

**Before
THE SUPREME COURT OF OHIO**

Northeast Ohio Public Energy Council
Environmental Law and Policy Center

Appellant,

VS

The Public Utilities Commission
of Ohio

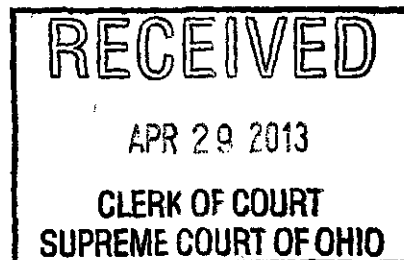
Appellee.

Supreme Court No. 13-0513

**Being Before
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the matter of the application for authority
To provide for a Standard Service Offer
Pursuant to R.C. 4928.143 in the form of
An electric security plan electronically filed
By Laura C. McBride on behalf of Ohio Edison
Company and the Toledo Edison Company
And The Cleveland Electric Illuminating
Company.

Case No 12-1230-EL-SSO



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<u>6/22/2012</u>	Initial post-hearing brief electronically filed by Mr. Michael D. Dortch on behalf of AEP Retail Energy Partners, LLC.	119
<u>6/22/2012</u>	Initial brief of the Retail Energy Supply Association, Direct Energy Services, LLC and Direct Energy Business, LLC electronically filed by M. Howard Petricoff.	120
<u>6/22/2012</u>	Joint initial brief by the Office of the Ohio Consumers' Counsel and Citizen Power electronically filed by Ms. Deb J. Bingham on behalf of Sauer, Larry S.	121
<u>6/22/2012</u>	Initial brief in support of ESP filed by M. Lavanga on behalf of Nucor Steel Marion, Inc.	122
<u>6/22/2012</u>	Initial Brief of the Environmental Law and Policy Center electronically filed by Mr. Justin M. Vickers on behalf of Environmental Law & Policy Center.	123
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<u>6/25/2012</u>	Letter in opposition of First Energy's proposal to extend their ESP filed by L. Bade.	Corres.
<u>6/25/2012</u>	Initial brief filed by C. Smith of Material Sciences Corporation.	125
<u>6/25/2012</u>	Public Comment (total-124) by various consumers in opposition to FirstEnergy rate increase.	Corres.

<u>6/25/2012</u>	Public Comment in opposition to rate increase filed by W. Myers.	Corres.
<u>6/26/2012</u>	Public Comment (total-18) various consumers in opposition to the FirstEnergy proposed rate increase.	Corres.
<u>6/26/2012</u>	Public Comment (total-5) in opposition to FirstEnergy rate increase filed by various consumers.	Corres.
<u>6/26/2012</u>	Public comment in objection to an increase in rates filed by concerned consumer, J. Rittenhouse.	Corres.
<u>6/26/2012</u>	Corrected joint initial brief by the Office of the Ohio Consumers' Counsel and Citizen Power electronically filed by Ms. Deb J. Bingham on behalf of Sauer, Larry S.	126
<u>6/27/2012</u>	Public comments in opposition to rate increase filed by A. Szuhi.	Corres.
<u>6/27/2012</u>	Public comments in opposition to rate increase filed by M. Mosher.	Corres.
<u>6/27/2012</u>	Public comment in opposition to rate increase filed by B. Myers.	Corres.
<u>6/27/2012</u>	Corrected joint initial brief by the Office of the Ohio Consumers' Counsel and Citizen Power including cover letter, corrected brief and exhibits as one pdf electronically filed by Ms. Deb J. Bingham on behalf of Sauer, Larry S.	127
<u>6/28/2012</u>	Public comment opposing rate increase filed by R. Barth.	Corres.
<u>6/28/2012</u>	Public Comments (total 23) in opposition to FirstEnergy proposed rate increase filed by various consumers.	Corres.
<u>6/28/2012</u>	Public comment opposing rate increase filed by G. Krohn.	Corres.

<u>6/29/2012</u>	Reply Brief of Industrial Energy Users-Ohio electronically filed by Ms. Vicki L. Leach-Payne on behalf of Randazzo, Samuel C. Mr.	128
<u>6/29/2012</u>	Reply Brief submitted on behalf of the Staff of the Public Utilities Commission of Ohio, electronically filed by Kimberly L Keeton.	129
<u>6/29/2012</u>	Reply brief of the City of Akron electronically filed by Mr. Joseph E. Olier.	130
<u>6/29/2012</u>	Reply brief filed by C. Smith on behalf of Material Sciences Corporation.	131
<u>6/29/2012</u>	Joint Reply Brief electronically filed by Teresa Orahod on behalf of Northeast Ohio Public Energy Council and Northwest Ohio Aggregation Coalition.	132
<u>6/29/2012</u>	Reply Brief of the Ohio Energy Group (OEG) electronically filed by Mr. Michael L. Kurtz on behalf of Ohio Energy Group.	133
<u>6/29/2012</u>	Reply Brief of Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company in Support of Their Application to Provide For A Standard Service Offer in the Form of an Electric Security Plan electronically filed by MR. DAVID A. KUTIK.	134
<u>6/29/2012</u>	Reply Brief of Environmental Law & Policy Center electronically filed by J. Vickers.	135
<u>6/29/2012</u>	Reply Brief electronically filed by M HOWARD PETRICOFF on behalf of Retail Energy Supply Association and Direct Energy Services, LLC and Direct Energy Business, LLC.	136
<u>6/29/2012</u>	Joint Reply Brief of the Office of the Ohio Consumers' Counsel and Citizen Power electronically filed by Ms. Deb J. Bingham on behalf of Sauer, Larry S.	137
<u>6/29/2012</u>	Reply brief of Interstate Gas Supply, Inc. filed by B. Royer.	138

<u>6/29/2012</u>	Reply brief electronically filed by Mr. Michael D. Dortch on behalf of AEP Retail Energy Partners, LLC.	139
<u>6/29/2012</u>	Reply Brief electronically filed by Mr. Christopher J Allwein on behalf of The Sierra Club.	140
<u>6/29/2012</u>	Reply brief of Nucor Steel Marion, Inc. by M. Lavanga.	141
<u>7/2/2012</u>	Public comment concerning potential rate increase filed on behalf of concerned consumer, A. Matic.	Corres.
<u>7/2/2012</u>	Public comment concerning potential rate increase filed by concerned consumer, R. Jordan.	Corres.
<u>7/2/2012</u>	Public comment opposing FirstEnergy rate increase filed by T. Waltermire.	Corres.
<u>7/2/2012</u>	Public comment opposing FirstEnergy rate increase filed by R. & M. Kontur.	Corres.
<u>7/2/2012</u>	Public comment opposing rate increase filed by V. and L. Bazarko.	Corres.
<u>7/2/2012</u>	Public comment in opposition to the rate increase filed by Annarosa and Mary Jo Ginevra.	Corres.
<u>7/3/2012</u>	Public comments in opposition of any rate increases filed by concerned consumer, N. Loomis.	Corres.
<u>7/5/2012</u>	Public comments (total- 2) by consumers in opposition to the First Energy proposed Electric Security Plan rate increases.	Corres.
<u>7/5/2012</u>	Public Comment by consumer in opposition to the First Energy proposed Electric Security Plan rate increases.	Corres.
<u>7/5/2012</u>	Public Comments (total- 2) by consumers in opposition to the First Energy proposed Electric Security Plan rate increases.	Corres.

<u>7/5/2012</u>	Public Comment by consumer in opposition to the First Energy proposed Electric Security Plan rate increases.	Corres.
<u>7/5/2012</u>	Notice of removal of footnote 218 from the Companies' Reply Brief electronically filed by Ms. Kathy J Kolich on behalf of Ohio Edison Company and The Cleveland Electric Illuminating Company and The Toledo Edison Company.	142
<u>7/6/2012</u>	Public Comment by consumer, H. Zeisset, in opposition to the First Energy proposed Electric Security Plan rate increases.	Corres.
<u>7/9/2012</u>	Public Comments (4) in opposition to First Energy's ESP3 and the termination of the life-time electric rate discount, filed by various consumers.	Corres.
<u>7/9/2012</u>	Public comments (total-135) opposing rate increase, filed by various consumers.	Corres.
<u>7/9/2012</u>	Public comments (total-70) opposing rate increase, filed by various consumers.	Corres.
<u>7/10/2012</u>	Transcript of hearing held June 7, 2012 before A.E. Elizabeth Stevens and Steve Lesser.	Trans.
<u>7/10/2012</u>	Public comment opposing electric rate increase filed by R. Smith.	Corres.
<u>7/11/2012</u>	Public comment in opposition to the proposed AEP rate increases filed by consumer, J. Dervay.	Corres.
<u>7/11/2012</u>	Public Comments (total-6) by various consumers in opposition to the First Energy proposed Electric Security rate increase.	Corres.
<u>7/11/2012</u>	Public comment in opposition to the AEP proposed Electric Security Plan rate increase filed by S. Steigerwald, Founder on behalf of Citizens for Keeping the All Electric Promise (CKAP)	Corres.
<u>7/16/2012</u>	Public comment opposing electric rate increase filed by Tracy Sanek.	Corres.

<u>7/17/2012</u>	Transcript of Proceedings of Public Meeting June 4, 2012 electronically filed by Mrs. Tami Mitchell on behalf of Bish & Associates and Tami Mitchell.	Trans.
<u>7/17/2012</u>	Transcript of PUCO Public Meeting June 12, 2012 held before Chairman Todd Snitchler, and AE M. Wiley, electronically filed by Mrs. Tami Mitchell on behalf of Bish & Associates.	Trans.
<u>7/17/2012</u>	Public Comments (4) filed by various consumers in opposition to FirstEnergy's termination of the all-electric home discount.	Corres.
<u>7/18/2012</u>	Opinion and order that the Stipulation, as modified by the Commission be adopted and approved; the companies file proposed tariffs and take steps necessary to implement the Stipulation. Dissenting opinion of Commissioner Cheryl Roberto that the Companies have not met their burden and therefore she would reject the ESP.	143
<u>7/23/2012</u>	Public comments (total-2) by Karen Lee Scavnicky in opposition to the AEP proposed Electric security rate increase.	Corres.
<u>7/30/2012</u>	Notification of Change of Contact Information electronically filed by Mr. Joseph Clark on behalf of Direct Energy.	144
<u>7/30/2012</u>	Exhibits for transcript held on Tuesday the 12th day of June 2012 at Cleveland City Hall, Cleveland Ohio before Commissioner Todd Snitchler and Attorney Examiner Mandy Willey.	Exh.
<u>8/6/2012</u>	Public Comment in opposition to the FirstEnergy's proposed Electric rate increase.	Corres.
<u>8/16/2012</u>	Public comment in opposition to FirstEnergy's proposed rate increase filed on behalf of concerned consumer, Mr. Kevin Calahan.	Corres.
<u>8/17/2012</u>	Application for Rehearing and memorandum in support of The Retail Energy Supply Association, Direct Energy Services, LLC and Direct Energy Business, LLC electronically filed by Mr. Stephen M Howard.	145

<u>8/17/2012</u>	Application for Rehearing and Memorandum in Support of Northeast Ohio Public Energy Council electronically filed by Teresa Orahood on behalf of Northeast Ohio Public Energy Council.	146
<u>8/17/2012</u>	Motion and memorandum in support to take Administrative Notice by the Office of the Ohio Consumers' Counsel electronically filed by Patti Mallarnee on behalf of Sauer, Larry S.	147
<u>8/17/2012</u>	Application for Rehearing of Interstate Gas Supply, Inc. filed by Barth E. Royer.	148
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<u>8/17/2012</u>	Application for Rehearing by the Sierra Club electronically filed by Mr. Todd M Williams on behalf of Sierra Club.	151
<u>8/17/2012</u>	Public Comments by concerned consumer Mr. Neil Hershberger in regard to elimination of the RGC Credit.	Corres.
<u>8/27/2012</u>	Memorandum contra applications for rehearing electronically filed by Mr. David A. Kutik on behalf of Ohio Edison Company, The Cleveland Electric Illuminating Company and The Toledo Edison Company.	152
<u>8/27/2012</u>	Memorandum Contra to motion to take administrative notice by the Office of the Ohio Consumer's Counsel electronically filed by Mr. David A. Kutik on behalf of Ohio Edison Company, The Cleveland Electric Illuminating Company and The Toledo Edison Company.	153
<u>8/27/2012</u>	Memorandum contra of Nucor Steel Marion, Inc. to application for rehearing of July 18 opinion and order filed by M. Lavanga.	154

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<u>8/30/2012</u>	Reply memorandum by the Office of the Ohio Consumers' Counsel electronically filed by Ms. Deb J. Bingham on behalf of Yost, Melissa R. Ms.	156
<u>9/4/2012</u>	Memorandum contra motion to strike by the office of the Ohio Consumers' Counsel electronically filed by Mr. David A. Kutik on behalf of Ohio Edison Company and The Cleveland Electric Illuminating Company and The Toledo Edison Company.	157
<u>9/7/2012</u>	Reply Memorandum by the Office of the Ohio Consumers' Counsel electronically filed by Patti Mallarnee on behalf of Sauer, Larry S.	158
<u>9/10/2012</u>	Public Comment by concerned consumer Michael J. Hatgas, in regard to First Energy's elimination of RGC credit.	Corres.
<u>9/12/2012</u>	Entry on Rehearing that the applications for rehearing be granted for further consideration of the matters specified in the applications for rehearing.	159
<u>11/7/2012</u>	Notice of withdrawal of counsel electronically filed by Teresa Orahood on behalf of Bricker & Eckler LLP.	160
<u>11/8/2012</u>	Notice of withdrawal of counsel, Asim Z. Haque filed on behalf of Ice Miller LLP by C. Miller.	161
<u>1/7/2013</u>	Initial Comments electronically filed by M. Howard Petricoff on behalf of Retail Energy Supply Association.	162
<u>1/8/2013</u>	Notice of change of contact information electronically filed by Mr. Joseph Clark on behalf of Direct Energy Services, LLC and Direct Energy Business, LLC and Direct Energy Source, LLC dba Vectren Source.	163
<u>1/30/2013</u>	Second entry on rehearing stating that the applications for rehearing be denied as set forth in this entry.	164

<u>3/29/2013</u>	Supreme Court Appeal No. 13-0513 filed on behalf of Northeast Ohio Public Energy Council.	165
<u>4/1/2013</u>	Notice of Appeal of the Environmental Law & Policy Center electronically filed by Mr. Nicholas A. McDaniel on behalf of Environmental Law and Policy Center.	166

**Before
THE SUPREME COURT OF OHIO**

Northeast Ohio Public Energy Council)	
Environmental Law and Policy Center)	
)	
)	
)	
Appellant,)	
)	
VS)	Supreme Court No. 13-0513
)	
)	
The Public Utilities Commission)	
of Ohio)	
)	
)	
)	
)	
Appellee.)	

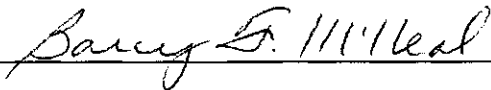
**Being Before
THE PUBLIC UTILITIES COMMISSION OF OHIO**

)	
)	
In the matter of the application for authority)	
To provide for a Standard Service Offer)	
Pursuant to R.C. 4928.143 in the form of)	Case No 12-1230-EL-SSO
An electric security plan electronically filed)	
By Laura C. McBride on behalf of Ohio Edison)	
Company and the Toledo Edison Company)	
And The Cleveland Electric Illuminating)	
Company.)	

CERTIFICATION

I, Barcy F. McNeal, the duly appointed and qualified Secretary of The Public Utilities Commission of Ohio, in whose custody the books, records, and files of said Commission are kept, do hereby certify there is transmitted herewith the docket entries of the Commission, ICN No. **1-166**, the **Finding and Order dated 7/18/2012** and the **Second Entry on Rehearing dated 1/30/2013** inclusive; and the Certification of the record in Case No. **12-1230-EL-SSO**.

IN WITNESS THEREOF, I have thereunto set my hand
and affixed the official seal of The Public Utilities Commission
of Ohio this 29th day of APRIL, 2013.



A handwritten signature in cursive script, reading "Barcy F. McNeal", is written over a horizontal line.

Barcy F. McNeal, Secretary
Betty McCauley, Acting Secretary
Tanowa M. Troupe, Acting Secretary

THE PUBLIC UTILITIES COMMISSION OF OHIO