



## Office of the Ohio Consumers' Counsel

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April 28, 2021

Hon. Megan Addison  
Attorney Examiner  
Public Utilities Commission of Ohio  
180 E. Broad Street  
Columbus, Ohio 43215

Re: April 29, 2021 10 a.m. Prehearing, Case No. 17-974-EL-UNC

Dear Attorney Examiner Addison:

We have a prehearing conference scheduled before you for tomorrow, April 29, to discuss OCC's Motion to Compel in FirstEnergy's Corporate Separation Case, Case No. 17-974-EL-UNC. We respectfully request that you re-schedule the conference for the week of May 24<sup>th</sup>.

The purpose of the prehearing conference is to discuss: (1) can OCC begin discovery before the audit report is completed?; and (2) has FirstEnergy waived any objections that it did not raise when it responded to discovery?

These same issues came up in a recent prehearing conference in the Distribution Modernization Rider case (Case No. 17-2474-EL-RDR). Attorney Examiner Price decided the issues as follows: (1) yes – OCC can begin discovery before the final audit report is issued; and (2) no – FirstEnergy didn't waive its objections by not presenting them when it responded to discovery. However, Attorney Examiner Price did rule, going forward and as a general practice, parties should not separate out their objections.

Based on this guidance from Attorney Examiner Price, the Utilities have agreed to supplement their responses to OCC's fourth set of discovery in Case No. 17-974-EL-UNC by May 13<sup>th</sup>. If any disputes on this set of discovery remain after FirstEnergy's May 13<sup>th</sup> response, we would like to be able to use a prehearing conference during the week of May 24<sup>th</sup> to resolve these matters.

Thank you for your consideration.

Respectfully yours,

/s/ Maureen R. Willis  
Maureen R. Willis (0020847)  
Counsel of Record

/s/ Michael R. Gladman  
Michael R. Gladman (0059797)

Copy to: Parties of Record

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**Case No(s). 17-0974-EL-UNC**

Summary: Correspondence Correspondence Requesting Re-scheduling of the Prehearing Conference by Office of the Ohio Consumers' Counsel and FirstEnergy Utilities electronically filed by Ms. Deb J. Bingham on behalf of Willis, Maureen R Mrs.