

FILE

FirstEnergy
Solutions

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April 27, 2011

Ms. Renee Jenkins
Public Utilities Commission of Ohio
180 East Broad St.
Columbus, OH 43215

Subject: **City of Barberton; Case Number: 01-0736-EL-GAG**

Dear Ms. Jenkins:

Please find enclosed the original and ten copies of the Motion for Extension of Certificate Expiration Date and Memorandum in Support. This document was faxed to your attention on Wednesday, April 27, 2011.

Please file these under case number 01-0736-EL-GAG. FirstEnergy Solutions is providing aggregation service to the City of Barberton and are filing these on their behalf.

Should there be any questions and/or additional information needs, please contact Emily Ochsenhirt, Governmental Agregation Representative, FirstEnergy Solutions, 330-315-6733 or via email at eoachsenhirt@fes.com.

Thank You,

Emily Ochsenhirt

Emily Ochsenhirt
Government Agregation
FirstEnergy Solutions
330-315-6733

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**BEFORE THE
PUBLIC UTILITIES COMMISSION OF OHIO**

In The Matter of the)
The City of Barberton for Certification)
As a Governmental Aggregator)

Case No. 01-0736-EL-GAG

**MOTION FOR EXTENSION OF CERTIFICATE EXPIRATION DATE AND
MEMORANDUM IN SUPPORT**

I. MOTION FOR EXTENSION

Now comes The City of Barberton ("The City of Barberton") and moves that the Public Utilities Commission of Ohio ("Commission") grant an extension of the May 3, 2011, expiration date of its certificate to provide governmental aggregation services. Inadvertently, FirstEnergy Solutions on behalf of the City of Barberton did not file an application for renewal of Certificate 01-072E (5) within the 30-120 day advance window set forth in rule 4901:1-27-09 of the Ohio Administrative Code ("OAC"). The City of Barberton renewal application will be filed, out of time, on April 28, 2011, and the City of Barberton seeks an extension of its certificate's expiration date while the Commission is considering the renewal application.

II. MEMORANDUM IN SUPPORT

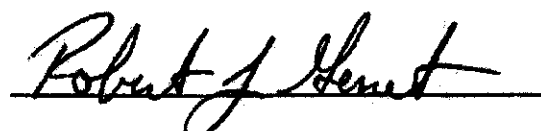
The City of Barberton was granted the authority to provide governmental aggregation services on May 7, 2001, and its current certificate expires on May 3, 2011. Since that time, the City of Barberton has chosen a supplier for the retail electric services for its residents, and power is flowing to its participants under their aggregation program. Unfortunately, due to an inadvertent oversight by FirstEnergy Solutions with regard to the timing for filing, the City of Barberton did not

realize that the advance filing date for its certificate renewal has passed. The City of Barberton will file its renewal application on April 28, 2011. While the Commission considers the renewal, the City of Barberton requests an extension of the expiration date of its certificate from May 3, 2011 to June 3, 2011, to allow for the thirty day review period from the April 28, 2011 renewal application filing date.

The City of Barberton's request for an extension is reasonable under the circumstances and should be granted. Should the City's ability to provide aggregation services expire on May 3, 2011, the City of Barberton's aggregation participants would be at a disadvantage in that they would not be able to receive the most competitive electric rate. Although the FirstEnergy Solutions on behalf of the City of Barberton inadvertently failed to file its renewal application within the 30-120 day window as set forth in Rule 4901:1-27-09 (A), in substance there have been no material changes in the City of Barberton's operation of its aggregation program. Indeed, expect for the automatic expiration date of its Certificate 01-072E (5), the City of Barberton has done nothing that would warrant suspension or rescission of its authority. Since the City of Barberton's dilemma has been caused by an inadvertent oversight, an extension would allow the City to obtain renewal of its certificate without causing inconvenience to its participants. Indeed, extension of the expiration date is necessary to prevent irreparable harm to the City of Barberton and its residents, and would prevent disruption in service to City of Barberton participants. The City of Barberton respectfully submits that an extension of its certificate expiration date is in the public interest.

Wherefore, the City of Barberton respectfully urges the Commission to grant the extension.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Robert J. Gentry", is written over a horizontal line.

The City of Barberton