



CITY OF PARMA OHIO

LAW DEPARTMENT



6611 RIDGE ROAD

PARMA, OHIO 44129-5593

440-885-8132

Timothy G. Dobeck

Law Director
Prosecutor

April 14, 2014

Public Utilities Commission of Ohio
Attn: Docketing Division
180 East Broad Street, 11th Floor
Columbus, Ohio 43215

RECEIVED-DOCKETING DIV
2014 APR 17 PM 4:17
PUCO

Re: Case No. 14-0568-EL-COI
In The Matter Of The Commission Ordered Investigation Of Marketing Practices In The
Competitive Retail Electric Service Market.

To whom it may concern:

The written complaint attached hereto pertains to the above referenced case before the
PUCO. Please file this complaint for the record in said case. Thank you.

Sincerely,

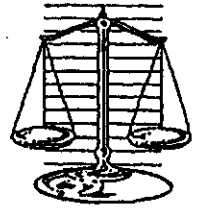
Tim Dobeck
Parma Law Director

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Technician SM Date Processed APR 17 2014



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April 10, 2014

Benjamin T. Rich
Sr. Gov. Aggregation Rep.
FirstEnergy Solutions
341 White Pond Drive, B-2
Akron, OH 44320

RE: Parma's Electric Aggregation Program

Dear Mr. Rich:

I received your March 26, 2014 email after the article appeared in *The Plain Dealer* stating that another aggregator, NOPEC, would not be charged the RTO Expense Surcharge. I am disappointed with FirstEnergy Solution's decision to pass that charge along to residential customers, including those in Parma. In my opinion, FirstEnergy Solutions (FES) has treated Parma residents unfairly.

At the time we were negotiating an agreement with FES in 2009, the Parma Law Department requested language in the agreement stating, in effect, that "no aggregator would receive a more favorable contract, and that in the event that it did, Parma would receive that same benefit that another aggregator received." In fact, we met with you at your Akron offices to discuss this very point. FES declined the proposed language and advised us that this language was not necessary due to the fact that all aggregators had to sign identical agreements and that no aggregator would be allowed to deviate from the uniform agreement. The reason Parma requested that parity language was to avoid the exact type of situation in which we now find ourselves.

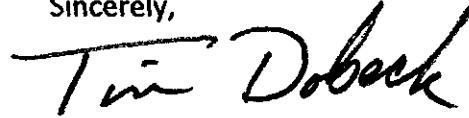
The "heads up" in your correspondence gives a range of how much an individual in Parma will be asked to pay to FES as a consequence of the above. I think it is unethical and wrong to request this amount from some, but not all of your aggregation customers.

I certainly do not want to find Parma in a situation where we are subsidizing another aggregation group that is not being asked to pay the pass-through costs. Accordingly, please provide me with your methodology of how costs will be recovered by groups that are in a similar class as Parma versus groups that are not being charged the surcharge.

Please consider that in 2009, FES representatives assured us that no aggregator would receive more favorable terms than the City of Parma. Parma never requested to be treated better than another aggregation group; we simply requested to be treated as well as any other group. FES assured us that this would be the case.

Please reconsider your decision to impose this surcharge on Parma residents and treat all aggregation groups the same, as you had pledged that you would do. I would be happy to discuss this matter with you.

Sincerely,

A handwritten signature in black ink that reads "Tim Dobeck". The signature is written in a cursive, flowing style.

Timothy G. Dobeck
Law Director

TGD/bjw

Cc: Mayor Tim DeGeeter