

In the Matter of the Complaint of Allianz US)
Global Risk Insurance Company, Lexington)
Insurance Company, and Royal Indemnity)
Company, as Subrogees of Republic)
Engineered Products Inc.,)

Complainants,)

v.)

Case No. 05-1011-EL-CSS

FirstEnergy Corp., American Transmission)
Systems, Inc., Cleveland Electric Illuminating)
Company, Jersey Central Power and Light)
Company, Metropolitan Edison Company,)
Ohio Edison Company, Pennsylvania Electric)
Company, Toledo Edison Company, and The)
Illuminating Company,)

Respondents.)

In the Matter of the Complaint of Lexington)
Insurance Company, Frankenmuth Mutual)
Insurance Company, Charter Oak Fire)
Insurance Company, The Automobile)
Insurance Company of Hartford, The)
Standard Fire Insurance Company, Travelers)
Indemnity Company of America, Travelers)
Indemnity Company of Connecticut,)
Travelers Indemnity Company, Travelers)
Property Casualty Company of America,)
Phoenix Insurance Company, St. Paul)
Mercury Insurance Company, St. Paul)
Surplus Lines Insurance Company, United)
States Fidelity & Guaranty, Allied Mutual)
Insurance Company, and Nationwide)
Mutual Insurance, as Subrogees of Their)
Insureds,)

Complainants,)

v.)

FirstEnergy Corp., American Transmission)
Systems, Inc., The Cleveland Electric)
Illuminating Company, Jersey Central Power)
and Light Company, Metropolitan Edison)
Company, The Ohio Edison Company,)
Pennsylvania Electric Company, Toledo)
Edison Company, and The Illuminating)
Company,)

Respondents.)

Case No. 05-1012-EL-CSS

In the Matter of the Complaint of BMW)
Pizza, Inc. and DPNY, Inc., et al.,)

Complainants,)

v.)

Case No. 05-1014-EL-CSS

FirstEnergy Corp., American Transmission)
Systems, Inc., Ohio Edison Company, The)
Cleveland Electric Illuminating Company,)
The Toledo Edison Company, Pennsylvania)
Power Company, American Electric Power,)
Midwest Independent Transmission System)
Operator, Inc., PJM Interconnection, LLC,)
and John Does 1-100,)

Respondents.)

In the Matter of the Complaint of Triple A)
Sport Wears, Inc.,)

Complainants,)

v.)

Case No. 05-1020-EL-CSS

FirstEnergy Corp. and American)
Transmission Systems, Inc.,)

Respondents.)

In the Matter of the Complaint of Dennis)
Kucinich,)

Complainant,)

v.)

Case No. 03-1833-EL-CSS

First Energy, on behalf of The Cleveland)
Electric Illuminating Company, Ohio Edison)
Company, and The Toledo Edison Company,)

Respondents.)

ENTRY

The attorney examiner finds:

- (1) On August 14, 2003, portions of the northeastern part of the United States and the southeastern part of Canada experienced a widespread loss of electrical power (blackout).
- (2) On August 15, 2005, Allianz US Global Risk Insurance Company, Lexington Insurance Company, and Royal Indemnity Company, as Subrogees of Republic Engineered Products Inc. (Allianz complainants), filed a complaint in Case No. 05-1011-EL-CSS alleging, *inter alia*, that the Allianz respondents violated Section 4933.83 and 4905.26, Revised Code, thereby causing or contributing to the blackout, and causing losses on the part of the Allianz complainants.
- (3) On August 15, 2005, Lexington Insurance Company, Frankenmuth Mutual Insurance Company, Charter Oak Fire Insurance, The Automobile Insurance Company of Hartford, The Standard Fire Insurance Company, Travelers Indemnity Company of America, Travelers Indemnity Company of Connecticut, Travelers Indemnity Company, Travelers Property Casualty Company of America, Phoenix Insurance Company, St. Paul Mercury Insurance Company, St. Paul Surplus Lines Insurance Company, United States Fidelity & Guaranty, Allied Mutual Insurance Company, and Nationwide Mutual Insurance, As Subrogees of Their Insureds (Lexington complainants), filed a complaint in Case No. 05-1012-EL-CSS alleging, *inter alia*, that the respondents violated Section 4933.83 and 4905.26, Revised Code, thereby causing or contributing to a the blackout, and causing losses on the part of the Lexington complainants.
- (4) On March 7, 2006, the Commission issued an entry in these two matters, as well as several others, requiring the amendment of the complaints by both the Allianz complainants and the Lexington complainants to add, as complainants, the complaints' insureds.


- (5) On March 15, 2006, the Allianz complainants and the Lexington complainants filed motions to extend the deadline for filing such amended complaints. In each case, the respective complainants state that they need additional time both to accomplish the practical necessities of adding such parties and to allow them the opportunity to file an application for rehearing of the Commission's March 7, 2006, entry. Therefore, the complainants in these proceedings request that the amendment deadline established by the Commission be extended until such time as the Commission rules upon its application for rehearing.
- (6) In their respective motions, the complainants state that they have conferred with counsel for the respondents and that the respondents do not object to an extension of the deadline.
- (7) The examiner finds that the complainants' motion for an extension is reasonable. In addition, the examiner finds that, as the Commission has consolidated seven proceedings, the same extension should apply in all cases. Therefore, the deadline for the amendment of the any of the consolidated complaints captioned above will be extended either (a) until such date as is established by the Commission in its ruling upon any application(s) for rehearing of its March 7, 2006, entry that may be timely filed by any party to any of the consolidated complaints or, (b) in the event that no application for rehearing of the March 7, 2006, Commission entry is timely filed, until 30 days after the expiration of the time period for the filing of applications for rehearing under Section 4903.10, Revised Code.

It is, therefore,

ORDERED, That the motion to extend the deadline for amending complaints be granted, such that the deadline for the amendment of the any of the consolidated complaints captioned above will be either (a) such date as is established by the Commission in its ruling upon any application(s) for rehearing of its March 7, 2006, entry that may be timely filed by any party to any of the consolidated complaints or, (b) in the event that no application for rehearing of the March 7, 2006, Commission entry is timely filed, 30 days after the expiration of the time period for the filing of applications for rehearing under Section 4903.10, Revised Code. It is, further,

ORDERED, That a copy of this entry be served upon all parties of record.

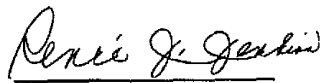
THE PUBLIC UTILITIES COMMISSION OF OHIO


By: Jeanne W. Kingery
Attorney Examiner

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Entered in the Journal

MAR 16 2008



Renee J. Jenkins
Secretary