

**BEFORE THE  
PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Determination of the Existence of Significantly Excessive Earnings for 2017 Under the Electric Security Plan of Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company. ) Case No. 18-857-EL-UNC

In the Matter of the Determination of the Existence of Significantly Excessive Earnings for 2018 Under the Electric Security Plan of Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company. ) Case No. 19-1338-EL-UNC

In the Matter of the Determination of the Existence of Significantly Excessive Earnings for 2019 Under the Electric Security Plan of Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company. ) Case No. 20-1034-EL-UNC

In the Matter of the Quadrennial Review Required by R.C. 4928.143(E) for the Electric Security Plan of Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company ) Case No. 20-1476-EL-UNC

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**MOTION FOR 90 DAY EXTENSION OF THE REMAINING CASE SCHEDULE**

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Pursuant to Rules 4901-1-12 and 4901-1-13 of the Ohio Administrative Code, Ohio Edison Company, The Cleveland Electric Illuminating Company and The Toledo Edison Company (“the Companies”) respectfully request a revised case schedule extending all remaining scheduled dates, including the deadline for intervenor testimony currently set for today, July 23, 2021, for ninety (90) days. The Companies request a continuance of the evidentiary hearing date from August 30, 2021 to a date on or around November 16, 2021.

There is good cause to continue the evidentiary hearing to enable the parties to actively pursue settlement discussions and avoid a waste of resources. The reasons for this request are set forth more fully in the accompanying memorandum in support.

Counsel for the Companies has attempted to notify all parties of the requested continuance of the evidentiary hearing.<sup>1</sup> Staff of the Public Utilities Commission of Ohio, the Ohio Energy Group, Industrial Energy Users-Ohio, Ohio Manufacturers' Association Energy Group, Nucor Steel Marion, Inc., Kroger Co., and Interstate Gas Supply, Inc. do not oppose this request. The Office of the Ohio Consumers' Counsel and Northeast Ohio Public Energy Council will only support an extension of 14 days and both oppose a 90-day extension. Otherwise, of the parties contacted to date, no party has indicated that it objects to the proposed continuance.

WHEREFORE, the Companies respectfully request that the case schedule be modified as set forth in this Motion.

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<sup>1</sup> A response has not been received from the Ohio Hospital Association.

Respectfully submitted,

*/s/ N. Trevor Alexander*

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**BEFORE THE  
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In the Matter of the Determination of the )  
Existence of Significantly Excessive Earnings ) Case No. 18-857-EL-UNC  
for 2017 Under the Electric Security Plan of )  
Ohio Edison Company, The Cleveland Electric )  
Illuminating Company, and The Toledo )  
Edison Company. )

In the Matter of the Determination of the )  
Existence of Significantly Excessive Earnings ) Case No. 19-1338-EL-UNC  
for 2018 Under the Electric Security Plan of )  
Ohio Edison Company, The Cleveland Electric )  
Illuminating Company, and The Toledo )  
Edison Company. )

In the Matter of the Determination of the )  
Existence of Significantly Excessive Earnings ) Case No. 20-1034-EL-UNC  
for 2019 Under the Electric Security Plan of )  
Ohio Edison Company, The Cleveland Electric )  
Illuminating Company, and The Toledo )  
Edison Company. )

In the Matter of the Quadrennial Review )  
Required by R.C. 4928.143(E) for the Electric ) Case No. 20-1476-EL-UNC  
Security Plan of Ohio Edison Company, The )  
Cleveland Electric Illuminating Company, and )  
The Toledo Edison Company )

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**MEMORANDUM IN SUPPORT OF  
MOTION FOR 90 DAY EXTENSION OF THE REMAINING CASE SCHEDULE**

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On May 28, 2021, the Attorney Examiner issued an Entry in the above-captioned dockets establishing the current procedural schedule and setting the matter for hearing. The current procedural schedule established an intervenor supplemental testimony deadline of today, July 23, 2021, and an evidentiary hearing scheduled on August 30, 2021. Pursuant to Rule 4901-1-13, there is good cause to move all remaining scheduled dates for ninety (90) days, including continuing the evidentiary hearing date to on or around November 16, 2021.

For months, the Companies have communicated to parties their intention to actively pursue settlement discussions. However, the Companies believed negotiations would not be productive until all parties were fully informed as to the status of matters impacting FirstEnergy Corp. The status of these matters became known yesterday.

The Companies have attempted to contact all parties to this proceeding regarding their intent to file this Motion. Staff of the Public Utilities Commission of Ohio, the Ohio Energy Group, Ohio Manufacturers' Association Energy Group, Industrial Energy Users-Ohio, Kroger Co., Interstate Gas Supply, Inc. do not oppose this request. The Office of the Ohio Consumers' Counsel and Northeast Ohio Public Energy Council will not support an extension longer than 14 days and both oppose a 90-day extension. Otherwise, of the parties contacted to date, no party has indicated its opposition to this Motion.

By granting this Motion, the Commission will provide an opportunity for the parties to mutually resolve the contested issues in these cases without having to put the Commission, its Staff, and all other parties through a protracted or costly evidentiary hearing that could have been avoided. There is no prejudice to any party if the Motion is granted. In the event a party filed supplemental testimony in advance of this Motion, the Companies do not object to that party re-filing their supplemental testimony, or updated supplemental testimony, 90 days from now. Granting the Motion will benefit all parties by providing a meaningful opportunity to resolve these matters through settlement and negotiation.

Accordingly, pursuant to Rules 4901-1-12 and 4901-1-13 of the Ohio Administrative Code, the Companies respectfully request a 90-day extension of the case schedule, including a revised hearing date on or around November 16, 2021.

Respectfully submitted,

/s/ N. Trevor Alexander

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**CERTIFICATE OF SERVICE**

I certify that the foregoing was filed electronically through the Docketing Information System of the Public Utilities Commission of Ohio on this 23<sup>RD</sup> day of July, 2021. The PUCO's e-filing system will electronically serve notice of the filing of this document on counsel for all parties.

*/s/ Mark T. Keaney*  
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*One of the Attorneys for Ohio Edison  
Company, The Cleveland Electric  
Illuminating Company, and The Toledo  
Edison Company*

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

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**in**

**Case No(s). 18-0857-EL-UNC, 19-1338-EL-UNC, 20-1034-EL-UNC, 20-1476-EL-UNC**

Summary: Motion Motion for 90 Day Extension of the Remaining Case Schedule electronically filed by Mark T Keaney on behalf of Ohio Edison Company and The Cleveland Electric Illuminating Company and The Toledo Edison Company