

In the Matter of the Review of Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company's Compliance with R.C. 4928.17 and Ohio Adm. Code Chapter 4901:1-37.)
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) **Case No. 17-974-EL-UNC**
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granting additional time.”⁴ There is no reference to any delay as grounds for the current extension—contrary to OCC and NOPEC’s characterization.

Based on the false premise that delay by the Companies necessitated Staff’s August 3 request, OCC and NOPEC further allege that “[w]ith [the Companies’] discovery stall tactics unchecked, the [Companies] effectively are able to delay this proceeding indefinitely for the benefit of their affiliate, FirstEnergy Advisors.”⁵ This accusation—that the Companies are employing “discovery stall tactics” for the benefit of a separate entity—is completely unfounded and unsupported.

In addition, OCC and NOPEC state it is “inexplicable”⁶ that the Companies were unable to enter into a contract with Marcum LLP.⁷ To the extent OCC and NOPEC’s uninformed speculation is intended to imply wrongdoing and delay on the part of the Companies, again, such accusations are simply untrue.

The Companies are committed to following Commission orders and cooperating with Staff and the auditor to respond to any requests. While the Companies take no position on OCC’s and NOPEC’s challenge to the Attorney Examiner’s scheduling Entry, OCC and NOPEC’s accusations that the Companies are using “delay tactics” to prolong this proceeding indefinitely for the benefit of an affiliate are unsupported by the facts.

⁴ Case No. 17-974-EL-UNC, Amended Motion for Extension of Time, Memorandum In Support, at 1 (August 3, 2021).

⁵ Mem. at 6-7 (referencing *In the Matter of the Application of Suvon, LLC d/b/a FirstEnergy Advisors for Certification*, Case No. 20-103-EL-AGG (“*FirstEnergy Advisors*”)).

⁶ Mem. at 3.

⁷ See Case No. 17-974-EL-UNC, Request Electronically Filed On Behalf of PUCO Staff (January 7, 2021).

Dated: August 16, 2021

Respectfully submitted,

/s/ Ryan A. Doringo

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On behalf of the Companies

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing was filed electronically through the Docketing Information System of the Public Utilities Commission of Ohio on August 16, 2021. The PUCO's e-filing system will electronically serve notice of the filing of this document on counsel for all parties.

/s/ Ryan A. Doringo
Attorney for the Companies

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in

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

Summary: Response to Joint Interlocutory Appeal, Request for Certification to the Full Commission and Application for Review by Northeast Ohio Public Energy Council and Office of The Ohio Consumers' Counsel electronically filed by Ryan A Doringo on behalf of Ohio Edison Company and The Cleveland Electric Illuminating Company and The Toledo Edison Company