

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

|                                      |   |                        |
|--------------------------------------|---|------------------------|
| In the Matter of the Ohio Edison     | ) |                        |
| Company, the Cleveland Electric      | ) |                        |
| Illuminating Company, and the Toledo | ) | Case No. 17-974-EL-UNC |
| Edison Company's Compliance with     | ) |                        |
| R.C. 4928.17 and the Ohio Adm. Code  | ) |                        |
| Chapter 4901:1-37.                   | ) |                        |

---

**JOINT MOTION TO EXTEND AND CONTINUE THE PROCEDURAL  
SCHEDULE  
BY  
OFFICE OF THE OHIO CONSUMERS' COUNSEL  
NORTHEAST OHIO PUBLIC ENERGY COUNCIL  
AND OHIO MANUFACTURERS' ASSOCIATION ENERGY GROUP**

---

The Office of the Ohio Consumers' Counsel ("OCC"), the Northeast Ohio Public Energy Council ("NOPEC") and the Ohio Manufacturers' Association Energy Group ("OMAEG") (collectively, the "Consumer Parties") respectfully file this Joint Motion to Extend and Continue the Procedural Schedule. The Consumer Parties have met the conditions for a continuance and extension, as set forth in the Attorney Examiner's February 10, 2022 Entry and in O.A.C. 4901-1-13. Good cause exists, per O.A.C. 4901-1-13, to allow a continuance for parties to continue discovery and case preparation for an evidentiary hearing. The Consumer Parties request a four-month extension and continuance of the Procedural Schedule.

This motion is more fully supported in the accompanying memorandum in support.

Respectfully submitted,

/s/ Dane Stinson

Dane Stinson (0019101)

**Bricker & Eckler LLP**

100 South Third Street

Columbus, Ohio 43215

Telephone: (614) 227-2300

[dstinson@bricker.com](mailto:dstinson@bricker.com)

(willing to accept service by email)

Glenn S. Krassen (0007610)

General Counsel

**Northeast Ohio Public Energy Council**

31360 Solon Road, Suite 33

Solon, Ohio 44139

Telephone: (440) 249-7831

[gkrassen@nopec.org](mailto:gkrassen@nopec.org)

(willing to accept service by e-mail)

*Counsel for Northeast Ohio Public  
Energy Council*

/s/ Kimberly W. Bojko

Kimberly W. Bojko (0069402)

Counsel of Record

Jonathan Wygonski (100060)

**Carpenter Lipps & Leland LLP**

280 North High Street, Suite 1300

Columbus, Ohio 43215

Telephone: (614) 365-4124

[bojio@carpenterlipps.com](mailto:bojio@carpenterlipps.com)

[wygonski@carpenterlipps.com](mailto:wygonski@carpenterlipps.com)

(willing to accept service by email)

*Counsel for the Ohio Manufacturers'  
Association Energy Group*

Bruce Weston (0016973)

Ohio Consumers' Counsel

/s/ Maureen R. Willis

Maureen R. Willis (0020847)

Counsel of Record

John Finnigan (0018689)

Connor D. Semple (0101102)

Assistant Consumers' Counsel

**Office of the Ohio Consumers' Counsel**

65 East State Street, Suite 700

Columbus, Ohio 43215

Telephone [Willis]: (614) 466-9567

Telephone [Finnigan]: (614) 466-9585

Telephone [Semple]: (614) 466-9565

[maureen.willis@occ.ohio.gov](mailto:maureen.willis@occ.ohio.gov)

[john.finnigan@occ.ohio.gov](mailto:john.finnigan@occ.ohio.gov)

[connor.semple@occ.ohio.gov](mailto:connor.semple@occ.ohio.gov)

(willing to accept service by email)

Brian M. Zets (0066544)

**Isaac Wiles & Burkholder, LLC**

Two Miranova Place, Suite 700

Columbus, Ohio 43215

Telephone: (614) 221-2121

[bzets@isaacwiles.com](mailto:bzets@isaacwiles.com)

(willing to accept service by e-mail)

*Counsel for Office of the Ohio  
Consumers' Counsel*

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

|                                      |   |                        |
|--------------------------------------|---|------------------------|
| In the Matter of the Ohio Edison     | ) |                        |
| Company, the Cleveland Electric      | ) |                        |
| Illuminating Company, and the Toledo | ) | Case No. 17-974-EL-UNC |
| Edison Company's Compliance with     | ) |                        |
| R.C. 4928.17 and the Ohio Adm. Code  | ) |                        |
| Chapter 4901:1-37.                   | ) |                        |

---

**MEMORANDUM IN SUPPORT**

---

In the interest of due process and justice, the Public Utilities Commission of Ohio (“PUCO”) should grant the Consumer Parties’ motion for a continuance and extension of the procedural schedule. There is good cause for doing so, per O.A.C. 4901-1-13. That good cause is based on the volume of documents produced by FirstEnergy Corp. and the FirstEnergy Ohio Utilities, the delay in resolving the depositions that OCC is seeking of Ms. Yeboah Amankwah, Mr. Liswoski and a FirstEnergy Corp. corporate representative, the need for others to be noticed for deposition to follow pending depositions, and for justice and due process, among other things.

In a prior Entry continuing the hearing date to May 9, 2022, the Attorney Examiners addressed the potential for future extensions. The Entry states: “The attorney examiners will entertain reasonable requests for further extension of the procedural schedule if OCC and NOPEC, or any other party, provide meaningful, quantified assessments on the progress of reviewing discovery in this proceeding.”<sup>1</sup>

---

<sup>1</sup> Entry at ¶ 30 (Feb. 10, 2022).

At that time, the Attorney Examiners granted an extension based on the large volume of documents produced in discovery – then estimated at over 230,000 pages.<sup>2</sup> The Attorney Examiners later issued an April 7, 2022 Entry extending the hearing date to August 22, 2022.<sup>3</sup>

At the time of the February 10, 2022 Entry, FirstEnergy Corp. had produced approximately 230,000 pages of documents.<sup>4</sup> FirstEnergy Corp. has now produced over 470,000 pages of documents – more than double the total from February 10, 2022. In fact, since the date of the April 7, 2022 Entry establishing the current Procedural Schedule, FirstEnergy Corp. and the FirstEnergy Ohio Utilities (“FirstEnergy Utilities”) have combined to produce approximately 187,785 additional pages of documents as follows:

**Table: Additional Documents Since 4/7/22**

| <b>Date</b>  | <b>Description</b>  | <b>Approximate Number of Pages</b> |
|--------------|---------------------|------------------------------------|
| 4/11         | FE_CIV_SEC__PROD 11 | 90,255                             |
| 4/11         | FE_CIV_SEC__PROD 12 | 74,337                             |
| 4/15         | FE_PUCO_VOL 9       | 115                                |
| 4/27         | FE_PUCO_VOL 10      | 3,338                              |
| 5/6          | FE_PUCO_VOL 11      | 9,033                              |
| 5/20         | FE_PUCO_VOL 12      | 1,573                              |
| 6/10         | FE_CIV_SEC__PROD 13 | 9,134                              |
| Total Pages: |                     | 187,785                            |

---

<sup>2</sup> *Id.*

<sup>3</sup> Entry (Apr. 7, 2022).

<sup>4</sup> Entry at ¶ 30 (Feb. 10, 2022).

When the PUCO issued the April 7, 2022 Entry, it revised the Procedural Schedule due to the large volume of documents that FirstEnergy Corp. had produced as of that date. As shown above, FirstEnergy Corp. and the FirstEnergy Utilities have now produced an additional approximately 187,785 pages of documents since the current procedural schedule was issued. As noted in the Consumer Parties' Amended Joint Discovery Status Report filed on June 22, 2022, the Consumer Parties collectively have approximately 132,000 pages of FirstEnergy Corp. documents and 14,000 pages of FirstEnergy Utilities documents awaiting initial review.

As a result of these additional productions of documents and the fact that a substantial number of documents must still be reviewed and that there likely will be a need for follow-up depositions to be held, a further extension of time is necessary. It is necessary to continue these discovery efforts pursuant to R.C. 4903.082 and O.A.C. 4901-1-16 et seq., allowing for case preparation. An extended Procedural Schedule is thus warranted.

The PUCO should therefore grant a four-month extension and continuance in the Procedural Schedule, including the hearing date.

Respectfully submitted,

/s/ Dane Stinson

Dane Stinson (0019101)

**Bricker & Eckler LLP**

100 South Third Street

Columbus, Ohio 43215

Telephone: (614) 227-2300

[dstinson@bricker.com](mailto:dstinson@bricker.com)

(willing to accept service by email)

Glenn S. Krassen (0007610)

General Counsel

**Northeast Ohio Public Energy Council**

31360 Solon Road, Suite 33

Solon, Ohio 44139

Telephone: (440) 249-7831

[gkrassen@nopec.org](mailto:gkrassen@nopec.org)

(willing to accept service by e-mail)

*Counsel for Northeast Ohio Public  
Energy Council*

/s/ Kimberly W. Bojko

Kimberly W. Bojko (0069402)

Counsel of Record

Jonathan Wygonski (100060)

**Carpenter Lipps & Leland LLP**

280 North High Street, Suite 1300

Columbus, Ohio 43215

Telephone: (614) 365-4124

[bojio@carpenterlipps.com](mailto:bojio@carpenterlipps.com)

[wygonski@carpenterlipps.com](mailto:wygonski@carpenterlipps.com)

(willing to accept service by email)

*Counsel for the Ohio Manufacturers'  
Association Energy Group*

Bruce Weston (0016973)

Ohio Consumers' Counsel

/s/ Maureen R. Willis

Maureen R. Willis (0020847)

Counsel of Record

John Finnigan (0018689)

Connor D. Semple (0101102)

Assistant Consumers' Counsel

**Office of the Ohio Consumers' Counsel**

65 East State Street, Suite 700

Columbus, Ohio 43215

Telephone [Willis]: (614) 466-9567

Telephone [Finnigan]: (614) 466-9585

Telephone [Semple]: (614) 466-9565

[maureen.willis@occ.ohio.gov](mailto:maureen.willis@occ.ohio.gov)

[john.finnigan@occ.ohio.gov](mailto:john.finnigan@occ.ohio.gov)

[connor.semples@occ.ohio.gov](mailto:connor.semples@occ.ohio.gov)

(willing to accept service by email)

Brian M. Zets (0066544)

**Isaac Wiles & Burkholder, LLC**

Two Miranova Place, Suite 700

Columbus, Ohio 43215

Telephone: (614) 221-2121

[bzets@isaacwiles.com](mailto:bzets@isaacwiles.com)

(willing to accept service by e-mail)

*Counsel for Office of the Ohio  
Consumers' Counsel*

## **CERTIFICATE OF SERVICE**

I hereby certify that a copy of this Joint Motion to Extend and Continue the Procedural Schedule was served on the persons stated below via electric transmission this 22<sup>nd</sup> day of June 2022.

/s/ Maureen R. Willis  
Maureen R. Willis  
Assistant Consumers' Counsel

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

### **SERVICE LIST**

[thomas.lindgren@ohioAGO.gov](mailto:thomas.lindgren@ohioAGO.gov)  
[werner.margard@ohioAGO.gov](mailto:werner.margard@ohioAGO.gov)  
[joliker@igsenergy.com](mailto:joliker@igsenergy.com)  
[Mnugent@igsenergy.com](mailto:Mnugent@igsenergy.com)  
[bethany.allen@igs.com](mailto:bethany.allen@igs.com)  
[evan.betterton@igs.com](mailto:evan.betterton@igs.com)  
[gkrassen@bricker.com](mailto:gkrassen@bricker.com)  
[dstinson@bricker.com](mailto:dstinson@bricker.com)  
[whitt@whitt-sturtevant.com](mailto:whitt@whitt-sturtevant.com)  
[trent@hubaydougherty.com](mailto:trent@hubaydougherty.com)  
[mwise@mcdonaldhopkins.com](mailto:mwise@mcdonaldhopkins.com)  
[mkurtz@BKLlawfirm.com](mailto:mkurtz@BKLlawfirm.com)  
[kboehm@BKLlawfirm.com](mailto:kboehm@BKLlawfirm.com)  
[jkylercohn@BKLlawfirm.com](mailto:jkylercohn@BKLlawfirm.com)  
[talexander@beneschlaw.com](mailto:talexander@beneschlaw.com)  
[khehmeyer@beneschlaw.com](mailto:khehmeyer@beneschlaw.com)

Attorney Examiners:

[megan.addison@puco.ohio.gov](mailto:megan.addison@puco.ohio.gov)  
[jacqueline.st.john@puco.ohio.gov](mailto:jacqueline.st.john@puco.ohio.gov)

[edanford@firstenergycorp.com](mailto:edanford@firstenergycorp.com)  
[cwatchorn@firstenergycorp.com](mailto:cwatchorn@firstenergycorp.com)  
[bknipe@firstenergycorp.com](mailto:bknipe@firstenergycorp.com)  
[mrgladman@jonesday.com](mailto:mrgladman@jonesday.com)  
[mdengler@jonesday.com](mailto:mdengler@jonesday.com)  
[radoringo@jonesday.com](mailto:radoringo@jonesday.com)  
[marcie.lape@skadden.com](mailto:marcie.lape@skadden.com)  
[iavalon@taftlaw.com](mailto:iavalon@taftlaw.com)  
[kverhalen@taftlaw.com](mailto:kverhalen@taftlaw.com)  
[mpritchard@mcneeslaw.com](mailto:mpritchard@mcneeslaw.com)  
[rdove@keglerbrown.com](mailto:rdove@keglerbrown.com)  
[bojko@carpenterlipps.com](mailto:bojko@carpenterlipps.com)  
[tdougherty@theOEC.org](mailto:tdougherty@theOEC.org)  
[ctavenor@theOEC.org](mailto:ctavenor@theOEC.org)  
[knordstrom@theoec.org](mailto:knordstrom@theoec.org)  
[jweber@elpc.org](mailto:jweber@elpc.org)  
[trhayslaw@gmail.com](mailto:trhayslaw@gmail.com)  
[leslie.kovacik@toledo.oh.gov](mailto:leslie.kovacik@toledo.oh.gov)  
[sgoyal@jonesday.com](mailto:sgoyal@jonesday.com)  
[calee@jonesday.com](mailto:calee@jonesday.com)  
[dparram@bricker.com](mailto:dparram@bricker.com)  
[rmains@bricker.com](mailto:rmains@bricker.com)

**This foregoing document was electronically filed with the Public Utilities  
Commission of Ohio Docketing Information System on**

**6/22/2022 4:41:32 PM**

**in**

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

Summary: Motion Joint Motion to Extend and Continue the Procedural Schedule by Office of the Ohio Consumers' Counsel, Northeast Ohio Public Energy Council and Ohio Manufacturers' Association Energy Group electronically filed by Ms. Alana M. Noward on behalf of Willis, Maureen R.