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January 28, 2015

The Honorable Katrina L. Dunderdale
Administrative Law Judge
Pennsylvania Public Utility Commission
Suite 220 Piatt Place
301 Fifth Avenue
Pittsburgh, PA 15222

VIA E-MAIL AND FIRST CLASS MAIL

RE: FES Industrial and Commercial Customer Coalition v. FirstEnergy Solutions Corp.; Docket No. C-2014-2425989

Dear Judge Dunderdale:

As Your Honor is aware, an Initial Telephonic Hearing has been scheduled in the above-referenced proceeding for Wednesday, February 11, at 10:00 AM. As Your Honor may also be aware, a Petition for Clarification ("Petition") is pending before the Pennsylvania Public Utility Commission ("PUC or "Commission") in this proceeding, which was filed by FirstEnergy Solutions ("FES") on December 29, 2014. To date, the Commission has not yet ruled on the Petition, and because no statutory mandate requires an immediate ruling, the possibility exists that the PUC may not rule on this Petition prior to February 11. Moreover, as the FES Industrial and Commercial Customer Coalition ("FES ICC") understands, a ruling on this Petition could modify the focus of the February 11 hearing from that originally set forth in the PUC's December 12, 2014, Order denying FES's Petition for Interlocutory Review.

In light of the fact that the PUC did not determine that FES ICC could move forward with its complaint until the aforementioned December 12 Order, as well as the fact that the issues to be addressed at hearing may not be confirmed until a ruling by the PUC on FES's Petition for Clarification, FES ICC's ability to determine the scope of this proceeding, much less whether a proceeding would even occur, has been constrained.

To promote efficient use of judicial resources, as well as to allow the parties to understand the full scope of this proceeding prior to determining the exhibits and testimony to be presented at hearing, FES ICC submits that a ruling on FES's Petition for Clarification is required prior to the initial hearing. To that end, FES ICC respectfully requests that the initial hearing scheduled for February 11 in this proceeding be continued and not be rescheduled until at least sixty days after a final Order has been entered by the PUC regarding FES's Petition for Clarification.¹ FES ICC submits that this request is appropriate pursuant to 52 Pa. Code

¹ FES ICC's requested timeframe assumes that no further Petition or appeals would be required by any party after a final ruling by the PUC.

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Section 1.15(b). Moreover, FES ICCC's request is timely pursuant to Your Honor's January 8, 2015 Prehearing Order, which requires any requests for extensions to be submitted in writing no later than five days prior to the hearing. In addition, based upon discussion between FES ICCC and FES, FES ICCC, along with FES, believe that the scheduling of a prehearing conference prior to the initial hearing would be an efficient and effective manner in which to discuss and resolve any outstanding procedural issues, as well as to ensure efficiency among the parties at the initial hearing.

As noted previously, FES ICCC submits that good cause exists for this continuance. The requested continuance will benefit all parties by allowing the Commission to confirm the issues to be addressed in this proceeding prior to the initial hearing. Moreover, this continuance will preserve Commission resources and ensure judicial efficiency by obviating procedural issues that could arise if the PUC has not yet ruled on the Petition prior to the hearing.

In addition, the undersigned has discussed this request with the other parties in this case and can report that FES supports the requested continuance and the OCA does not oppose the requested continuance.

Thank you for Your Honor's attention to this matter. Please do not hesitate to contact the undersigned with any questions or concerns.

Sincerely,

McNEES WALLACE & NURICK LLC

By 
Susan E. Bruce
Charis Mincavage

Counsel to the FES Industrial and Commercial Customer Coalition

c: Rosemary Chiavetta, Secretary
Certificate of Service

CERTIFICATE OF SERVICE

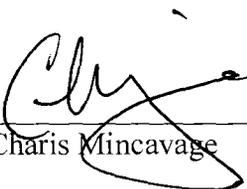
I hereby certify that I have this day served a true copy of the foregoing document upon the participants listed below in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

VIA EMAIL AND FIRST-CLASS MAIL

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Charis Mincavage

Counsel to the FES Industrial and Commercial
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Dated this 28th day of January, 2015 at Harrisburg, Pennsylvania.