



December 4, 2015

Gregory A. Price  
Mandy W. Chiles  
Attorney Examiners  
Public Utilities Commission of Ohio  
180 East Broad Street, 12<sup>th</sup> Floor  
Columbus, OH 43215

Re: Joint Motion to Reopen the Hearing Record and to Establish a Procedural Schedule  
in Light of the Recently Filed Third Supplemental Stipulation and Recommendation and  
Supporting Testimony  
FirstEnergy ESP IV, Case No. 14-1297-EL-SSO

Dear Examiners Price and Chiles:

On December 1, 2015, the Retail Energy Supply Association, Buckeye Association of School Administrators, Constellation NewEnergy, Inc., the Electric Power Supply Association, Exelon Generation Company LLC, Interstate Gas Supply, Inc., Northeast Ohio Public Energy Council, Ohio Association of School Business Officials, Ohio Consumers' Counsel, Ohio Hospital Association, Ohio Manufacturers' Association Energy Group, Ohio School Boards Association, Ohio Schools Council, PJM Power Providers Group, and Sierra Club (collectively, the "Joint Movants") filed a Joint Motion to Reopen the Hearing Record and to Establish a Procedural Schedule in Light of the Recently Filed Third Supplemental Stipulation and Recommendation and Supporting Testimony. The Joint Movants maintain that it is reasonable and appropriate to establish a procedural schedule that will allow the parties time and opportunity to present evidence related to the new stipulation, including testimony in opposition and to revise the briefing schedule to take into consideration the new stipulation and new evidence to be presented. The Joint Movants further contend that the schedule they propose will not unduly delay the proceeding.

On December 2, 2015, The Toledo Edison Company, The Cleveland Electric Illuminating Company, and the Ohio Edison Company (collectively, "FirstEnergy") filed a Memorandum Contra the Joint Motion. FirstEnergy contends that Joint Movants' proposed schedule is unreasonable and that parties have already had opportunity to litigate this case. FirstEnergy suggests an alternative procedural schedule.

Direct Energy Services, LLC and Direct Energy Business, LLC (jointly, "Direct Energy") supports the Joint Movants' Motion to Reopen the Hearing Record and to Establish a Procedural Schedule in Light of the Recently Filed Third Supplemental Stipulation and



Recommendation and Supporting Testimony. Specifically, Direct Energy supports the Joint Movants request for the following procedural schedule:

- Discovery requests related to the third supplemental stipulation (except as to notices of deposition) be permitted through Monday, December 21, 2015, with responses to written discovery requests provided within seven calendar days, consistent with the Attorney Examiner's July 2, 2015 ruling.
- Testimony from opposing parties be filed by Friday, January 8, 2016.
- Hearing reconvened for testimony in support and in opposition to the third supplemental stipulation on Tuesday, January 19, 2016.
- Initial Briefs to be filed by Wednesday, February 10, 2016.
- Reply Briefs to be filed by Wednesday, February 24, 2016.

Respectfully submitted,

A handwritten signature in blue ink, reading 'Jennifer L. Spinosi', written over a horizontal line.

Jennifer L. Spinosi

Direct Energy

21 E. State St.

Suite 1950

Columbus, OH 43215

614-220-4369 ext. 221

[Jennifer.Spinosi@DirectEnergy.com](mailto:Jennifer.Spinosi@DirectEnergy.com)

Attorney for Direct Energy Services,  
LLC and Direct Energy Business, LLC

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

**Commission of Ohio Docketing Information System on**

**12/4/2015 12:37:50 PM**

**in**

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

Summary: Correspondence regarding the Joint Motion to Reopen the Hearing Record and to Establish a Procedural Schedule in Light of the Recently Filed Third Supplemental Stipulation and Recommendation and Supporting Testimony electronically filed by Ms. Jennifer L. Spinosi on behalf of Direct Energy Business, LLC and Direct Energy Services, LLC