

BEFORE THE
PUBLIC UTILITIES COMMISSION OF OHIO

Jacob Schad, Jr.)	
)	
)	
Complainant,)	
)	
vs.)	Case No. 10-790-EL-CSS
)	
Ohio Edison Company)	
)	
Respondent.)	

JOINT MOTION TO STAY THE CASE, CONTINUANCE OF FEBRUARY 25
HEARING AND REQUEST FOR EXPEDITED RULING

Pursuant to Rule 4901-1-12, Ohio Administrative Code (“O.A.C.”), Complainant Jacob Schad, Jr. and Respondent Ohio Edison Company (collectively, “Parties”) respectfully request a stay of the above-captioned case, a continuance of the February 25, 2014 hearing and expedited ruling of this request. Specifically, the Parties request that the Attorney Examiner stay the case pending the outcome of *Corrigan v. The Cleveland Electric Illuminating Company*, Case No. 09-492-EL-CSS.

Rule 4901-1-12(c), O.A.C. provides:

Any motion may include a specific request for an expedited ruling. The grounds for such a request shall be set forth in the memorandum in support. If the motion requests an extension of time to file pleadings or other papers of five days or less, an immediate ruling may be issued without the filing of memoranda. In all other situations, the party requesting an expedited ruling may first contact all other parties to determine whether any party objects to the issuance of such a ruling without the filing of memoranda. If the moving party certifies that no party objects to the issuance of such a ruling, an immediate ruling may be issued. If any party objects to the issuance of such a ruling, or if the moving party fails to certify that no party has any objection, any party may file a memorandum contra within seven days after the service of the motion, or such other period as the commission, the legal director, the deputy legal director, or the attorney examiner requires. No reply memoranda shall be filed in such cases unless specifically

requested by the commission, the legal director, the deputy legal director, or the attorney examiner. (emphasis added).

On November 26, 2013, the Parties filed a motion to continue the hearing in the case. The Parties requested a continuance until February 25, 2014 to allow the Commission to rule on the *Corrigan* case. Given that the *Corrigan* case is still pending, the Parties believe that a stay is more appropriate rather than a continuance. There is good cause for this request as the Parties require additional time to conduct discovery and to allow the Commission to rule on *Corrigan*. The issues raised in *Corrigan* are very similar to this case and may be dispositive of issues in this case. Deferring this case may allow the Parties a full and fair opportunity to reach an informal resolution of this proceeding, thereby mitigating the costs of litigation and reducing the administrative burden on the Commission. Finally, granting this expedited request for a continuance is not being requested for purposes of delay and will not unduly prejudice any party.

Therefore, the Parties respectfully requests that the Attorney Examiner grant their request for a stay of this case, a continuance of the February 25, 2014 hearing and expedited ruling of this request.

Respectfully submitted,

/s/ O. Joseph Murray

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CERTIFICATE OF SERVICE

THIS IS TO CERTIFY that a copy of the foregoing was electronically filed on the Commission's Docketing Information System and is available to all interested parties.

/s/ Carrie M. Dunn
Carrie M. Dunn
Attorney

This foregoing document was electronically filed with the Public Utilities

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in

Case No(s). 10-0790-EL-CSS

Summary: Motion to Stay the Case, Continuance of February 25 Hearing and Request for Expedited Ruling (Joint)

electronically filed by Ms. Carrie M Dunn on behalf of Ohio Edison Company and Mr. Jacob Schad