

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

**In the Matter of the Application of The  
Toledo Edison Company for Approval of  
a Tariff Change.**

**Case No. 22-0935-EL-ATA**

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**REPLY BY OHIO EDISON COMPANY, THE CLEVELAND ELECTRIC  
ILLUMINATING COMPANY, AND THE TOLEDO EDISON COMPANY TO  
OBJECTIONS OF THE OHIO CABLE TELECOMMUNICATIONS ASSOCIATION**

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Pursuant to Ohio Adm. Code 4901:1-3-04(A), Ohio Edison Company, The Cleveland Electric Illuminating Company (“CEI”), and The Toledo Edison Company (“TE”) (collectively, the “Companies”) file this reply to The Ohio Cable Telecommunications Association’s (“OCTA”) objections to the Companies’ pole attachment tariff updates.

In its objections, OCTA urges that the adoption of any new pole attachment rate in this proceeding should not be construed as fully resolving the OCTA’s issues in other Rider DCR Audits.<sup>1</sup> The Companies agree their pole attachment rate updates do not resolve any other proceedings. If other proceedings necessitate a change to the Companies’ pole attachment rates, the Companies will reconcile the refund amounts as appropriate. While the Companies do not think it is necessary to incorporate OCTA’s requested tariff language that “the rate is reconcilable and subject to potential further refund based on the outcome(s) of those other proceedings,”<sup>2</sup> the Companies do not object to OCTA’s request.

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<sup>1</sup> Case No. 22-933-EL-ATA, OCTA Objections at 1-3 (Nov. 14, 2022); Case No. 22-934-EL-ATA, OCTA Objections at 1-3; Case No. 22-935-EL-ATA, OCTA Objections at 1-3 (Nov. 14, 2022) (citing Case No. 20-1629-EL-RDR (“2020 DCR Audit”) and Case Nos. 18-1542-EL-RDR, 19-1887-EL-RDR).

<sup>2</sup> Case No. 22-933-EL-ATA, OCTA Objections at 3; Case No. 22-934-EL-ATA, OCTA Objections at 4, Case No. 22-935-EL-ATA, OCTA Objections at 4.

Separately, OCTA questions CEI's and TE's data concerning the number of pole attachments—specifically, the attachment count provided for 2017 for CEI and the attachment counts provided for 2016 and 2017 for TE—and instead recommends the use of a proxy number of attachments for these years.<sup>3</sup> The Companies clarify that the attachment counts used are the actual attachment counts that were billed the cost-based pole attachment rates for these years. Since these are the only attachments that were billed the cost-based rates in question, they are the only attachments that should be used in the refund calculation. OCTA's recommended proxy approach should not be accepted because it would overstate the refund amount by artificially increasing the number of attachments relevant to the refund.

The Companies appreciate the opportunity to respond to OCTA's objections and submit the above response for the Commission's consideration.

Dated: November 25, 2022

Respectfully submitted,

/s/ Kristen M. Fling

Kristen M. Fling (0099678)  
FirstEnergy Service Company  
76 South Main Street  
Akron, OH 44308  
(330) 606-8087  
kfling@firstenergycorp.com

*Counsel for the Companies*

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<sup>3</sup> Case No. 22-934-EL-ATA, OCTA Objections at 6; Case No. 22-935-EL-ATA, OCTA Objections at 6-7.

**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 November 25, 2022. The PUCO's e-filing system will electronically serve notice of the filing of this document on counsel for all parties.

/s/ Margaret M. Dengler  
*On Behalf of the Companies*

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

**Case No(s). 22-0935-EL-ATA**

Summary: Reply to Ohio Cable Telecommunications Association's Objections.  
electronically filed by Ms. Margaret Dengler on behalf of Ohio Edison Company and  
The Cleveland Electric Illuminating Company and The Toledo Edison Company