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In the Matter of the Application of Ohio)	
Edison Company, the Cleveland Electric)	
Illuminating Company, and the Toledo)	Case No. 23-301-EL-SSO
Edison Company for Authority to Establish)	
a Standard Service Offer Pursuant to R.C.)	
4928.143 in the Form of an Electric Security)	
Plan.)	
)	

The terms “YOU,” “YOUR,” “FIRSTENERGY,” or the “COMPANY” as used herein mean AND include Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company, collectively, including ANY PERSON (including without limitation FIRSTENERGY’S officers AND management AND non-management

employees AND agents) acting on FIRSTENERGY'S behalf.

“PERSON” or “PERSONS” means ANY individual, corporation, partnership, joint venture, firm, association, proprietorship, agency, board, authority, commission, limited liability corporation (LLC), doing business as (DBA), OR other legal, business OR governmental entity.

“AND” AND “OR” shall be construed both conjunctively AND disjunctively, AND EACH shall include the other whenever such dual construction will serve to bring within the scope of this request ANY DOCUMENTS which would otherwise not be brought within its scope.

“ANY” AND “ALL” shall both be interpreted in the most inclusive light, AND shall include “ANY AND ALL.”

“EACH” shall mean AND include EACH AND every.

“COMMUNICATION(S)” or “COMMUNICATE” refers to ANY form of information exchange, or attempted exchange, by ANY media by ANY manner, whether oral or written, including without limitation: correspondence, electronic mail (“email”), SMS text messages, face-to-face conversation, meeting or conference, telexes, facsimile transmissions, telecopies, recordings in ANY medium of oral communication, telephone AND message logs, AND notes or memoranda relating to ANY written, electronic or oral communication, tweets, blogs or text messages.

“DOCUMENT” AND “DOCUMENTS” shall have the meaning ascribed to it by Fed. R. Civ. Proc. R. 34 AND to “writings” AND “recordings” by Fed. R. Evid. 1001, AND include without limitation the original AND EACH non-identical copy of ANY written, printed, typed, recorded, computerized, electronic, taped, graphic or other matter, in

whatever form, in ANY medium, whether in final or draft, including COMMUNICATIONS. Further, "DOCUMENTS" shall mean ANY medium on which information is recorded or stored including without limitation accounting books AND papers, agreements, contracts, correspondence, letters, emails, smartphone AND mobile devices, website private messages, text or SMS messages, wires, cables, reports, schedules, statements, photographs, reproductions, charts, models, invoices, purchase orders, ledgers, checks, check stubs, notes, estimates, business forms, studies, appointment books, timesheets, printouts, computer memory, recordings, minutes of meetings, memoranda (including intracorporate, intercorporate, interoffice AND intraoffice memoranda AND memoranda regarding conferences, conversations or telephone conversations), AND all other written, printed, typed, punched or recorded matter of whatsoever kind of description, including drafts of ANY of the foregoing; as used herein AND hereafter.

As used herein, the terms "CONCERNING" "RELATING TO," "REFLECTING," "RELATE TO," "RELATES TO," "RELATED TO," "REFERRING OR RELATING TO," "REFERRING TO," "REGARDING," AND "REFER OR RELATE TO" mean in whole or in ANY part alluding to, responding to, CONCERNING, relating to, connected with, involving, commenting on, in respect of, about, associated with, discussing, evidencing, showing, describing, reflecting, analyzing, summarizing, memorializing, consisting of, constituting, identifying, stating, tending to support, tending to discredit, referring to, or in ANY way touching upon.

"MANAGEMENT" shall mean positions held by ANY of FIRSTENERGY's officers, directors, managers and/or supervisors.

“CONTRACTORS” shall mean any PERSON performing work of general type which has traditionally been performed by UWUA utility workers such as linemen work.

“JOB” shall mean any FIRSTENERGY assignment of utility work of general type type which has traditionally been performed by UWUA utility workers such as linemen work.

INSTRUCTIONS

1. These Requests encompass ALL DOCUMENTS AND tangible items of ANY nature which are now or have at ANY time been within YOUR care, custody, or control. EACH DOCUMENT shall be produced in its original file folder, file jacket, or cover, AND as it is kept in the usual course of business. When a Request does not specifically request a particular fact, but such a fact is necessary in order to make the answer to the Request comprehensible, complete, or not misleading, such fact shall be included as part of the answer AND the Request shall be deemed specifically to request such fact. All electronic searches based upon the specific “search terms” identified below should be run without regard to capitalization.

2. Unless impracticable, produce ALL DOCUMENTS in their original medium AND form.

3. If YOU contend that ANY DOCUMENT or item encompassed by ANY Request is privileged, in whole or in part, or otherwise object to its production, then with respect to EACH such DOCUMENT or item:

- a) State with specificity the reason or reasons for YOUR objection AND/or the nature of ANY privilege asserted;
- b) State the name AND address of EACH PERSON having knowledge of

the factual basis, if ANY, upon which the privilege or other objection is asserted; AND

c) With respect to DOCUMENTS, specify:

- i) The date of the DOCUMENT;
- ii) The nature of the DOCUMENT (i.e., whether letter, email, memorandum, etc.);
- iii) The name AND address of EACH PERSON AND entity who participated in the preparation of the DOCUMENT;
- iv) The name AND address of EACH PERSON AND entity to whom the DOCUMENT, or a copy thereof, has been at ANY time provided;
- v) The name AND address of EACH PERSON AND entity from whom the DOCUMENT has been obtained by YOU;
- vi) The name AND address of the PERSON or entity having possession of the original of the DOCUMENT (or if the whereabouts of the original is unknown, the name AND address of EACH PERSON AND entity known or believed to have a copy or copies thereof);
- vii) ALL other information necessary to IDENTIFY the DOCUMENT with sufficient particularity to meet the requirements for its inclusion in a motion for production pursuant to Fed. R. Civ. P. 37(a); AND
- viii) If such DOCUMENT was, but is no longer within YOUR care,

custody, or control, state what disposition was made of it, the reason for that disposition, AND the date upon which it was so disposed.

4. These Requests are intended to cover ALL DOCUMENTS in YOUR possession, custody, or control, wherever located. If ANY responsive DOCUMENT was, but is no longer, in YOUR possession or subject to YOUR control, or in existence, state whether it: (a) is missing or lost; (b) has been destroyed; (c) has been transferred, voluntarily or involuntarily, to others; or (d) has been disposed of in some other manner. In addition, where appropriate, set forth: (i) the content of said DOCUMENT; (ii) the location of ANY copies of said DOCUMENT; (iii) the date of such destruction; AND (iv) the name of the PERSON who ordered or authorized such destruction.

5. The time period for these requests cover the period from January 2018 through the present date, unless otherwise indicated. These Requests shall be deemed continuing in nature so as to require supplementary answers between the time answers are served AND the time of trial, in accordance with Rule 26(e) of the Federal Rules of Civil Procedure. Therefore, if AND when YOU obtain ANY information which materially affects a response to a request for production of DOCUMENTS, INCLUDING information as to the creation or receipt of records or DOCUMENTS, the affected response or answer shall be deemed no longer true, AND YOUR failure to promptly supplement or amend such response or answer shall be deemed, in substance, a knowing concealment.

REQUESTS FOR PRODUCTION OF DOCUMENTS

UWUA 126-RFP-01-001:

Provide ALL invoices OR bills paid to ANY “CONTRACTORS” in their entirety that ever performed work on FIRSTENERGY property relative to Grid Mod 1 including without limitatin ALL DOCUMENTS showing:

- a. labor hours (broken down to hourly wage) on EACH JOB OR contract;
- b. Budgeted/forecasted hours versus actual result per JOB OR contract;
- c. Travel, axel charge, equipment rental, per diems, pension OR retirement funding associated, fuel charges AND hospitality/trailer rental for such JOB OR contract;
- d. EACH corresponding JOB number.

RESPONSE:

UWUA 126-RFP-01-002:

Provide ALL DOCUMENTS showing ALL costs of FIRSTENERGY employees in their CONCERNING their performance of Grid Mod 1 work including without limitation ALL DOCUMENTS showing:

- a. labor hours (broken down to hourly wage) on EACH JOB OR contract;
- b. Budgeted/forecasted hours versus actual result per JOB OR contract;
- c. Travel, axel charge, equipment rental, per diems, pension OR retirement funding associated, fuel charges AND hospitality/trailer rental for such JOB OR contract;
- d. EACH corresponding JOB number.

RESPONSE:

UWUA 126-RFP-01-003:

Provide ALL DOCUMENTS CONCERNING how many JOBSs/projects REGARDING Grid Mod 1 that were performed by “CONTRACTORS” resulted in rework, follow up, rebuilding, completion, alteration OR change by actual FIRSTENERGY employees after “CONTRACTORS” billed FIRSTENERGY for completed work AND include without limitation:

- a. information separated by EACH JOB/project;
- b. ANY RELATED additional cost for EACH JOB/project on account of the necessity for rework, follow up, rebuilding, completion, alteration OR change by actual FIRSTENERGY employees.
- c. ANY DOCUMENTS RELATED to the rate of rework, follow up, rebuilding, completion, alteration OR change necessitated following work by FIRSTENERGY employees on such JOBS versus the rate for CONTRACTORS.

RESPONSE:

UWUA 126-RFP-01-004:

Provide ALL DOCUMENTS including without limitation ALL time studies, analysis, data or other such information RELATED TO estimates AND forecasted/budgeted labor hours on Grid Mod 1 required prior to its initialization AND the total labor hours for Grid Mod 1 after completion AND ALL RELATED DOCUMENTS showing hours performed by FIRSTENERGY employees AND CONTRACTORS.

RESPONSE:

UWUA 126-RFP-01-005:

Provide ALL DOCUMENTS including without limitation ALL time studies, analysis, data or other such information RELATED TO estimates AND forecasted/budgeted labor hours on Grid Mod 2 required prior to its initialization AND the total labor hours for Grid Mod 1 after completion AND ALL RELATED DOCUMENTS showing hours performed by FIRSTENERGY employees AND CONTRACTORS.

RESPONSE:

UWUA 126-RFP-01-006:

Provide all DOCUMENTS including without limitation cost analysis, studies, data OR other such information showing the cost difference to FIRSTENERGY from using a CONTRACTOR performing work on FIRSTENERGY Grid Mod 1 JOBS/projects compared to that of an actual FIRSTENERGY employee(s) AND:

- a. such information by UWUA bargaining unit;
- b. such information by EACH FIRSTENERGY subsidiary;
- c. such information by EACH JOB.

RESPONSE:

UWUA 126-RFP-01-007:

Provide ALL DOCUMENTS showing gross number of man-hours of transmission work performed by non-bargaining unit workers AND by CONTRACTORS during the period.

RESPONSE:

Provide ALL DOCUMENTS showing why a decision was made to use CONTRACTORS on ANY Grid Mod 1 JOB OR Grid Mod 2 JOB.

RESPONSE:

Dated: July 12, 2023.

Respectfully submitted,

/s/ James Petroff

James Petroff (*Lead Counsel*)(0042476)

Joshua D. McInerney

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Counsel for Intervenor UWUA Local 126

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing was served upon the parties of record via electronic mail on July 12, 2023 as follows.

/s/ James Petroff

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Case No(s). 23-0301-EL-SSO

Summary: Motion to Compel Discovery electronically filed by Mr. Todd C Schafer on behalf of Utility Workers Union of America Local 126 and Schafer, Todd C Mr. and Petroff, James Mr..