

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

**In the Matter of the Review of the Political
and Charitable Spending by The
Ohio Edison Company,
The Cleveland Electric Illuminating
Company
and The Toledo Edison Company**

Case No. 20-1502-EL-UNC

MOTION TO INTERVENE AND MEMORANDUM IN SUPPORT

**BY
THE NORTHWEST OHIO AGGREGATION COALITION**

MOTION

The Northwest Aggregation Coalition (NOAC) move to intervene in the above captioned matter pursuant to R.C. 4903.221 and Rule 4901-1-11, Ohio Administrative Code.

MEMORANDUM IN SUPPORT

On September 15, 2020 the Attorney Examiner opened this matter and ordered “the Companies are directed to show cause, by September 30, 2020, demonstrating that the costs of any political or charitable spending in support of Am. Sub. H.B. 6, or the subsequent referendum effort, were not included, directly or indirectly, in any rates or charges paid by ratepayers in this state.”

In paragraph 6, the “examiner finds that interested parties may file comments regarding the Companies’ response to this Entry by October 29, 2020 and reply comments by November 13, 2020.”

NOAC is an interested party and is entitled to intervene. NOAC’s fifteen Communities are each an opt-out aggregator for electricity. Collectively we serve over 130,000 residential and small business participants. The NOAC Communities themselves are also large users of electricity. NOAC is concerned that the electric bills that our customers paid were not used by FirstEnergy as part of the bribery and conspiracy used to pass amended HB 6 or defeat the referendum. NOAC actively opposed HB 6 and testified against it at the Senate Energy and Public Utilities Commission.

NOAC and its member communities have actively participated in many PUCO proceedings, to include opposing the FirstEnergy ESP 4 (Case No. 14-1297-EL-SSO) where FE first proposed the bailout of the nuclear plants.

For these reasons, NOAC’s motion should be granted. We respectfully ask the Commission to grant our joint motion to intervene.

Respectfully submitted,

/s/ Thomas R. Hays

Thomas R. Hays, Attorney (0054062)
Counsel of Record
Counsel for Lucas County and NOAC
8355 Island Lane
Maineville, OH 45039
419-410-7069
trhayslaw@gmail.com

/s/ Leslie Kovacik

Leslie A. Kovacik (0070157)
Counsel of Record
Counsel for the City of Toledo and NOAC
420 Madison Avenue, Fourth Floor
Toledo, Ohio 43604
419.245.1020
leslie.kovacik@toledo.oh.gov

WE AGREE TO ELECTRONIC SERVICE

CERTIFICATE OF SERVICE

I hereby certify that a copy of this Motion and Memorandum in Support was served electronically upon the parties listed below on October 5, 2020.

/s/ Thomas R. Hays

Thomas R. Hays
Counsel for Lucas County and NOAC

SERVICE LIST

bojko@carpenterlipps.com
mkurtz@BKLawfirm.com
kboehm@BKLawfirm.com
jkylercohn@BKLawfirm.com
Maureen.willis@occ.ohio.gov
Angela.obrien@occ.ohio.gov rkelter@elpc.org
mleppla@theOEC.org tdougherty@theOEC.org
ctavenor@theOEC.org ccox@elpc.org
Heather.chilcote@puco.ohio.gov
John.jones@ohioattorneygeneral.gov
rdove@keglerbrown.com bethany.allen@igs.com
joe.oliker@igs.com michael.nugent@igs.com
jlang@calfee.com khehmeyer@calfee.com
bknipe@firstenergycorp.com

Attorney Examiner:
greg.price@puc.state.oh.us

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

10/5/2020 4:00:02 PM

in

Case No(s). 20-1502-EL-UNC

Summary: Motion Motion to Intervene and Memorandum in Support by the Nothwest Aggregation Coalition electronically filed by Mr. Thomas R. Hays on behalf of NOAC