

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Review of the Distribution Modernization Rider of Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company.)
)
) **Case No. 17-2474-EL-RDR**
)
)

In the Matter of the 2020 Review of the Delivery Capital Recovery Rider of Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company.)
)
) **Case No. 20-1629-EL-RDR**
)
)

JOINT DISCOVERY STATUS REPORT

Pursuant to the Attorney Examiners’ Entry of March 15, 2024,¹ the Ohio Utilities² and the Consumer Parties³ provide this Joint Discovery Status Report (“Joint Report”). This Joint Report addresses discovery requests and responses that have been exchanged since the Parties submitted their Joint Report on April 5, 2024.

Since the parties submitted their April 5, 2024 Joint Report, the Consumer Parties have not propounded any further sets of discovery requests in this consolidated proceeding, and the Ohio Utilities have not served any additional responses. The Ohio Utilities continue to assess the extent to which they should supplement earlier discovery responses, and will supplement earlier responses as appropriate.

On March 11, 2024, pursuant to the September 24, 2021 nonparty subpoena, FirstEnergy Corp. produced 365,527 documents consisting of 717,444 pages relating to *In re FirstEnergy Corp.*

¹ Case Nos. 17-2474-EL-RDR et al., Entry (Mar. 15, 2024) at ¶ 23.

² The Ohio Utilities are the Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company.

³ The Consumer Parties are the Office of the Ohio Consumers’ Counsel (“OCC”), the Northeast Ohio Public Energy Council (“NOPEC”) and the Ohio Manufacturers’ Association Energy Group (“OMAEG”).

Securities Litigation, No. 2:20-cv-03785-ALM-KAJ (S.D. Ohio) (the “Securities Action”).⁴ On March 27, 2024, FirstEnergy Corp. produced 986 additional documents (approximately 3,756 pages) relating to the Securities Action. FirstEnergy Corp. produced documents in the e-discovery format that it had used for all prior document productions in the PUCO proceedings and the same format in which the documents were produced in the Securities Action. But the documents produced in that format were not readily usable by OCC. At OCC’s request, FirstEnergy Corp. has agreed to convert the produced documents to PDF format (with natives for certain file types). FirstEnergy Corp. expects to complete the requested conversion next week.

**Review of Documents Produced by Ohio Utilities
Since February 21, 2024 (estimates)**

| Produced | Reviewed Since Last Report | Total Reviewed |
|------------------------|---------------------------------|-------------------------------------|
| 131 pages ⁵ | OCC: 0 OMAEG: 0 NOPEC: 71 | OCC: 131 OMAEG: 60 NOPEC: 131 |

**Review of Documents Produced by FirstEnergy Corp.
Since February 21, 2024 (estimates)**

| Produced | Reviewed Since Last Report | Total Reviewed |
|---------------|---|---|
| 721,200 pages | OCC: 5,089 OMAEG: 19,583 NOPEC: 528 | OCC: 9,731 OMAEG: 69,739 NOPEC: 528 |

FirstEnergy Corp. produced the materials in the Securities Action only to parties who had executed a protective agreement in these cases, in addition to Case Nos. 17-974-EL-UNC and 20-1502-EL-UNC. NOPEC formally moved to intervene in these proceedings on March 4, 2024, after the Commission lifted its stay (see Entry of February 26, 2024) and the Attorney Examiner set a

⁴ Certain documents, like excel files, that were produced in native file format will each be reflected in page counts as a single page regardless of the size of the document.

⁵ This page count includes the number of pages produced as attachments to written responses, but does not include the written responses themselves, with the exception of the Ohio Utilities’ written responses to OCC’s eighth set of discovery requests.

procedural schedule (see Entry of March 1, 2024). NOPEC executed a protective agreement with FirstEnergy Corp. on April 3, 2024. FirstEnergy Corp. recently has provided NOPEC with materials relating to the Securities Action that were produced in these proceedings since the stay was lifted and next week expects to provide NOPEC with materials relating to the Securities Action that were produced before these proceedings were stayed.

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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing submission on behalf of Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company was filed electronically through the Docketing Information System of the Public Utilities Commission of Ohio on April 19, 2024. The PUCO's e-filing system will electronically serve notice of the filing of this document on counsel for all parties.

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23, 2025)*

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in

Case No(s). 17-2474-EL-RDR, 20-1629-EL-RDR

Summary: Report Joint Discovery Status Report electronically filed by Nicole A. Allen on behalf of Ohio Edison Company and The Cleveland Electric Illuminating Company and The Toledo Edison Company.