

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

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

**MOTION FOR EXTENSION OF TIME
TO FILE AUDIT REPORT WITH COMMISSION,
AND REQUEST FOR EXPEDITED RULING**

The Staff of the Public Utilities Commission of Ohio (Staff) moves for an extension of the deadlines for the draft and final audit reports provided for in the Commission's Entry of October 22, 2021.

Staff further requests that the Commission grant its motion on an expedited basis pursuant to Ohio Adm. Code 4901-1-12(C) and certifies both that no party objects to the issuance of an immediate ruling or to the requested extension of the deadlines identified above.

The grounds for this motion are set forth in the accompanying memorandum in support.

Respectfully submitted,

David Yost
Attorney General

John H. Jones
Section Chief

/s/ Kyle Kern

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*Counsel for Staff of the
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MEMORANDUM IN SUPPORT

By Entry of April 7, 2021, this case involves an audit of the Distribution Modernization Rider of the Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company (collectively, the Companies). On June 2, 2021, the Public Utilities Commission of Ohio (Commission) selected Daymark Energy Advisors, Inc. (Daymark or Auditor) to conduct the audit services necessary to assist the Commission with the audit. The Entry, pursuant to paragraph 14, incorporated the terms and the conditions of the Request for Proposal (RFP) into the contract between FirstEnergy and Daymark.

On October 14, 2021 Staff filed a Motion seeking an extension of the original due date of the Audit Report. Pursuant to the October 22, 2021 Entry, the draft audit report was due to Staff on December 2, 2021 and the final audit report is to be filed by December 16, 2021. However, FirstEnergy failed to timely respond to important data requests issued by Daymark. Because FirstEnergy did not submit its final data responses to Daymark until December 1, 2021, Staff received the draft Audit Report from Daymark on December 12, 2021, and is now just beginning its review. Consequently, Staff will not have enough time to review the report, discuss the report with Daymark, and still allow time for FirstEnergy to review for confidentiality and trade secret information before the December 16, 2021, deadline. Additionally, Daymark has informed Staff that its offices

are closed for the holidays from December 23, 2021, to January 3, 2022. Staff therefore requests an extension to file the Audit Report until January 14, 2022.

Ohio Adm. Code 4901-1-12(C) allows the Commission to consider a motion on an expedited basis. Inasmuch as the current deadline for the Draft Audit Report is two days away, Staff respectfully requests an expedited ruling that the deadline be extended as requested in this motion. Counsel has contacted all parties to ascertain whether any party has an objection to consideration of this motion on an expedited basis. Although responses have not been received from all parties, to date no party that has responded has expressed any objection to the extension or to an expedited ruling.

Respectfully submitted,

David Yost
Attorney General

John H. Jones
Section Chief

/s/ Kyle Kern

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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing **Motion for Extension of Time to File Final Audit Report with Commission, and Request for Expedited Ruling, and Memorandum in Support** was served by regular U.S. mail, postage prepaid, electronic mail, or hand-delivered, upon the following parties of record, this 14th day of December, 2021.

/s/ Kyle Kern

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Assistant Attorney General

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Summary: Motion for Extension of Time to File Audit Report with Commission, and Request for Expedited Ruling electronically filed by Mrs. Kimberly M. Naeder on behalf of PUCO