

**BEFORE THE
PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Review of the)	
Alternative Energy Rider Contained in the)	
Tariffs of Ohio Edison Company, The)	Case No.11-5201-EL-RDR
Cleveland Electric Illuminating Company,)	
and The Toledo Edison Company)	
)	

**MOTION TO EXTEND DEADLINE FOR FILING INITIAL AND REPLY BRIEFS BY
THE ENVIRONMENTAL LAW & POLICY CENTER**

Pursuant to Rule 4901-1-13 of the Ohio Administrative Code, the Environmental Law & Policy Center (“ELPC”) moves for a one week extension to April 15, 2013, of the deadline for filing initial briefs in Case No. 11-5201-EL-RDR. The current deadline is April 8, 2013. ELPC also requests that the deadline for reply briefs be similarly extended one week from April 29 to May 6, 2013.

As explained in the attached memorandum in support, good cause exists for granting the motion for an extension. ELPC has discussed this motion with FirstEnergy, Commission Staff, the Ohio Consumers’ Counsel, the Ohio Environmental Council, Sierra Club, the Mid-Atlantic Renewable Energy Coalition, the Ohio Energy Group, Nucor Steel Marion, Inc., and Interstate Gas Supply, Inc. d/b/a IGS Energy. None of the parties contacted by ELPC object to a one week extension.

WHEREFORE, ELPC respectfully requests that the Commission extend the deadline for filing initial briefs to April 15, 2013, and extend the deadline for filing reply briefs to May 6, 2013.

Respectfully submitted,

/s/ Nicholas McDaniel

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MEMORANDUM IN SUPPORT OF ELPC’S MOTION FOR AN EXTENSION

On September 20, 2011, the Commission opened this docket to review FirstEnergy’s Rider AER and the Companies’ procurement of renewable energy credits for compliance with Ohio Revised Code § 4928.64. After the completion of audit reports and the discovery process, a hearing was held February 19-22 and February 25, 2013. A large portion of the hearing was conducted in a confidential session because the discussion dealt with potential trade secret or competitively sensitive information. On March 19, the confidential portions of the hearing transcript were made available to parties through an Entry allowing those parties that had signed a protective agreement to access any portion of the transcript at the Commission’s Docketing Division.

Good cause exists for granting ELPC’s motion for a one week extension of the briefing schedule, from April 8 to April 15 for initial briefs. ELPC and other parties are participating in a number of ongoing cases at the Commission and elsewhere. A one week extension would provide the necessary time to review the extensive record in this case, including the confidential portions of the transcript and exhibits, which were received last week. Finally, ELPC anticipates the need to file two versions of its brief—both a confidential version and a public version—and a one week extension would provide time for this process.

ELPC also requests a one week extension from April 29 to May 6 for the filing of the reply brief. This would provide adequate time for the Companies and other parties to review and respond to initial briefs. ELPC has discussed this motion with FirstEnergy, Commission Staff, the Ohio Consumers' Counsel, the Ohio Environmental Council, Sierra Club, the Mid-Atlantic Renewable Energy Coalition, the Ohio Energy Group, Nucor Steel Marion, Inc., and Interstate Gas Supply, Inc. d/b/a IGS Energy. None of the parties contacted by ELPC object to a one week extension.

ELPC respectfully requests that the Commission extend the deadline for filing initial briefs to April 15, 2013, and extend the deadline for filing reply briefs to May 6, 2013. ELPC also respectfully requests that the Commission consider this motion on an expedited basis. OAC § 4901-1-12(C) allows for a party to include in its motion "a specific request for an expedited ruling." The current deadline for initial briefs is April 8, and, as mentioned above, no parties have objected to a one week extension.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing *Motion to Extend Deadline for Filing Initial and Reply Briefs and Memorandum in Support* submitted on behalf of the Environmental Law & Policy Center was served by electronic mail, upon the following Parties of Record, this 29th day of March, 2013.

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Summary: Motion to Extend Deadline for Filing Initial and Reply Briefs and Memorandum in Support electronically filed by Mr. Nicholas A. McDaniel on behalf of Environmental Law and Policy Center