

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Ohio	)	
Power Company for Authority to Establish	)	
a Standard Service Offer Pursuant to	)	Case No. 23-23-EL-SSO
Section 4928.13, Revised Code, in the	)	
Form of an Electric Security Plan	)	

In the Matter of the Application of Ohio	)	
Power Company for Approval of Certain	)	Case No. 23-24-EL-AAM
Accounting Authority	)	

**CONSTELLATION ENERGY GENERATION LLC  
AND  
CONSTELLATION NEWENERGY INC.’S  
MEMORANDUM CONTRA  
INTERSTATE GAS SUPPLY, LLC’S MOTION TO STRIKE DIRECT TESTIMONY**

Interstate Gas Supply LLC (“IGS”) filed a motion on October 2, 2023, seeking to strike “the direct testimony of all intervenors” that was filed prior to the Stipulation and Recommendation (“Stipulation”). Like Northeast Ohio Public Energy Council (“NOPEC”), Constellation Energy Generation LLC and Constellation NewEnergy Inc. (collectively, “Constellation”) believe that IGS’ motion should be denied. To the extent IGS is seeking to strike such testimony from the docket card, IGS’ motion should be denied. IGS has not presented any grounds for such a drastic and sweeping action. To the extent that IGS is seeking to strike pre-Stipulation and pre-filed testimony that a party may seek to admit into the hearing’s evidentiary record, IGS’ blanket motion is premature. Any motion to strike should only be heard if and when a witness appears and presents testimony for submission into the evidentiary record. Regardless, Constellation does not intend to

submit the pre-filed testimony filed on behalf of Constellation on June 9, 2023. IGS' blanket motion to strike the pre-Stipulation, pre-filed direct testimony should be denied.

Respectfully submitted,

/s/ Michael J. Settineri

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## **CERTIFICATE OF SERVICE**

The Public Utilities Commission of Ohio's e-filing system will electronically serve notice of the filing of this document on the parties referenced on the service list of the docket card who have electronically subscribed to the case. In addition, the undersigned certifies that a courtesy copy of the foregoing document is also being served (via electronic mail) on this 10<sup>th</sup> day of October 2023 upon all persons listed below:

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**This foregoing document was electronically filed with the Public Utilities  
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**Case No(s). 23-0023-EL-SSO, 23-0024-EL-AAM**

Summary: Memorandum Contra Interstate Gas Supply LLC's Motion to Strike  
Direct Testimony electronically filed by Mr. Michael J. Settineri on behalf of  
Constellation Energy Generation LLC and Constellation NewEnergy Inc..