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BEFORE

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THE PUBLIC UTILITIES COMMISSION OF OHIO

PUCO

In the Matter of the Application of)	
Ohio Edison Company, The Cleveland)	
Electric Illuminating Company, and)	Case No. 02-2877-EL-UNC
The Toledo Edison Company for)	
Approval of Tariff.)	

**Ohio Edison Company's, The Cleveland Electric Illuminating Company's, and
The Toledo Edison Company's Memo Contra
American Greeting's Motion To Intervene**

Now come Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company ("Companies"), by counsel, and respectfully submit their Memo Contra American Greeting's Motion To Intervene, such Motion to Intervene having been filed on or about February 21, 2003 by American Greetings. As is more fully explained below, the Motion to Intervene filed by American Greetings, having once already been denied in this proceeding, should be denied again as no new substantive grounds for intervention have been stated.

On December 5, 2002 the Commission issued its Entry denying the Companies' request to decrease the shopping credits, and ordered that the Companies file revised tariffs to reflect shopping credit values for 2003 in accordance with their transition case Stipulation. The Companies made the requisite compliance tariff filing on December 13, 2002. Also, as part of its December 5, 2002 Entry the Commission denied the intervention of American Greetings.

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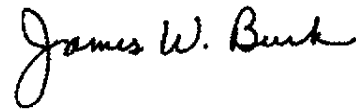
American Greetings filed an Application for Rehearing of that Commission decision, which was also denied on January 16, 2003.

American Greetings now seeks a third bite at the apple, in the guise of providing additional authority to support its intervention in this proceeding. However, the language cited from the FirstEnergy transition case Supplemental Settlement materials does not constitute additional authority to support American Greetings' latest Motion to Intervene. To the contrary, the substance of the cited language was included in the Companies' Memo Contra American Greetings' Application for Rehearing, at page 2, filed in this proceeding on January 2, 2003. As described in the cited language from American Greetings' latest Motion to Intervene and the Companies' previous Memo Contra, because the shopping incentive is a percentage of the market support price, any increase in the market support price will cause an increase in the shopping incentive. However, this mathematical outcome is neither new to the Commission nor additional authority to support an intervention in this proceeding. Further, it fails to address that the methodology supporting the 2002 shopping credits, which were accepted by the Commission, also included the allocation of the shopping credits across the demand and energy blocks of the Companies' rates. While the Commission's Entry on Rehearing did state that it intended to further investigate issues raised regarding the shopping credits, contrary to American Greeting's Motion to Intervene, nowhere in the Entry was there a finding that the shopping credits as filed did not comply with the transition case Stipulation or the Commission's Entry in this matter.

The Companies calculated the shopping credits for 2003 in accord with the Stipulation and following the same general methodology utilized when the shopping credits were

implemented for 2002. This methodology is designed to achieve the shopping credit calculated based upon the Stipulation reflecting the demand and energy block design of the Companies' rates, and is consistent with both the transition case Stipulation and the Commission's Entries in this proceeding. Lacking sufficient cause to reverse its earlier ruling, the Commission should deny the latest Motion to Intervene filed by American Greetings.

Respectfully submitted,



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Certificate of Service

I certify that a copy of the foregoing Memo Contra American Greetings Application for Rehearing was sent by regular U.S. Mail, first class, postage prepaid, to Janine L. Migden, 1050 Fifth Third Center, 21 East State Street, Columbus, OH 43215-4224 this 11th day of March, 2003.

James W. Burk
