



# Office of the Ohio Consumers' Counsel

Your Residential Utility Consumer Advocate

Janine L. Migden-Ostrander  
Consumers' Counsel

FILE

September 2, 2011

Ms. Betty McCauley, Secretary  
Public Utilities Commission of Ohio  
Docketing Division, 11<sup>th</sup> Floor  
180 E. Broad St.  
Columbus, OH 43215-3793

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RE: Clarification of Entry Dated August 30, 2011,  
Case Nos. ~~11-346-EL-SSO~~, 11-348-EL-SSO, 11-349-EL-AAM, and 11-350-EL-AAM  
11-346-EL-SSO

The Office of the Ohio Consumers' Counsel ("OCC") notes the filing of a Motion for Clarification filed by FirstEnergy Solutions, Industrial Energy Users-Ohio, and Ohio Partners for Affordable Energy (collectively, "Joint Movants") on September 1, 2011 in the above proceedings. The OCC agrees with Joint Movants that the Entry dated August 30, 2011 should be clarified to make clear that the Public Utilities Commission of Ohio will provide an opportunity for review and inquiry into any stipulation filed by a sub-set of parties so that non-signatory parties are provided a fair opportunity to develop their positions. The development of cases by non-signatory parties would include inquiry into any inducements offered parties to become signatories. *Ohio Consumers' Counsel v. Public Utilities Commission of Ohio*, 2006-Ohio-5789, ¶86.

If a stipulation is filed, a new procedural schedule should be issued that provides non-signatory parties the additional time that is the subject of the Motion for Clarification and this letter.

Sincerely,

Terry L. Etter, Counsel of Record  
Assistant Consumers' Counsel

cc: Parties of Record

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