

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of First-)
Energy Corp. on Behalf of Ohio Edison)
Company, The Cleveland Electric Illumi-) Case No. 99-1212-EL-ETP
nating Company, and The Toledo Edi-) Case No. 99-1213-EL-ATA
son Company for Approval of Their) Case No. 99-1214-EL-AAM
Transition Plans and for Authorization)
to Collect Transition Revenues.)

In the Matter of the Complaint of the)
City of Cleveland and WPS Energy)
Services, Inc.,)

Complainant,)

v.)

Case No. 01-174-EL-CSS

The Cleveland Electric Illuminating)
Company and FirstEnergy Corp.,)

Respondents.)

In the Matter of the Complaint of)
Alliance Energy Services,)

Complainant,)

v.)

Case No. 00-1920-EL-CSS

FirstEnergy Corp.,)

Respondent.)

In the Matter of the Complaint of Enron)
Energy Services, Inc.)

Complainant,)

v.)

Case No. 01-393-EL-CSS

FirstEnergy Corp., the Cleveland Electric)
Illuminating Company, The Toledo Edison)
Company, and the Ohio Power Company,)

Respondents.)

ENTRY

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The attorney examiner finds:

- (1) On December 18, 2000, the city of Cleveland and WSP Energy Services (WSP) filed a joint emergency motion requesting that FirstEnergy Corp. (FE) on behalf of the Cleveland Electric Illuminating Company (CEI) be directed to comply with the terms of the transition plan stipulations. On January 24, 2001, the city and WSP filed a complaint against CEI and FE for failing to comply with the market support generation (MSG) provisions of the stipulations approved by the Commission in CEI's transition plan case. On October 13, 2000, Alliance Energy Services filed a complaint with the Commission regarding the lack of notice it received regarding FE's MSG workshop held on October 2, 2000.
- (2) On February 12, 2001, the examiner scheduled a settlement conference in the above-captioned cases for February 23, 2001, at 10:00 a.m., in hearing room 11-B and C, at the offices of the Commission, 180 East Broad Street, Columbus, Ohio 43215-3793. The purpose of the conference is to provide a forum to discuss, and possibly clarify, various terms and provisions of the stipulations in FE's transition plan as they relate to the MSG program and FE's protocol for the distribution of MSG.
- (3) On February 13, 2001, Enron Energy Services, Inc., Peco Energy Company dba Exelon Energy, Strategic Energy, LLC, and AES Power Direct, LLC jointly filed a complaint also alleging that FE and its Ohio utility affiliates failed to comply with the MSG provisions of the stipulations approved by the Commission and have violated Ohio law.
- (4) The complaint filed by Enron Energy Services, Inc, et al, should be included as part of the February 23, 2001 settlement conference discussed above.

It is, therefore,

ORDERED, That the February 23, 2001 settlement conference included the complaint filed by Enron Energy Services, Inc, et al. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

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Gary E. Igorito

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