

FILE



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December 14, 2009

Public Utilities Commission of Ohio  
Docketing Division  
180 East Broad Street  
Columbus, Ohio 43215-3793

09-800-EL-CSS

RECEIVED-DOCKETING DIV  
2009 DEC 15 PM 3:16  
PUCO

RE: Forest Hill Supermarket, Inc., dba Konnis Family Foods v. The Cleveland Electric Illuminating Company  
Our File Number: 9322-17-65758-09

To Whom It May Concern:

Enclosed herein please find the following to be filed with the Public Utilities Commission of Ohio regarding the above-captioned matter:

1. Motion for Leave to File First Amended Complainant Instanter;
- ✓ 2. Complainant's Request for Admissions to Respondent Cleveland Electric Illuminating Company;
3. Complainant's Request for Production of Documents to Respondent Cleveland Electric Illuminating Company;
4. Complainant's First Set of Interrogatories to Respondent Cleveland Electric Illuminating Company;

I have enclosed 11 copies of the Motion for Leave to File First Amended Complaint for your reference. Kindly return the additional copy, time-stamped, in the self-addressed stamped envelope enclosed for your convenience.

Regards.

Very truly yours,

REMINGER CO., L.P.A.

*Fred S. Papalardo*

Fred S. Papalardo

FSP/db

Enclosure

cc: Paul A. Colbert  
Grant W. Garber  
David A. Kutik  
Mark A. Hayden

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document generated by the Public Utilities Commission of Ohio  
Technician *[Signature]* Date Entered 12/15/09



RECEIVED-DOCKETING DIV  
2009 DEC 15 PM 3:18  
PUCO

BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO

FOREST HILLS SUPERMARKET, INC., dba  
Konnis Family Foods

Complainant

-vs-

CLEVELAND ELECTRIC ILLUMINATING CO.

Respondent.

CASE NO. 09-800-EL-CSS

**COMPLAINANT'S REQUEST FOR ADMISSIONS  
TO RESPONDENT CLEVELAND ELECTRIC  
ILLUMINATING COMPANY**

Now comes Complainant, Forest Hills Supermarket dba Konnis Family Foods (herein after "Forest Hills"), by and through undersigned counsel, and pursuant to Ohio Administrative Code 4901-1-22, submits the following Request for Admissions to the Respondent Cleveland Electric Illuminating Company (hereinafter "CEI"). Complainant asks that these documents be produced within twenty (20) days of receipt of this Request. Costs will be sought if a matter not admitted is proven at the commission hearing.

**REQUEST FOR ADMISSIONS**

**REQUEST FOR ADMISSIONS NO. 1:**

Admit that Forest Hills had power on September 14, 2008.

RESPONSE:

**REQUEST FOR ADMISSIONS NO. 2:**

Admit Forest Hills had power at 12:00 p.m. on September 15, 2008.

RESPONSE:

**REQUEST FOR ADMISSIONS NO. 3:**

Admit that CEI shut off Forest Hills' power some time after 12:00 p.m. on September 15, 2008.

RESPONSE:

**REQUEST FOR ADMISSIONS NO. 4:**

Admit that CEI made no attempts to contact Forest Hills prior to shutting off Forest Hills' power on September 15, 2008.

RESPONSE:

**REQUEST FOR ADMISSIONS NO. 5:**

Admit that Forest Hills did not lose power due to the September 14, 2008 storm.

RESPONSE:

**REQUEST FOR ADMISSIONS NO. 6:**

Admit CEI shut off Forest Hills' power to perform maintenance and/or repairs.

RESPONSE:

**REQUEST FOR ADMISSIONS NO. 7:**

Admit CEI has mandatory protocols and procedures to notify its customers when it is going to perform maintenance and/or repairs.

RESPONSE:

**REQUEST FOR ADMISSIONS NO. 8:**

Admit that Forest Hills is a customer of CEI.

RESPONSE:

**REQUEST FOR ADMISSIONS NO. 9:**

Admit CEI work crews were working in other states on September 14, 2008.

RESPONSE:

**REQUEST FOR ADMISSIONS NO. 10:**

Admit CEI work crews were working in areas of Ohio other than the Greater Cleveland area on September 14, 2008.

RESPONSE:

Respectfully Submitted,



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FRED S. PAPALARDO (0083189)

**REMINGER CO., L.P.A.**

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*Attorney for Forest Hills Supermarket, Inc.  
dba Konnis Family Foods*

CERTIFICATE OF SERVICE

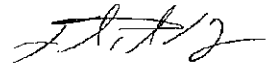
A copy of the foregoing Complainant's Request for Admission to Respondent Cleveland Electric Illuminating Company has been sent by regular U.S. Mail this 14<sup>th</sup> day of December, 2009 to the following:

Attorneys for Respondent The Cleveland Electric Illuminating Company:

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Grant W. Garber  
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North Point  
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