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BEFORE THE
PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of Dominion Retail, Inc.,	)	
	)	Case No. 00-2526-EL-CSS
Complainant,	)	
v.	)	
Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company,	)	
Respondents.	)	

RESPONDENTS' COMMENT ON THE INTERLOCUTORY APPEAL OF SHELL ENERGY SERVICES COMPANY, L.L.C.

The interlocutory appeal filed on April 25, 2001, by Shell Energy Services Company, L.L.C. ("Shell Energy") contests the Attorney Examiner's order denying Shell Energy's motion to intervene. In that order, the Attorney Examiner found that Shell Energy's interest in "the precedent that might be set in this case" was "not a sufficient basis for intervention." In Shell Energy's brief in support of its interlocutory appeal, however, it describes its interest in this case as the "real and substantial financial interest" it has in the MSG allotment currently claimed by Dominion Retail, Inc. ("Dominion").

FirstEnergy, as administrator of the MSG program on behalf of Respondents, has direct knowledge of facts material to Shell Energy's appeal. Specifically, with respect to the MSG at issue in this case for which Dominion has made a claim in the Ohio Edison residential queue,

Shell Energy is next in line in the queue for this available capacity. FirstEnergy has reviewed and determined that Shell Energy's claims satisfy the appropriate criteria. Shell Energy, however, will not receive delivery of MSG for these committed capacity customers if Dominion's claims in the queue—which were not made in conformance with applicable requirements—are approved.

Thus, it appears to FirstEnergy that Shell Energy's direct financial interest in receiving delivery of the MSG claimed by Dominion is at issue in this proceeding. FirstEnergy offers this information to the Commission for its use in deciding Shell Energy's interlocutory appeal.

Respectfully submitted,

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CERTIFICATE OF SERVICE

A copy of the foregoing Comment was served via regular U.S. mail, postage prepaid, this 27th day of April, 2001, upon the following:

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