

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Review of the Distribution)
Modernization Rider of Ohio Edison Company,) Case No. 17-2474-EL-RDR
The Cleveland Electric Illuminating Company,)
and The Toledo Edison Company)

**MOTION FOR A SUBPOENA OF THE
PUCO'S NEVER-FILED "FINAL" AUDIT REPORT AND RELATED DOCUMENTS
REGARDING FIRSTENERGY'S INFAMOUS DISTRIBUTION MODERNIZATION
RIDER
AND
MOTION FOR A WAIVER OF O.A.C. 4901-1-25(D) (IF NECESSARY)
BY
OFFICE OF THE OHIO CONSUMERS' COUNSEL**

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This motion is to subpoena Oxford Advisors to produce documents. Oxford originally was hired by the PUCO to audit the FirstEnergy Utilities’ infamous distribution modernization charge. That charge, with PUCO approval, cost FirstEnergy Utilities’ consumers nearly half a billion dollars despite the Ohio Supreme Court overturning the PUCO’s decision as unlawful.

This OCC subpoena would require Oxford to produce its never-filed “final” audit report and related documents. This subpoena is prompted by a FirstEnergy text message that partly came to light through the U.S. Attorney’s Deferred Prosecution Agreement with FirstEnergy and as a result of the FirstEnergy Corp. Board’s investigation. And then the full text message recently (September 28, 2021) was revealed as a result of OCC’s June 25, 2021 subpoena to FirstEnergy Corp. (and after resolution of FirstEnergy’s Motion to Quash OCC’s subpoena and claim of confidentiality). That subpoena was part of OCC’s discovery in the corporate separation and delivery capital recovery rider investigations.

The federal Deferred Prosecution Agreement contained this partial version of the text message from former FirstEnergy CEO Chuck Jones to former FirstEnergy Senior VP Dennis Chack:

“He [the former PUCO Chair] will get it done for us but cannot just jettison all process.” There is ‘a lot of talk going on in the halls of PUCO about does he work there for us? He’ll move it as fast as he can.’”¹

OCC more recently obtained the full text message from FirstEnergy via subpoena (and through a process for FirstEnergy to relinquish its claim of confidentiality). The text message is from former FirstEnergy CEO Chuck Jones to former FirstEnergy Senior VP Dennis Chack.

Here is the message:

He [the former PUCO Chair] will get it done for us but cannot just jettison all process. Says the combination of overruling Staff and other Commissioners on decoupling, getting rid of SEET and **burning** the DMR final report has a lot of talk going on in the halls of the PUCO about does he work there or for us? He’ll move it as fast as he can. Better come up with a short term work around.² (See Attachment)

In the vernacular of fired FirstEnergy CEO Chuck Jones, OCC wants to review the “burn[ed]” PUCO/Oxford final audit report.

In this regard, on February 26, 2020, former PUCO Chair Sam Randazzo and other Commissioners announced a mystifying change of plans whereby Oxford’s final audit report would *not* be filed. An interim audit report from Oxford was filed earlier and it contained

¹ *United States of America v. FirstEnergy Corp.*, Case No. 1:21-cr-86, Deferred Prosecution Agreement, Statement of Facts at 43 (July 22, 2021).

² *In the Matter of the Ohio Edison Company, The Cleveland Electric Illuminating Company and The Toledo Edison Company’s Compliance with R.C. 4928.17 and the Ohio Adm. Code 4901:1-37*, Case No. 17-974-EL-UNC, Documents produced by FirstEnergy Corp. in response to OCC subpoena, Doc. No. 0000072 (March 4, 2020) (Emphasis added).

interesting information about the DMR money collected from consumers: “[d]ollars collected by OH Utilities, including dollars collected through Rider DMR, are contributed to the Regulated Money Pool” and “[b]y moving the Rider DMR funds into the Ohio Utilities Regulated Money Pool –other non-OHIO regulated companies have borrowing access to the Rider DMR funds.”³ (More recently, the PUCO hired a new auditor, Daymark, to produce an audit report in this case involving the distribution modernization rider.)

This case concerns whether FirstEnergy misappropriated funds – that it collected from Ohio consumers per the so-called distribution modernization rider – to pay for House Bill 6 political activity. Former U.S. Attorney David DeVillers described some HB 6 activity as “likely the largest bribery, money laundering scheme ever perpetrated against the people of the state of Ohio.”⁴ FirstEnergy Corp. recently admitted paying \$4.3 million to an entity (Sustainability Funding Alliance of Ohio) owned by former PUCO Chair Randazzo to influence outcomes favoring FirstEnergy Corp.’s legislative and regulatory agenda.⁵

The PUCO contracted with Oxford to provide, among other things, a final audit report by February 25, 2020.⁶ As stated, that “final” Oxford audit report of FirstEnergy’s distribution modernization rider was never filed with the PUCO, per the February 26, 2020 ruling by former Chair Randazzo and other PUCO Commissioners.⁷

³ *In the Matter of the Review of the Distribution Modernization Rider of Ohio Edison Company, The Cleveland Electric Illuminating Company, and the Toledo Edison Company*, Case No 17-2474-EL-RDR, Oxford Advisors Mid-Term Report at 17 (June 14, 2019).

⁴ Horn, D. *Ohio House Speaker Larry Householder arrested in \$60 million bribery case*. The Cincinnati Enquirer (July 31, 2020).

⁵ *United States of America v. FirstEnergy Corp.*, Case No. 1:21-cr-86, Deferred Prosecution Agreement at 17 (July 22, 2021).

⁶ Entry at ¶ 8 (Jan. 24, 2018); Entry, RFP at 1 (Dec. 13, 2017).

⁷ More recently, the PUCO reinstated the requirement to file a final audit report. But interestingly, it hired a different auditor, Daymark Energy Advisors, to conduct the audit.

Coincidentally, just a week before the Commissioners' February 26, 2020 ruling, the PUCO Staff moved for a short extension of time for filing the Oxford final report – from February 25, 2020 to March 31, 2020.⁸ The PUCO Commissioners ruled that the Staff's motion was moot, in their February 26, 2020 ruling. (Of course, it seems reasonable to believe that the PUCO itself has the records that OCC seeks from the PUCO's auditor, and the PUCO could release such records to OCC.)

The Oxford Advisors' "final" audit report could hold information that pertains to the issues in this case. The issues relate to whether FirstEnergy used money collected from Ohio consumers through the distribution modernization rider to fund its political activities. The Oxford Advisors' final audit report may contain facts related to this question.

The PUCO has repeatedly stated that it is "determined to act in a deliberate manner, based upon facts rather than speculation."⁹ But to take appropriate action for public protection based on facts, the PUCO *must first obtain the facts*, including by signing this subpoena for OCC. Providing the "final" audit report through this subpoena would help achieve Chairperson French's objective to provide "more transparency" "to lift the 'black cloud' of [the] HB 6 scandal."¹⁰

Accordingly, OCC files this motion for a subpoena duces tecum to Oxford Advisors, per O.A.C. 4901-1-25, to produce the "final" audit report. The producing of documents should also include any draft versions of the report; and all communications between Oxford Advisors and

⁸ Motion for Extension of Time and Memorandum in Support Submitted on Behalf of the Staff of the Public Utilities Commission of Ohio (Feb. 18, 2020).

⁹ *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*, Case No. 17-974-EL-UNC, Entry at ¶ 17 (Nov. 4, 2020).

¹⁰ J. Pelzer, *New PUCO Chair Jenifer French: more transparency needed to lift the 'black cloud' of [the] HB 6 scandal*, Cleveland.com (May 18, 2021).

FirstEnergy and/or the PUCO Staff. The PUCO Staff itself should also produce the documents for OCC.

If needed, OCC moves the PUCO for a waiver of O.A.C. 4901-1-25(D), per O.A.C. 4901-1-38(B). That rule unfortunately prevents parties from subpoenaing “a member of the commission staff” (which we view as a wrong rule in any event). Granting a waiver should allow for OCC to seek the final audit report and related documents from Oxford Advisors (not that a waiver should be needed to obtain documents from an auditor).

OCC’s motions are more fully explained in the attached memorandum in support.

Respectfully submitted,

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MEMORANDUM IN SUPPORT

I. INTRODUCTION

OCC files this motion, per O.A. C. 4901-1-25, to subpoena Oxford Advisors to produce the “final” audit report – characterized in the FirstEnergy text message as “burn[ed].” The producing of documents should also include any and all draft versions of the report; and all communications between Oxford Advisors and FirstEnergy and/or the PUCO Staff.

The Oxford Advisors’ “final” audit report could hold information that pertains to the issues in this case. The issues relate to whether FirstEnergy used money collected from Ohio consumers through the distribution modernization rider to fund its political activities. The PUCO/Oxford Advisors’ final audit report may contain facts related to this question.

The PUCO had originally ordered the filing of a final audit report for FirstEnergy’s PUCO-approved distribution modernization charge. The PUCO hired Oxford Advisors to perform the mid-term and final audit reports.¹¹ Under the RFP issued for an auditor, the PUCO projected that the final audit report would be due around February 25, 2020.¹² Oxford Advisors filed its mid-term audit report on June 14, 2019.

¹¹ Entry (Jan. 24, 2018).

¹² *Id.*

But interestingly, it later seemed there would be no final audit report from Oxford. That is because, on February 26, 2020, former PUCO Chair Sam Randazzo and other Commissioners surprisingly ruled that there would *not* be a final audit report.

This OCC subpoena would require Oxford to produce its never-filed “final” audit report and related documents. This subpoena is prompted by a FirstEnergy text message that came to light through the U.S. Attorney’s Deferred Prosecution Agreement with FirstEnergy and through the FirstEnergy Corp. Board’s investigation. And that text message came to light through OCC’s June 25, 2021 subpoena to FirstEnergy Corp. as part of the discovery process in the corporate separation and delivery capital recovery rider cases.

The federal Deferred Prosecution Agreement contained this partial version of the text message from former FirstEnergy CEO Chuck Jones to former FirstEnergy Senior VP Dennis Chack:

“He [the former PUCO Chair] will get it done for us but cannot just jettison all process.” There is ‘a lot of talk going on in the halls of PUCO about does he work there for us? He’ll move it as fast as he can.’”¹³

OCC more recently obtained the full text message from FirstEnergy via subpoena (and through a process for FirstEnergy to relinquish its claim of confidentiality). The text message is from former FirstEnergy CEO Chuck Jones to former FirstEnergy Senior VP Dennis Chack.

Here is the text message:

He [the former PUCO Chair] will get it done for us but cannot just jettison all process. Says the combination of overruling Staff and other Commissioners on decoupling, getting rid of SEET and **burning** the DMR final report has a lot of talk going on in the halls of the PUCO about does he work there or for us? He’ll move it as

¹³ *United States of America v. FirstEnergy Corp.*, Case No. 1:21-cr-86, Deferred Prosecution Agreement, Statement of Facts at 43 (July 22, 2021).

fast as he can. Better come up with a short term work around.¹⁴ (See Attachment)

In the vernacular of fired FirstEnergy CEO Chuck Jones, OCC wants to review the “burn[ed]” PUCO/Oxford final audit report.

This case concerns whether FirstEnergy used funds – that it collected from Ohio consumers per its infamous PUCO-approved distribution modernization rider – to pay for H.B. 6 political activity. Former U.S. Attorney David DeVillers described some HB 6 activity as “likely the largest bribery, money laundering scheme ever perpetrated against the people of the state of Ohio.”¹⁵ FirstEnergy Corp. recently admitted paying \$4.3 million to an entity (Sustainability Funding Alliance of Ohio) owned by former PUCO Chair Randazzo to influence outcomes favoring FirstEnergy Corp.’s legislative and regulatory agenda.^{16 17}

More recently, the PUCO reinstated the requirement to file a final audit report. But interestingly, it hired a different auditor, Daymark Energy Advisors, to perform the audit report.¹⁸

Nonetheless, the referenced Oxford Advisors’ draft final audit report could hold relevant information that the PUCO should allow parties to discover.

¹⁴ *In the Matter of the Ohio Edison Company, The Cleveland Electric Illuminating Company and The Toledo Edison Company’s Compliance with R.C. 4928.17 and the Ohio Adm. Code 4901:1-37*, Case No. 17-974-EL-UNC, Documents produced by FirstEnergy Corp. in response to OCC subpoena, Doc. No. 0000072 (March 4, 2020) (Emphasis added).

¹⁵ Horn, D. *Ohio House Speaker Larry Householder arrested in \$60 million bribery case*. The Cincinnati Enquirer (July 31, 2020).

¹⁶ *United States of America v. FirstEnergy Corp.*, Case No. 1:21-cr-86, Deferred Prosecution Agreement at 17 (July 22, 2021).

¹⁷ FirstEnergy CEO Jones was fired and PUCO Chair Randazzo resigned. Neither has been charged with a crime.

¹⁸ *In the Matter of the Review of the Distribution Modernization Rider of the Ohio Edison Company, The Cleveland Electric Illuminating Company and The Toledo Edison Company*, Case No. 17-2474-EL-RDR, Entry at ¶ 21 (June 2, 2021).

The PUCO has stated that it is “determined to act in a deliberate manner, based upon facts rather than speculation...”¹⁹ But to take appropriate action for public protection based on facts, the PUCO *must first obtain the facts*, including by signing this subpoena for OCC. Providing the “final” audit report through this subpoena would help achieve Chairperson French’s objective to provide “more transparency” “to lift the ‘black cloud’ of [the] HB 6 scandal.”²⁰

Accordingly, the PUCO should grant this motion. The motion should be granted to allow OCC to subpoena Oxford Advisors for the final report, any drafts of the final report, and all communications between Oxford Advisors and either PUCO Staff or FirstEnergy relating to the final audit report and any drafts thereof.

The PUCO may exert *in personam* jurisdiction over Oxford Advisors under R.C. 2307.382(A)(1) and (2), by virtue of Oxford transacting business in this state and contracting to supply auditing services in this state. Additionally, *in personam* jurisdiction over Oxford Advisors is also established under Ohio Civil Rule 4.3(A)(1), (2).

II. LAW AND ARGUMENT

A. OCC’s motion for a subpoena duces tecum to PUCO auditor Oxford Advisors for the Rider DMR final audit report and related documents is appropriate.

OCC satisfies O.A.C. 4901-1-25 for the granting of its motion for a subpoena duces tecum. Essentially, the signing of the subpoena is a ministerial act for the PUCO. The PUCO’s

¹⁹ *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*, Case No. 17-974-EL-UNC, Entry at ¶ 17 (Nov. 4, 2020).

²⁰ J. Pelzer, *New PUCO Chair Jenifer French: more transparency needed to lift the ‘black cloud’ of [the] HB 6 scandal*, Cleveland.com (May 18, 2021).

consideration of whether a subpoena is “unreasonable or oppressive” is only prompted if another party moves to quash, per O.A.C. 4901-1-25(C).

When it hired Oxford Advisors to perform its contractual duties, including the preparation of the final audit report, the PUCO ordered “that *any* conclusions, results, or recommendations formulated by the auditor may be examined by *any* participant to this proceeding.”²¹ This subpoena would serve that objective.

O.A.C. 4901-1-28(E) underscores the importance of an audit report. It provides that when such a report is filed in the docket, it is automatically deemed as admissible evidence in that proceeding.²² The rule further provides that, if a hearing is scheduled, any person making or contributing to the report may be subpoenaed to testify.²³ Thus, the intent of this rule could be advanced by a subpoena for the final audit report.

Under R.C. 4903.082, parties must be given ample rights to discovery. The Ohio Supreme Court recently affirmed OCC and NOPEC’s broad statutory rights to discovery (as intervenors), when it reversed the PUCO’s ruling that, among other things, denied motions to compel discovery.²⁴ The Court directed the PUCO to rule on the merits of the discovery motions before issuing a decision on the matters before it.²⁵

The contents of the Oxford Advisors draft final audit report could be an important issue in the case. The Oxford Advisors’ “final” audit report could hold information that pertains to the issues in this case. The issues relate to whether FirstEnergy used money collected from Ohio

²¹ Entry at ¶ 13 (Jan. 24, 2018).

²² O.A.C. 4901-1-28(E).

²³ *Id.*

²⁴ *In re Application of FirstEnergy Advisors for Certification as a Competitive Retail Elec. Serv. Power Broker & Aggregator*, Slip Op. No. 2021-Ohio-3630.

²⁵ *Id.* at ¶41.

consumers through the distribution modernization rider to fund its political activities. The Oxford Advisors' final audit report may contain important facts related to this question.

The PUCO should grant OCC's motion for a subpoena duces tecum to Oxford Advisors, to allow OCC to obtain this important information.

B. The PUCO should grant (if needed) OCC's request for a waiver of the PUCO's rule barring discovery of the PUCO Staff to allow a subpoena duces tecum of PUCO auditor Oxford Advisors for the Rider DMR final audit report and related documents

Unfortunately for the public, the PUCO has protected its Staff from discovery in cases. That is, the rules of discovery generally do not apply to the Staff, per O.A.C. 40-1-1-16 (I). In particular, the PUCO rules on subpoenas (O.A.C. 4901-1-25(D)), allow parties to subpoena "a person, other than a member of the commission staff" to attend depositions or produce designated discovery materials. To the extent that this rule applies to outside auditors (which OCC does not concede), the PUCO should waive this rule for good cause shown under O.A.C. 4901-1-38(B). The good cause relates to certain facts set forth by the U.S. Attorney.

Recently, as part of a Deferred Prosecution Agreement, FirstEnergy Corp. was charged with (and admitted to certain underlying facts involving) the federal crime of honest services wire fraud. The matter is said to involve bribery or kickbacks paid to public officials, including the former PUCO chair. It is said that FirstEnergy Corp. "paid \$4.3 million dollars to Public Official B [the former PUCO Chair] through his consulting company, [Sustainability Funding Alliance of Ohio] "in return for Public Official B performing official action in his capacity as PUCO Chairman to further FirstEnergy Corp's interests relating to passage of nuclear legislation

and other specific FirstEnergy Corp. legislative and regulatory priorities, as requested and as opportunities arose.”²⁶

Until recently, it seemed there would be no final audit report from Oxford Advisors. That is because, on February 26, 2020, former PUCO Chair Sam Randazzo and other Commissioners surprisingly ruled that there would not be a final audit report.

This OCC subpoena would require Oxford to produce its never-filed “final” audit report and related documents. This subpoena is prompted by a FirstEnergy text message that partly came to light through the U.S. Attorney’s Deferred Prosecution Agreement with FirstEnergy and as a result of the FirstEnergy Corp. Board’s investigation. And then the full text message recently (September 28, 2021) was revealed as a result of OCC’s June 25, 2021 subpoena to FirstEnergy Corp. (and after resolution of FirstEnergy’s Motion to Quash OCC’s subpoena and claim of confidentiality). That subpoena was part of OCC’s discovery in the corporate separation and delivery capital recovery rider investigations.

Here is the text message:

He [the former PUCO Chair] will get it done for us but cannot just jettison all process. Says the combination of overruling Staff and other Commissioners on decoupling, getting rid of SEET and **burning** the DMR final report has a lot of talk going on in the halls of the PUCO about does he work there or for us? He’ll move it as fast as he can. Better come up with a short term work around²⁷
(See Attachment)

In the vernacular of fired FirstEnergy CEO Chuck Jones, OCC wants to review the “burn[ed]” PUCO/Oxford final audit report.

²⁶ *United States of America v. FirstEnergy Corp.*, Case No. 1:21-cr-86, Deferred Prosecution Agreement at 17 (July 22, 2021).

²⁷ *In the Matter of the Ohio Edison Company, The Cleveland Electric Illuminating Company and The Toledo Edison Company’s Compliance with R.C. 4928.17 and the Ohio Adm. Code 4901:1-37*, Case No. 17-974-EL-UNC, Documents produced by FirstEnergy Corp. in response to OCC subpoena, Doc. No. 0000072 (March 4, 2020) (Emphasis added).

The PUCO should note that Ohio Admin. Code 4901-1-38(B) allows for waivers of rules, including “upon a motion filed by a party...for good cause shown....” There is good cause for waiving O.A.C. 4901-1-25(D), if needed, and ordering the subpoena duces tecum to be served on the auditor. Subpoenas duces tecum are a key investigatory tool used in PUCO proceedings that allow a party to obtain information that may be in used evidence.²⁸

The draft Oxford Advisors Rider DMR final audit report and related communications are documents needed for a full investigation into the actual facts, rather than relying on speculation. As noted above, the PUCO ordered “that *any* conclusions, results, or recommendations formulated by the auditor may be examined by *any* participant to this proceeding.”²⁹ Oxford Advisors’ draft final audit report and related communications should be made available promptly for review.

III. CONCLUSION

The PUCO should sign OCC’s subpoena toward giving Ohioans a full accounting of whether FirstEnergy used distribution modernization funds (or other funds from consumers) to pay for political activities.

²⁸ O.A.C. 4901-1-25; Civ. R. 45.

²⁹ Entry (Jan. 24, 2018).

Respectfully submitted,

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/s/ Maureen R. Willis

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CERTIFICATE OF SERVICE

I hereby certify that a copy of this Motion was served on the persons stated below via electric transmission this 20th day of October 2021.

/s/ Maureen R. Willis

Maureen R. Willis

Senior Counsel

Assistant Consumers' Counsel

The PUCO's e-filing system will electronically serve notice of the filing of this document on the following parties:

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Upon application of the Office of the Ohio Consumers' Counsel ("OCC"), Oxford Advisors LLC is hereby required to produce by November 10, 2021 the following documents/information at the Offices of the Ohio Consumers' Counsel, 65 East State Street, 7th Floor, Columbus, Ohio 43215:

The "final" audit report, pertaining to Oxford's compliance review of the distribution modernization rider of Ohio Edison Company, the Cleveland Electric Illuminating Company, and the Toledo Edison Company, including any draft versions of the report; and all communications between Oxford Advisors and FirstEnergy and/or the PUCO Staff pertaining to the final audit report and draft versions of the report.

The documents will be produced in connection with the proceedings entitled "In the Matter of the Review of the Distribution Modernization Rider of Ohio Edison Company, The Cleveland Electric Illuminating Company, and the Toledo Edison Company, Case No. 17-2474-UNC."

Dated at Columbus, Ohio, this 20th day of October 2021.

Attorney Examiner

NOTICE: If you are not a party or an officer, agent, or employee of a party to this proceeding, then witness fees for attending under this subpoena are to be paid by the party at whose request the witness is summoned. Every copy of this subpoena for the witness must contain this notice.

From: Lee, Corey A. <calee@jonesday.com>

Sent: Tuesday, September 28, 2021 5:47 PM

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Subject: Case Nos. 17-974-EL-UNC / 20-1629-EL-RDR - Document Production

Counsel:

Pursuant to the September 14 ruling in Case Nos. 17-974-EL-UNC and 20-1629-EL-RDR, and in response to the Office of the Ohio Consumers' Counsel's subpoenas, FirstEnergy Corp. is producing via a Box link responsive documents to parties that have executed a protective agreement in these proceedings with FirstEnergy Corp.

Thank you,

Corey

Corey Lee ([bio](#))

Partner

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Short Message Report

Conversations: 1	Participants: 2
Total Messages: 5	Date Range: 3/4/2020

Outline of Conversations



NODISPLAY 5 messages on 3/4/2020 • Charles Jones • Dennis Chack

Messages in chronological order (times are shown in GMT -05:00)



NODISPLAY

- CJ **Charles Jones** 3/4/2020, 2:57 PM
He will get it done for us but cannot just jettison all process. Says the combination of over ruling Staff and other Commissioners on decoupling, getting rid of SEET and burning the DMR final report has a lot of talk going on in the halls of PUCO about does he work there or for us? He'll move it as fast as he can. Better come up with a short term work around.
- DC **Dennis Chack** 3:05 PM
Ok thanks for discussing with him. How are you feeling
- CJ **Charles Jones** 3:09 PM
[REDACTED] Stopped by Sam's today on my walk. He has friends down and has been busy but he was out doing some yard work. Walking about 3 miles a day right now. A little bored since I cant golf or even get in the pool. But better than sitting in Ohio. Weather has been beautiful last 3 days.
- DC **Dennis Chack** 3:14 PM
It was not the best the days we were there
- CJ **Charles Jones** 3:14 PM
I know. Pretty chilly and windy.

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10/20/2021 3:02:51 PM

in

Case No(s). 17-2474-EL-RDR

Summary: Motion Motion for a Subpoena of the PUCO's Never-Filed "Final" Audit Report and Related Documents Regarding FirstEnergy's Infamous Distribution Modernization Rider and Motion for a Waiver of O.A.C. 4901-1-25(D)(If Necessary) by Office of the Ohio Consumers' Counsel electronically filed by Ms. Deb J. Bingham on behalf of Willis, Maureen R Mrs.