

BEFORE THE
PUBLIC UTILITIES COMMISSION OF OHIO

ALAN JONES,
Complainant,
vs.
THE CLEVELAND ELECTRIC
ILLUMINATING COMPANY,
Respondent.

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) CASE NO. 22-0016-EL-CSS
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**THE CLEVELAND ELECTRIC ILLUMINATING COMPANY'S SUPPLEMENTAL
RESPONSES AND OBJECTIONS TO COMPLAINANT'S FIRST REQUEST FOR
DOCUMENTS FOR DISCOVERY AND RESPONSES AND OBJECTIONS TO
COMPLAINANT'S SECOND REQUEST FOR REQUEST FOR DOCUMENTS FOR
DISCOVERY**

Respondent The Cleveland Electric Illuminating Company ("CEI"), by and through counsel, submit its Supplemental Responses and Objections to Complainant Alan Jones' ("Complainant") First Request for Documents for Discovery and Responses and Objections to Complainant's Second Requests for Documents for Discovery.

GENERAL OBJECTIONS

1. CEI objects to the Discovery Requests to the extent they seek information that is neither relevant nor material to the subject matter of this action and thus not proportional to the needs of the case.
2. CEI objects to the Discovery Requests to the extent they seek information or documents outside of CEI's possession, custody, or control.
3. CEI objects to the Discovery Requests to the extent that they seek information relating to matters that are neither raised nor relevant to the claims asserted in the pleadings in this action on

the grounds that such information is neither relevant to this action nor reasonably calculated to lead to the discovery of admissible evidence.

4. CEI objects to the Discovery Requests to the extent they are unreasonably duplicative of other requests, instructions, or definitions, or because they seek documents or information that is in the possession of and/or readily accessible or equally available to Complainant.

5. CEI objects to the Discovery Requests to the extent they are overly broad in scope and/or unduly burdensome.

6. CEI objects to the Discovery Requests to the extent they are vague, indefinite, unintelligible, or otherwise unanswerable due to ambiguity.

7. CEI objects to the Discovery Requests to the extent they purport to impose obligations greater than those required by the Ohio Administrative Code or the Ohio Rules of Civil Procedure.

8. CEI objects to the Discovery Requests to the extent they call for disclosure of confidential or privileged information that is protected by the attorney/client privilege, the attorney-work-product doctrine, or is otherwise immune from discovery. This objection includes, but is not limited to, information that Complainant seeks regarding communications between CEI and its attorneys made during or in anticipation of litigation. Accidental disclosure of information governed by such privileges is not a waiver of those privileges as to the information produced or any other information.

9. CEI objects to Complainant's attempt to provide instructions that are broader than, or inconsistent with, the rules of the Ohio Administrative Code or the Ohio Rules of Civil Procedure. CEI will respond in accordance with its obligations under those rules.

10. In providing these responses and objections to the Discovery Requests, CEI does not in any way waive or intend to waive, but rather intends to preserve:

- a. all objections as to the competency, relevancy, materiality, and admissibility of any of the Discovery Requests, their subject matter, and CEI's responses;
- b. all objections as to vagueness, ambiguity, or infirmity in the form of the Discovery Requests and any objections based on the undue burden they impose;
- c. all rights to object to the use of any of the responses, or their subject matter, in any subsequent proceedings, including the hearing of this or any other action;
- d. all rights to object to any other discovery requests involving or related to the subject matter of the Requests;
- e. the right to supplement responses and issue objections to the Discovery Requests prior to hearing; and
- f. any and all privileges and/or rights under the applicable Ohio Administrative Code, the Local Rules of this Court, or other statutes or common law.

**CEI'S SUPPLEMENTAL RESPONSES AND OBJECTIONS TO COMPLAINANT'S
FIRST REQUEST FOR DOCUMENTS FOR DISCOVERY**

REQUEST NO. 3: Detailed Statement of Account for each month or billing cycle for ALL meters at 2634 and 2636 Hampshire Road, Cleveland Heights from January 1, 2010, until December 30, 2021, to include the following information for each month or billing cycle:

- a. Meter number
- b. Account holder's name
- c. Account holder's Customer Number (or account number)
- d. Start date and end date (read date) of monthly billing cycle or meter reading (i.e., monthly cycle)
- e. Kilowatt hours reading (KWH) at start of monthly cycle
- f. KWH at end of monthly cycle
- g. Type of reading of the KWHs at start and end of monthly cycle: i.e., Estimated, actual, or other
- h. Monthly cycle KWH usage

- i. Number of days in monthly cycle
- j. Adjustments made to monthly cycle statement and explanation

SUPPLEMENTAL RESPONSE: CEI reiterates its previous objections to this Request on the grounds that it is not relevant to any party's claims or defenses and not reasonably calculated to lead to the discovery of admissible evidence. Moreover, CEI objects to this Request to the extent it seeks private and confidential information related to CEI accounts of customers other than Complainant. Answering further, CEI states that Complainant is not entitled to information related to CEI's other customers, that information is private and confidential. Additionally, CEI objects to this Request to the extent that it is overly broad and unduly burdensome because it seeks data over a twelve-year period that is not tracked, recorded, or maintained in the normal course of business for the period of time Complainant is seeking. Subject to and without waiving these objections, CEI states that in accordance with Commission regulations, CEI only maintains Detailed Statement of Accounts for a period of twenty-four months from the current date. CEI states that it has previously produced Complainant's Detailed Statement of Account and directs Complainant to CEI's prior production regarding his Detailed Statement of Account for account number 110 151 331 748 Bates numbered CEI-Jones0000003. Complainant is not entitled to private and confidential Detailed Statement of Accounts or other electric usage or billing data for other customer of CEI.

REQUEST NO. 4: Record of internal CEI Order entered on or about 5/20/2014 to "retire the meter" at 2634 Hampshire Rd. Cleveland Heights, Ohio 44106.

SUPPLEMENTAL RESPONSE: CEI reiterates its previous objections to this Request on the grounds that it is not relevant to any party's claims or defenses and not reasonably calculated to lead to the discovery of admissible evidence. Additionally, CEI objects to this Request to the extent that it is overly broad and unduly burdensome because it seeks documents from 2014 that are not tracked, recorded, or maintained in the normal course of business for the period of time Complainant is seeking. Subject to and without waiving its objections, CEI states that it will review and produce any documents responsive to this request.

REQUEST NO. 5: Record of internal CEI Order entered on or about 5/20/2014 to "retire the meter" at 2636 Hampshire Rd. Cleveland Heights, Ohio 44106.

SUPPLEMENTAL RESPONSE: CEI reiterates its previous objections to this Request on the grounds that it is not relevant to any party's claims or defenses and not reasonably calculated to lead to the discovery of admissible evidence. Additionally, CEI objects to this Request to the extent that it is overly broad and unduly burdensome because it seeks documents from 2014 that are not tracked, recorded, or maintained in the normal course of business for the period of time Complainant is seeking. Subject to and without waiving its objections, CEI states that it will review and produce any documents responsive to this request.

REQUEST NO. 6: Any and all CEI orders, directives, or other documents related to any meter activity, such as “retire the Meter” changing, repairs, resetting or other meter modifications for all meters installed at 2634 and 2636 Hampshire Road, Cleveland Heights, Ohio, between January 1, 2010, until December 30, 2021.

SUPPLEMENTAL RESPONSE: CEI reiterates its previous objections to this Request on the grounds that it is not relevant to any party’s claims or defenses and not reasonably calculated to lead to the discovery of admissible evidence. Additionally, CEI objects to this Request to the extent that it is overly broad and unduly burdensome because it seeks documents over a twelve-year time period that are not tracked, recorded, or maintained in the normal course of business for the period of time Complainant is seeking. Moreover, CEI objects to this Request to the extent it seeks private and confidential information related to CEI accounts of customers other than Complainant. Answering further, CEI states that Complainant is not entitled to information related to CEI’s other customers, that information is private and confidential. Subject to and without waiving its objections, CEI directs Complainant to its prior production, Bates numbered CEI-Jones0000004-0000005. CEI states that the code “translation” regarding the type of notification sent related to the meter were provided in its previous Response to Request No. 6.

**CEI’S RESPONSE AND OBJECTIONS TO COMPLAINANT’S SECOND REQUEST
FOR DOCUMENTS FOR DISCOVERY**

REQUEST NO. 1: For List of Notifications for the meters installed at 2634 and 2636 Hampshire Road, Cleveland Heights, Ohio Bates number CEI-Jones0000004-0000005, provide the following:

- a. List of explanations for Codes listed in Column headed "Mn.Wk" (i.e. ONMMI, etc.)
- b. List of explanations for Codes listed in Column headed "Typ" (i.e. CC or MW, etc.)
- c. List of explanations for Codes listed in Column headed "User Status"
- d. Provide Meter number associated with Notification 758709477 {4/21/21} for 2634 Hampshire

RESPONSE: CEI objects to Request No. 1 on the grounds that it is not relevant to any party’s claims or defenses and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving its objections, CEI states that the codes “translations” regarding the type of notifications sent related to the meters installed and the meter number associated with the notifications are as follows:

- a. Mn.wk- Main Work Center (shop)
 - ONMMI: Ohio Northern Meter Miles (location is in the Miles Service Center area and is meter work)
 - RDO-NRO: Regional Dispatch Office - Northern Region Ohio (dispatching office for work in the Northern Ohio area)
 - A5100BO: 5100 (CEI Plant Number) – Back Office

- **ONLMI: Ohio Northern Lines Miles** (location is in the Miles Service Center area and is line department work)
- b. **Typ—Work Type**
- **MW: Meter Work**
 - **CC: Customer Call Worktype**
 - **DN: Dunning Worktype**
 - **GN: General Notification Worktype**
- c. **User Status**
- **NOPR FNET: NOPR** (notification in process), **FNET** (sent to Fieldnet for scheduling)
 - **LOAD FNET WRKD: LOAD** (work loaded to handheld tablet), **FNET** (sent to Fieldnet for scheduling), **WRKD** (work completed in field)
 - **CRTD POPR: CRTD** (Created in SAP), **POPR** (PowerOn Power Restored)
 - **RE VW FNET: REVW** (Review of field work necessary), **FNET** (sent to Fieldnet for scheduling)
 - **NOPR FNCO: NOPR** (notification in process), **FNCO** (Fieldnet completed)
 - **LOAD FNET FNCO: LOAD** (work loaded to handheld tablet), **FNET** (sent to Fieldnet for scheduling), **FNCO** (Fieldnet completed)
 - **LOAD FNET: LOAD** (work loaded to handheld tablet), **FNET** (sent to Fieldnet for scheduling)
 - **NOPR FNET MHI: NOPR** (notification in process), **FNET** (sent to Fieldnet for scheduling), **MHI** (Medium-High Risk)
 - **CRTD CBNP: CRTD** (Created in SAP), **CBNP** (Call-back No Power)
 - **RE VW FNET FNOW FNCO: REVW** (Notification requires office review), **FNET** (sent to Fieldnet for scheduling), **FNOW** (Fieldnet/Openway), **FNCO** (Fieldnet completed)
 - **COMP IDOC: COMP** (Const. Comp in CREWS), **IDOC** (Idoc sent to create order)
 - **ERROR FNET WRKD: ERROR** (Error in processing workflow), **FNET** (sent to Fieldnet for scheduling), **WRKD** (work completed in field)

- **NOPR FNET WRKD FNCO:** NOPR (notification in process), FNET (sent to Fieldnet for scheduling), WRKD (work completed in field), FNCO (Fieldnet completed)
 - **NOPR FNET HI:** NOPR (notification in process), FNET (sent to Fieldnet for scheduling), HI (High Risk)
 - **RE VW FNET WRKD FNOW:** REVW (Review of field work necessary), FNET (sent to Fieldnet for scheduling), WRKD (work completed in field), FNOW (Fieldnet/Openway)
 - **FLRV FNET FNOW FNCO:** FLRV (Review requested by field), FNET (sent to Fieldnet for scheduling), FNOW (Fieldnet/Openway), FNCO (Fieldnet completed)
- d. Meter Number 5002235047 is associated with Notification 758709477 for 2634 Hampshire

Respectfully Submitted,

/s/ John W. Breig, Jr.

John W. Breig, Jr. (0096767)

**BENESCH, FRIEDLANDER, COPLAN &
ARONOFF LLP**

200 Public Square, SuiCEI2300

Cleveland, Ohio 44114-2378

Telephone: 216.363.4500

Facsimile: 216.363.4588

jbreig@beneschlaw.com

And

Kristen M. Fling (0099678)

(Counsel of Record)

FIRSTENERGY SERVICE COMPANY

76 South Main Street

Akron, Ohio 44308

Telephone: 330.606.8087

Facsimile: 330.384.3875

kfling@firstenergycorp.com

*Counsel for The Cleveland Electric Illuminating
Company*

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CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the forgoing was served by Regular U.S.

Mail to Complainant on this 21ST day of June 2022 at the following address:

Alan D. Jones
410 Wakefield Run Blvd.
Hinckley, Ohio 44233
Complainant

/s/ John W. Breig, Jr.

John W. Breig, Jr. (0096767)

*One of the Attorneys for The Cleveland Electric
Illuminating Company*

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**This foregoing document was electronically filed with the Public Utilities
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Case No(s). 22-0016-EL-CSS

Summary: Exhibit Exhibit 7: Respondend's Response with Meter Location
electronically filed by Mr. Alan D. Jones on behalf of Alan Jones.