

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

**In the Matter of the Application of Ohio)
Edison Company, The Cleveland Electric)
Illuminating Company, and The Toledo)
Edison Company for Authority to Provide) Case No. 14-1297-EL-SSO
for a Standard Service Offer Pursuant to)
R.C. 4928.143 in the Form of an Electric)
Security Plan.)**

**THE RETAIL ENERGY SUPPLY ASSOCIATION’S
MEMORANDUM CONTRA
THE MOTION TO STRIKE FILED BY
OHIO EDISON COMPANY, THE CLEVELAND ELECTRIC ILLUMINATING
COMPANY AND THE TOLEDO EDISON COMPANY**

The Retail Energy Supply Association (“RESA”)¹ filed a 53-page initial brief on February 16, 2016, in this proceeding. On February 26, 2016, the same day reply briefs were filed in the proceeding, Ohio Edison Company, The Cleveland Electric Illuminating Company and The Toledo Edison Company (collectively “FirstEnergy”) filed a motion to strike two sentences and a footnote in RESA’s initial brief,² seeking to strike the following two sentences located on page 28 of RESA’s initial brief and the accompanying footnote:

The Commission Staff wisely evaluated the PPA construct, stating “[i]t took over a decade for the Commission to transition the four Ohio EDUs to a fully competitive retail electricity market. Granting Rider RRS is a move in the opposite direction.”⁸⁹

Footnote 89 states: “AEP Ohio ESP III, Staff Ex. 18 at 9, discussing the 2013 OVEC-only PPA proposal filed by Ohio Power Company as part of its ESP III.”

¹ The comments expressed in this filing represent the position of RESA as an organization but may not represent the views of any particular member of the Association. Founded in 1990, RESA is a broad and diverse group of more than twenty retail energy suppliers dedicated to promoting efficient, sustainable and customer-oriented competitive retail energy markets. RESA members operate throughout the United States delivering value-added electricity and natural gas service at retail to residential, commercial and industrial energy customers. More information on RESA can be found at www.resausa.org.

² FirstEnergy Motion to Strike at 1.

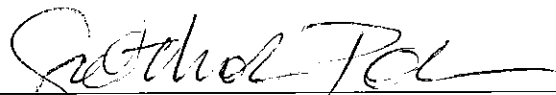
FirstEnergy seeks to strike the sentences and footnote because administrative notice was not taken of the AEP Ohio ESP III Staff testimony. The FirstEnergy hearing record, however, includes testimony from the Commission Staff on this very point so the sentences are properly before the Commission. Inadvertently, RESA did not fully quote the Staff's admitted testimony, and misplaced the closing quotation mark. RESA herein corrects the two sentences and footnote 89 on page 28 of its Initial Brief as follows:

The Commission Staff wisely evaluated the PPA construct, stating "[f]or over a decade now, the Commission has been transitioning the four electric distribution companies (Ohio Power Company, Dayton Power and Light, Duke Energy Ohio, and the FirstEnergy Companies) toward a fully-competitive retail-market construct."⁸⁹ Granting Rider RRS is a move in the opposite direction.

Footnote 89 should be corrected to state "Staff Ex. 12 at 7."

Inasmuch as the hearing record in this matter contains admitted evidence that RESA had intended to reference and rely upon in RESA's Initial Brief, the inadvertent error in the sentences and footnote 89 should be allowed to be corrected and FirstEnergy's motion to strike should be denied.

Respectfully submitted,



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CERTIFICATE OF SERVICE

The Public Utilities Commission of Ohio e-filing system will electronically serve notice of the filing of the public version of this document on the parties referenced in the service list of the docket card who have electronically subscribed to this case. In addition, the undersigned certifies that a courtesy copy of the foregoing document is also being served upon the persons below via electronic mail this 7th day of March 2016,



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