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BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of) Case No. 99-1212-EL-ETP
FirstEnergy Corp. on Behalf of Ohio)
Edison Company, The Cleveland)
Electric Illuminating Company and)
The Toledo Edison Company for)
Approval of Their Transition Plans)
and for Authorization to Collect)
Transition Revenues)

In the Matter of the Application of) Case No. 99-1213-EL-ATA
FirstEnergy Corp. on Behalf of Ohio)
Edison Company, The Cleveland)
Electric Illuminating Company and)
The Toledo Edison Company for)
Tariff Approval)

In the Matter of the Application of) Case No. 99-1214-EL-AAM
FirstEnergy Corp. on Behalf of Ohio)
Edison Company, The Cleveland)
Electric Illuminating Company and)
The Toledo Edison Company for)
Certain Accounting Authority)

**MOTION OF FIRSTENERGY CORP.
FOR CERTIFICATION OF INTERLOCUTORY APPEAL**

Pursuant to Rule 4901-1-15 of the Ohio Administrative Code, FirstEnergy Corp. requests that the Attorney Examiner certify FirstEnergy's Interlocutory Appeal from the ruling of the Attorney Examiner, made in his Entry of January 31, 2000, denying FirstEnergy's Motion for Case Management Order.

The appeal presents a new question of policy. FirstEnergy presented a comprehensive plan for the management of its transition plan case. The motion laid out not only a schedule for this case -- from intervention through discovery and hearing -- but also suggestions regarding the various procedural matters that will affect the way in which the case

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will proceed. The question of whether a case of this magnitude and significance should be guided by a comprehensive case management plan is a policy question that should be determined by the Commission.

An immediate determination by the Commission is needed to prevent undue prejudice to FirstEnergy, and perhaps to all of the parties. Precisely because the case management order requested here is unprecedented, FirstEnergy believes certification of the Attorney Examiner's Entry is important to the Commission and to this proceeding, which is itself unprecedented. Never in its history has the Commission had before it a case with such significant financial, regulatory, service, consumer, and reliability ramifications. Such an unprecedented case requires an unprecedented degree of order and structure to permit all parties a reasonable opportunity to present their positions and to permit the Commission reasonable time to deliberate what may be a mammoth record. The Commission itself should be permitted the opportunity to establish the dimensions of the record and the rules governing participation necessary to ensure that it can do its own job well at the end. Delay in resolving the issues raised in the motion until February 22, or perhaps even later, will prejudice the parties, the case, and the Commission itself. Delay in resolving the case will prejudice FirstEnergy's ability to implement the restructuring order and, ultimately, the development of a functioning competitive market.

For these reasons, FirstEnergy respectfully requests the Attorney Examiner to certify its Interlocutory Appeal.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion Of FirstEnergy Corp. For
Certification Of Interlocutory Appeal was served upon the following via First Class U.S. Mail
this 7th day of February, 2000:

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