

**BEFORE THE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Review of the Smart    )  
Grid Modernization Initiative Contained in    )  
the Tariffs of Ohio Edison Company, The    ) Case No. 12-0406-EL-RDR  
Cleveland Electric Illuminating Company,    )  
and The Toledo Edison Company                )  
  )

---

**FIFTH STATUS UPDATE**

---

On August 15, 2013, Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company (the “Companies”) moved for a stay of the procedural schedule in this matter, which was granted on August 19, 2013. In the Entry granting the stay, the Attorney Examiner requested that “an update on the status of the settlement discussions” be provided to the Attorney Examiner by August 30, 2013. Pursuant to this directive, the Companies filed a status report in which they indicated that they would provide a further update on or before September 30, 2013 which was, indeed, timely filed. In the September filing, the Companies requested an extension of the stay with a commitment to file a further status update by October 31, 2013. In the October filing the Companies committed to submit another update by the end of November.<sup>1</sup> Pursuant to this commitment, the Companies hereby submit this fourth status update to inform the Attorney Examiner that the parties met on December 3, 2013 and that all parties agree that the discussions during said meeting furthered the possibility for settlement. Based on these discussions, the Companies committed to memorialize the discussions in a proposed settlement and provide it to the parties within a week of the

---

<sup>1</sup> Inasmuch as there was no significant activity during the month of November, the Companies elected to file this update after the meeting which took place on December 3, 2013.

meeting. The parties intended to meet before the end of the year (schedules permitting) to try to finalize the terms.

The parties could not meet during the holiday season, but on January 10, 2014, the Companies received a red-line to their proposal from opposing parties. The Companies intend to provide the opposing parties a response to the suggested changes on January 31, 2014, and then schedule a final meeting during February as schedules permit in an effort to resolve the matter. The parties will advise the Attorney Examiner of the results of said meeting within a reasonable time after its conclusion. All parties agreed that a further stay of the procedural schedule is warranted.

Accordingly, the Companies ask that the stay of the procedural schedule remain in place, with the Companies providing another update on or before March 1, 2014.

Respectfully submitted,

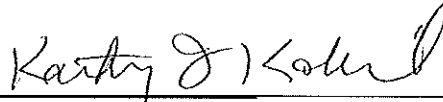
  
Kathy J. Kolich (0038855)  
FIRSTENERGY SERVICE COMPANY  
76 South Main Street  
Akron, OH 44308  
(330) 384-4580  
(330) 384-3875 (fax)  
kjkolich@firstenergycorp.com

Colleen M. O'Neil (0066576)  
CALFEE, HALTER & GRISWOLD LLP  
The Calfee Building  
1405 East 6th Street  
Cleveland, OH 44114  
(216) 622-8200  
(216) 241-0816 (fax)  
coneil@calfee.com

*Attorneys for Applicants Ohio Edison Company,  
The Cleveland Electric Illuminating Company,  
and The Toledo Edison Company*

### CERTIFICATE OF SERVICE

I hereby certify that this Fifth Status Update submitted by Ohio Edison Company, The Cleveland Electric Illuminating Company and The Toledo Edison Company was filed electronically with the Public Utilities Commission of Ohio Docketing Information System on this 31<sup>st</sup> day of January, 2014. A courtesy copy of this filing will also be sent via e-mail to all current parties of record.



Kathy J. Kolich  
(Reg. No. 0038855)  
FIRSTENERGY SERVICE COMPANY  
76 South Main Street  
Akron, OH 44308  
330-384-4580 Telephone  
330-384-3875 Fax  
kjkolich@firstenergycorp.com

ONE OF THE ATTORNEYS FOR  
APPLICANTS, OHIO EDISON COMPANY,  
THE CLEVELAND ELECTRIC  
ILLUMINATING COMPANY, AND THE  
TOLEDO EDISON COMPANY

**This foregoing document was electronically filed with the Public Utilities**

**Commission of Ohio Docketing Information System on**

**1/31/2014 10:26:09 AM**

**in**

**Case No(s). 12-0406-EL-RDR**

Summary: Report on the Status of Negotiations electronically filed by Ms. Kathy J Kolich on behalf of Ohio Edison Company and The Cleveland Electric Illuminating Company and The Toledo Edison Company