

**Constellation Set 02**

**Case No. 23-0301-EL-SSO**

**In the Matter of the Application of the Ohio Edison Company, The Cleveland Electric Illuminating Company and The Toledo Edison Company for Authority to Provide for a Standard Service Offer Pursuant to R.C. § 4928.143 in the Form of an Electric Security Plan**

**RESPONSE TO REQUESTS FOR ADMISSIONS**

**Constellation Set 02 – RFA-001** Admit that the Applicants’ Auction Manager has conducted SSO or default service auctions involving separate customer-class-based auction products (e.g., default product for the residential customers versus default product for the commercial customers).

**Response:** Objection. This Request seeks information that is not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving the foregoing objections, admit.

**Constellation Set 02**

**Case No. 23-0301-EL-SSO**

**In the Matter of the Application of the Ohio Edison Company, The Cleveland Electric Illuminating Company and The Toledo Edison Company for Authority to Provide for a Standard Service Offer Pursuant to R.C. § 4928.143 in the Form of an Electric Security Plan**

**RESPONSE TO REQUESTS FOR ADMISSIONS**

**Constellation Set 02 – RFA-002** Admit that the Applicants' Auction Manager has expertise to conduct SSO or default service auctions involving separate customer-class-based auction products (e.g., default product for the residential customers versus default product for the commercial customers).

**Response:** Objection. This Request seeks information that is not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving the foregoing objections, admit.

**Constellation Set 02**

**Case No. 23-0301-EL-SSO**

**In the Matter of the Application of the Ohio Edison Company, The Cleveland Electric Illuminating Company and The Toledo Edison Company for Authority to Provide for a Standard Service Offer Pursuant to R.C. § 4928.143 in the Form of an Electric Security Plan**

**RESPONSE TO REQUESTS FOR ADMISSIONS**

**Constellation Set 02 – RFA-003** Admit that the Applicants' Auction Manager has the technological systems in place to conduct SSO or default service auctions involving separate customer-class-based auction products (e.g., default product for the residential customers versus default product for the commercial customers).

**Response:** Objection. This Request seeks information that is not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving the foregoing objections, admit.

**Constellation Set 02**  
**Answer Prepared By: Robert J. Lee**  
**As to Objections: N. Trevor Alexander**

**Case No. 23-0301-EL-SSO**

**In the Matter of the Application of Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company for Authority to Provide for a Standard Service Offer Pursuant to R.C. § 4928.143 in the Form of an Electric Security Plan**

**ANSWERS TO INTERROGATORIES**

**Constellation Set 02 – INT-048** What experience does the Applicants' Auction Manager have with auctions that procure electricity based on customer class products (e.g., residential, commercial and industrial)?

- A. How many auctions using customer-class based products has the Auction Manager conducted?
- B. Please describe in detail the Auction Manager's abilities to conduct such auctions.
- C. In what jurisdictions were such auctions held?
- D. Were such auctions competitive?
- E. Were such auctions successful?
- F. Did those auctions result in a market-based SSO price?

**Response:** Objection. The Request is overbroad and unduly burdensome in requesting a comprehensive response regarding different auction products in other jurisdictions. Objecting further, the Request seeks information that is not relevant and not reasonably calculated to lead to the discovery of admissible evidence. This Request improperly seeks or purports to require the Companies to provide documents and/or information that is publicly available or already in the possession, custody, or control of the requesting party, and thus equally available to the requesting party. This Request is vague and ambiguous in its failure to differentiate between standard service auction products and other types of auctions which may vary by customer class. The Companies object to subpart B of this Request that purports to require a detailed, narrative response. *Penn Central Transp. Co. v. Armco Steel Corp.*, 27 Ohio Misc. 76, 77 (C.P. 1971).

Subject to and without waiving the forgoing objections:

- A. The Auction Manager has conducted over 30 such customer class-based auctions.

**Constellation Set 02**  
**Answer Prepared By: Robert J. Lee**  
**As to Objections: N. Trevor Alexander**

**Case No. 23-0301-EL-SSO**

**In the Matter of the Application of Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company for Authority to Provide for a Standard Service Offer Pursuant to R.C. § 4928.143 in the Form of an Electric Security Plan**

**ANSWERS TO INTERROGATORIES**

**Constellation Set 02 –** Are there any systems limitations or other limitations that would preclude the Applicants from conducting default service auctions with class-based products?  
**INT-050** If so, what are those limitations?

**Response:** Objection. This Request seeks information that is not relevant and not reasonably calculated to lead to the discovery of admissible evidence. This Request is vague and ambiguous in its failure to define with specificity the type of auction product it relates to as there are numerous types of auctions which procure energy in part or in whole based on customer class. Subject to and without waiving the forgoing objections, no.

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

**11/30/2023 9:18:43 AM**

**in**

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

Summary: Exhibit Constellation Exhs 1 - 5 electronically filed by Mr. Ken Spencer  
on behalf of Armstrong & Okey, Inc..