be conducted after the expiration of the Fuel Rider to determine that the fuel cost expenditures were just and reasonable.
- (2) Pursuant to the Commission's January 9, 2008, finding and order, and in accordance with the reconciliation component of the Fuel Rider, on January 30, 2009, FirstEnergy filed the actual fuel costs and revenues received, as well as carrying charges, for 2008, which indicated an over-recovery of the actual fuel costs. FirstEnergy's filing initiated a Commission review and audit of the 2008 Fuel Rider.
- (3) By entry dated June 3, 2009, the attorney examiner set the procedural schedule for this matter. On September 15, 2009, Commission staff (Staff) filed a motion for an 8-day continuance of the September 16, 2009, deadline to file Staff testimony and a request for expedited ruling. In support of its motion, Staff indicated that the parties have been actively engaged in settlement

discussions, and that Staff requires the extension so that it may have more time to discuss and possibly reach a settlement on all issues with the other parties to the matter.

- (4) Staff also indicated in the memorandum in support of its motion that it had contacted FirstEnergy about its motion for extension of time to file testimony and request for expedited ruling, and FirstEnergy had no objections to its motion.
- (5) The attorney examiner finds that an 8-day extension of the deadline will not adversely affect a substantial right of any party to this proceeding. Accordingly, the attorney examiner finds that the motion should be granted.

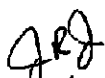
It is, therefore,

ORDERED, That the motion for an 8-day extension of the deadline for filing Staff testimony be granted. It is, further,

ORDERED, That a copy of this entry be served upon all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO


By: Rebecca Hussey
Attorney Examiner


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Entered in the Journal

SEP 16 2009



Renee J. Jenkins
Secretary