

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Ohio)	
Edison Company, The Cleveland Electric)	
Illuminating Company, and The Toledo)	
Edison Company for Authority to Provide)	Case No. 14-1297-EL-SSO
for a Standard Service Offer Pursuant to)	
R.C. 4928.143 in the Form of an Electric)	
Security Plan.)	

**THE PJM POWER PROVIDERS GROUP'S AND
THE ELECTRIC POWER SUPPLY ASSOCIATION'S
JOINT MOTION FOR SUBPOENA *DUCES TECUM*
DIRECTED TO FIRSTENERGY SOLUTIONS CORP.**

Pursuant to Rule 4901-1-25, Ohio Administrative Code, and the Attorney Examiner's October 6, 2014 Entry, the PJM Power Providers Group ("P3") and the Electric Power Supply Association ("EPSA") jointly file this motion seeking a subpoena to compel FirstEnergy Solutions Corp. ("FES") to produce a person(s) to attend and give deposition testimony upon oral examination at a location of the Sierra Club's and FES's mutual agreement on December 10, 2014 at 10:00 AM EST. The subpoena¹ compels FES to produce certain documents to P3 and EPSA covering these topics by December 8, 2014 at 5:00 PM EST. See Rule 4901-1-25(D) of the Ohio Administrative Code ("OAC"). Because P3 and EPSA seek expedited treatment, this motion and the subpoena were presented to the Attorney Examiner in person. See Rule 4901-1-25(A) of the OAC. The executed subpoena is attached as Exhibit A.

As described in the enclosed subpoena, P3 and EPSA request that the Commission or its Attorney Examiner order FES to produce a person (or persons) with knowledge and expertise regarding the following topics, all of which are relevant to this proceeding:

¹ A copy of the subpoena is attached as Exhibit A.

1. PJM RPM Avoidable Cost Rate Template (Alternative Bid Cap spreadsheets) submitted by FES for the W. H. Sammis and Davis Besse power plants in each of the last three Base Residual Auctions ("BRAs");

2. Communications to and responses from the Independent Market Monitor ("IMM") regarding FES' PJM RPM Avoidable Cost Rate for the Davis Besse and W. H. Sammis power plants for each of the last three BRAs ; and

3. Identify what the IMM gave FES as the default cap or alternative cap (PJM RPM Avoidable Cost Rate) for Davis Besse and W. H. Sammis power plants for each of the last three BRAs.

Each of these topics is relevant to the Commission's decision in this case. Obtaining this information and these documents directly from FES is necessary for the development of a more full record in this case. For these reasons, and those set forth in the accompanying memorandum, P3 and EPSA respectfully request that this joint motion be granted.

WHEREFORE, P3 and EPSA respectfully request that this joint motion be granted.

Respectfully submitted,



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Attorneys for the PJM Power Providers Group and the
Electric Power Supply Association

**MEMORANDUM IN SUPPORT OF THE PJM POWER PROVIDERS GROUP'S
AND THE ELECTRIC POWER SUPPLY ASSOCIATION'S
JOINT MOTION FOR A SUBPOENA *DUCES TECUM* DIRECTED TO
FIRSTENERGY SOLUTIONS CORP.**

P3 and EPSA are aware that Sierra Club has subpoenaed FES for a deposition on December 10, 2014.² P3 and EPSA likewise seek information that is relevant and likely to lead to the discovery of admissible evidence in this proceeding from FES. .

FES should be required to provide the requested information as described in the executed subpoena attached to this motion. In order to more fully develop the record in this case, P3 and the EPSA respectfully seek to depose persons from FES and receive relevant documents from FES at the same time and place that FES and the Sierra Club have made arrangements for a deposition.

P3 and EPSA respectfully requests that the Commission grant this joint motion.

Respectfully submitted,



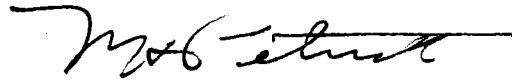
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² The Attorney Examiner issued that subpoena on November 25, 2014.

CERTIFICATE OF SERVICE

The Public Utilities Commission of Ohio e-filing system will electronically serve notice of the filing of this document on the parties referenced in the service list of the docket card who have electronically subscribed to this case. In addition, the undersigned certifies that a courtesy copy of the foregoing document is also being served upon the persons below via electronic mail this 1st day of December, 2014.



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**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company for Authority to Provide for a Standard Service Offer Pursuant to R.C. 4928.143 in the Form of an Electric Security Plan.

SUBPOENA DUCES TECUM

TO:

FirstEnergy Solutions Corp.
c/o Statutory Agent
CT Corporation System
1300 E. Ninth Street
Cleveland, OH 44114-0000

Upon application of the PJM Power Providers Group and the Electric Power Supply Association, FirstEnergy Solutions Corp. (“FES”) is hereby required to provide a person(s) with knowledge and expertise on the following topics:

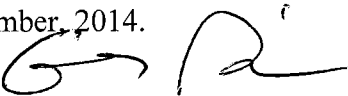
1. The completed PJM RPM Avoidable Cost Rate Template (Alternative Bid Cap spreadsheet) submitted by FES and supporting bid cap work papers for the W.H. Sammis and Davis Besse plant in each of the last three Base Residual Auctions;
2. Communications to and responses from the Independent Market Monitor (“IMM”) regarding FES PJM RPM Avoidable Cost Rate for the W. H. Sammis and Davis Besse plants for each of the last three Base Residual Auctions; and

3. Identify what the IMM gave to FES as the default cap or alternative cap (including the energy and auxiliary services offset used by PJM when calculating the sales caps) for the W.H. Sammis and Davis Besse plants in each of the last three Base Residual Auctions.

This person(s) is required to attend and give deposition testimony upon oral examination at a location of Sierra Club's and FES's mutual agreement on December 10, 2014, at 10:00 AM EST. The deponent(s) is required to attend from day-to-day until the deposition(s) is completed. Such person(s) will be deposed and will be subject to cross-examination by the PJM Power Providers Group, the Electric Power Supply Association, Sierra Club and other intervenors in the above-captioned proceeding.

In addition to a witness (or witnesses), FES must provide all documents within its possession, custody, or control that are relevant to the above-described topics. See Rule 4901-1-25(D) of the Ohio Administrative Code. FES is required to produce documents to counsel for the PJM Power Providers Group and the Electric Power Supply Association covering these same topics by December 8, 2014, at 5:00 PM EST.

Dated at Columbus, Ohio, this 1st day of December, 2014.



Attorney Examiner

Notice: If you are not a party or an officer, agent, or employee of a party to this proceeding, then the witness fees for attending under this subpoena are to be paid by the party at whose request the witness is summoned. Every copy of this subpoena for the witness must contain this notice.

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

12/1/2014 5:05:01 PM

in

Case No(s). 14-1297-EL-SSO

Summary: Motion for Subpoena Duces Tecum, and Subpoena Duces Tecum to FirstEnergy Solutions Corp. electronically filed by Mrs. Gretchen L. Petrucci on behalf of PJM Power Providers Group and Electric Power Supply Association