

PENNSYLVANIA PUBLIC UTILITY COMMISSION
Uniform Cover and Calendar Sheet

1. REPORT DATE:

June 29, 1998

2. BUREAU AGENDA NO.

JUL-98-FUS-1076*

3. BUREAU:

Fixed Utility Services

4. SECTION(S):

Energy

5. PUBLIC MEETING DATE:

July 9, 1998

6. APPROVED BY:Director: D. Muth 3-5242 *DM*Supervisor: R. Bennett 7-5553 *RB*Legal Review: *P.K. Bumpert 7-3464***7. PERSONS IN CHARGE:**

Glunz/Rodrock 3-6163

DOCUMENT
JUL 17 1998

8. DOCKET NO.:

A-110078

EEF

- 9. (a) CAPTION (abbreviate if more than 4 lines)**
(b) Short summary of history & facts, documents & briefs
(c) Recommendation

- (a) License Application of FirstEnergy Services Corp. ("FSC") to become an electric generation supplier.
- (b) On June 10, 1998, FSC filed an application seeking to become a licensed electric generation supplier in the Commonwealth of Pennsylvania. The application was filed pursuant to a Final Order entered on February 13, 1997, at Docket No. M-00960890 F.0004. The February 13, 1997 Order dealt with Chapter 28 Electricity Generation Customer Choice and Competition Act licensing requirements for electric generation suppliers.
- (c) The Bureau of Fixed Utility Services recommends that the Commission adopt the proposed Opinion and Order which approves an interim license.

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10. MOTION BY: Commissioner Chm. Quain**SECONDED:** Commissioner Bloom

Commissioner Rolka - Yes
 Commissioner Brownell - Yes
 Commissioner Wilson - Yes

CONTENT OF MOTION: Staff recommendation adopted.



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA 17105-3265

July 9, 1998

SRB

IN REPLY PLEASE
REFER TO OUR FILE
A-110078

DOCKETED

JUL 28 1998

STEPHEN L FELD ATTORNEY
FIRSTENERGY CORP
76 SOUTH MAIN STREET
AKRON OH 44308-1890

Application of FirstEnergy Services Corp. for issuance of a license to become an electric generation supplier

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FOLDER

To Whom It May Concern:

This is to advise you that an Opinion and Order has been adopted by the Commission in Public Meeting on July 9, 1998 in the above entitled proceeding.

An Opinion and Order has been enclosed for your records.

Very truly yours,

James J. McNulty
Secretary

Enclosure
Certified Mail
JEP

**PENNSYLVANIA
PUBLIC UTILITY COMMISSION**

IN THE MATTER OF THE APPLICATION OF: A-110078

Application of FirstEnergy Services Corp. for approval to begin to offer, render, furnish or supply electric generation supplier services to the public in the Commonwealth of Pennsylvania

The Pennsylvania Public Utility Commission hereby certifies that after an investigation and/or hearing, it has, by its report and order made and entered, found and determined that the granting of the application is necessary or proper for the service, accommodation, convenience and safety of the public and hereby issues, evidencing the Commission's approval, to the applicant this;

INTERIM LICENSE FOR ELECTRIC GENERATION SUPPLIER.

In Witness Whereof, The PENNSYLVANIA PUBLIC UTILITY COMMISSION has caused these presents to be signed and sealed, and duly attested by its Secretary at its office in the city of Harrisburg this 9th day of July 1998.

DOCKETED

JUL 28 1998

Jeanne F. McNulty
Secretary

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PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA. 17105-3265

Public Meeting held July 9, 1998

Commissioners Present:

John M. Quain, Chairman
Robert K. Bloom, Vice Chairman
David W. Rolka
Nora Mead Brownell
Aaron Wilson, Jr.

DOCKETED

JUL 28 1998

Application of FirstEnergy
Services Corp. for issuance
of a license to become an
electric generation supplier

Docket No.
A-110078

DOCUMENT
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OPINION AND ORDER

BY THE COMMISSION:

On June 10, 1998, FirstEnergy Services Corp. ("FSC") filed an application seeking to become a licensed electric generation supplier in the Commonwealth of Pennsylvania. The application was filed pursuant to a Final Order entered on February 13, 1997, at Docket No. M-00960890 F.0004. The February 13, 1997 Order dealt with Chapter 28 Electricity Generation Customer Choice and Competition Act licensing requirements for electric generation suppliers.

§2809 provides in pertinent part that:

License Requirement.--No person or corporation, including municipal corporations which chooses to provide service outside their municipal limits except to the extent provided prior to the effective date of this chapter, brokers and marketers, aggregators and other entities, shall engage in the business of an electric generation supplier in this Commonwealth unless the person or corporation holds a license issued by the Commission. 66 Pa. C.S. §2809.

An electric generation supplier is defined as:

A person or corporation, including municipal corporations which choose to provide service outside their municipal limits except to the extent provided prior to the effective date of this chapter, brokers and marketers, aggregators or any other entities, that sells to end-use customers utilizing the jurisdictional transmission and distribution facilities of an electric distribution company, or that purchases brokers, arranges or markets electricity or related services to end-use customers utilizing the jurisdictional transmission and distribution facilities of an electric distribution company.
66 Pa C.S. §2803.

FSC is owned by FirstEnergy Corp. ("FC"). FC was organized under the laws of the State of Ohio in 1996 and became a holding company on November 8, 1997 in connection with the merger of Ohio Edison Company and Centerior Energy Corporation. FC's principal business is the holding, directly or indirectly, of all of the outstanding common stock of its four principal electric utility operating subsidiaries, which are Ohio Edison Company, The Cleveland Electric Illuminating Company, Pennsylvania Power Company and The Toledo Edison Company.

FSC offers a wide range of energy-related products and services to companies nationally. FSC's subsidiary companies include Roth Bros., Inc., and RPC Mechanical, Inc. Based in Youngstown and Cincinnati, Ohio, respectively, they are among the nation's largest providers of engineered heating, ventilation and air-conditioning equipment, and energy management and control systems.

It is important to note that a licensee must comply with, and be governed by, our Chapter 56 regulations. Thus, we deem it appropriate to reiterate certain items with respect to Chapter 56 of our regulations. Chapter 56 (52

Pa. Code Chapter 56) is applicable only to residential accounts. An electric generation supplier cannot physically disconnect a customer from the electricity grid, and the service termination provisions are not applicable. An electric generation supplier may seek to terminate its generation services through an appropriate written notice to the customer and the distribution company. The customer can then attempt to repair their relationship with the supplier, seek a new supplier, or default to utility services at capped rates in accordance with the local electric distribution utility's obligations under Section 2807(e). 66 Pa. C.S. §2807(e). The customer would only be disconnected from the electricity grid, pursuant to Chapter 56 if the customer failed to meet their obligations to the utility or the provider of last resort.

Additionally, we take this opportunity to once again remind the licensee that its officers, representatives and employees have agreed to lawfully abide by all Commission regulations, procedures and orders, including Emergency Orders which may be issued verbally, or in writing during any emergency situations that may unexpectedly develop from time-to-time in the course of doing business in Pennsylvania.

FSC will offer, render, furnish or supply electricity or electric generation services as a Generator, Broker/Marketer and Aggregator in the business of supplying electricity to the public. Services will be offered to residential, commercial, industrial and governmental customers throughout Pennsylvania.

FSC has provided a certification of notice of publication which certifies that notices of publication appeared in the Pennsylvania newspapers in which it was

public interest and the policy declared in the Electricity Generation Customer Choice and Competition Act.

Upon full consideration of all matters of record, we find that approval of this application is necessary and proper for the service, accommodation and convenience of the public, **THEREFORE,**

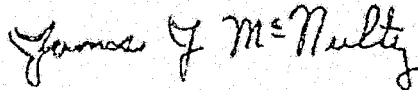
IT IS ORDERED:

1. That the application of FirstEnergy Services Corp. is hereby approved, consistent with this Opinion and Order.

2. That an interim license be issued authorizing FirstEnergy Services Corp. the right to begin to offer, render, furnish or supply electric generation supplier services to the public in the Commonwealth of Pennsylvania.

3. That the Docket be closed.

BY THE COMMISSION,



James J. McNulty
Secretary

(SEAL)

ORDER ADOPTED: July 9, 1998

ORDER ENTERED: JUL 9 1998

PENNSYLVANIA PUBLIC UTILITY COMMISSION

RECEIPT

The addressee named here has paid the PA P.U.C. for the following bill:

FIRSTENERGY SERVICES CORP
76 S MAIN ST
AKRON OH 44308

DATE 8/5/98
RECEIPT # 250056

In re: Electrical Generation fees for FIRSTENERGY SERVICES CORP
Docket Number A-110078 \$350 00

KJR

REVENUE ACCOUNT 001780-017601-107

CHECK NUMBER: 466661
CHECK AMOUNT \$350 00

C. Joseph Meisinger
(for Department of Revenue)

001225

DOCKETED
AUG 7 1998

SECRETARY'S BUREAU
AUG 11 1998

DOCUMENT
FOLDER

Docket # A-110078

1. **Company Name:**

Make the company name a "hot link" to the company WEB site at:
"firstenergyservices.com"

2. **Change Service Area and Customer Mix to the following:**

All of Pennsylvania for Commercial, Industrial and Governmental

3. **Change Customer Information to the following:**

Residential:

Phone: 1-800-964-6568

FAX: 216-447-3142

Email: firstchoiceathome@firstenergyservices.com

(this e-mail address should be a hot link)

Commercial, Industrial and Governmental:

Phone: 1-800-977-0500

FAX: 216-447-3142

Email: firstchoice@firstenergyservices.com

(this e-mail address should be a hot link)

EEF

ACCOUNT
FOLDER

If you have any questions, please contact me at (216) 447-3125 or FAX (216) 447-3669. My mailing address is 6200 Oak Tree Blvd., IND-349, Independence, OH 44131.

Sincerely,

Arland

Arland

DOCKETED
SEP 04 1998

August 10, 1998

Mr. James McNulty
Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

RECEIVED

AUG 10 1998

Re: PUC WEB site

PA PUBLIC UTILITY COMMISSION
SECRETARY

Dear Secretary McNulty:

I recently submitted the "EGS Service Territory Survey" for PennPowerEnergy and First Energy Services (FirstEnergy) to Ms. Grace Cunningham at the Bureau of Consumer Services. In order to have the "puc.paonline" List of Generation Suppliers Web page be consistent with what was submitted to Ms. Cunningham I am requesting the following changes be made to the "List of Generation Suppliers":

Docket# A-110020

1. Company Name:

Make the company name a "hot link" to the company WEB site at "pennpowerenergy.com"

2. Change Service Area and Customer Mix to the following:

Residential: Allegheny, Duquesne and Penn Power

All of Pennsylvania for Commercial, Industrial and Governmental

3. Change Customer Information to the following:

Residential:

Phone: 1-800-964-6568

FAX: 724-656-5435

Email: firstchoiceathome@pennpowerenergy.com

(this e-mail address should be a hot link)

Commercial, Industrial and Governmental:

Phone: 1-800-977-0500

FAX: 724-656-5435

Email: firstchoice@pennpowerenergy.com

(this e-mail address should be a hot link)

Docket # A-110063

1. Company Name:

Make the company name a "hot link" to the company WEB site at:
"pennpowerenergy.com"

2. Change Service Area and Customer Mix to the following:

Residential: Allegheny, Duquesne and Penn Power

All of Pennsylvania for Commercial, Industrial and Governmental

3. Change Customer Information to the following:

Residential:

Phone: 1-800-964-6568

FAX: 724-656-5435

Email: firstchoiceathome@pennpowerenergy.com

(this e-mail address should be a hot link)

Commercial, Industrial and Governmental:

Phone: 1-800-977-0500

FAX: 724-656-5435

Email: firstchoice@pennpowerenergy.com

(this e-mail address should be a hot link)

Direct Dial: 330/761-4207
Fax: 330/384-3875

330 384 5151

DOCUMENT
FOLDER

August 31, 1998

Mr. James B. McNulty
Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Re: **FirstEnergy Services Corp.**
License No. A-110078

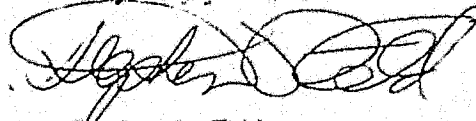
Dear Secretary McNulty:

FirstEnergy Services Corp. ("FES") was issued an electric generation supplier license on July 9, 1998 at Docket A-110078. As part of its license application, FES submitted a surety bond (No. 11133382884) from the Fireman's Fund Insurance Company.

Enclosed is an original Bond Rider which changes the bond number effective July 1, 1998. The new bond number is No. 11133382892. As stated in the Bond Rider, all of the obligations, rights and provisions of the bond remain the same. Only the bond number changes. FES requests that you revise the Commission's records to reflect the changed number.

Please call me if you have any questions or need further information.

Very truly yours,



Stephen L. Feld
Attorney

008600

sf
enclosure

[28802]

RECEIVED
REGISTRATION BUREAU
AUG 31 1998



Fireman's Fund Insurance Company
The American Insurance Company
National Surety Corporation
Associated Indemnity Corporation
American Automobile Insurance Company

BOND RIDER

IT IS HEREBY AGREED AND UNDERSTOOD THAT THE bond number for the Pennsylvania Public Utility Commission, as obligee, for FirstEnergy Services Corp., as principal, effective July 1, 1998, shall be changed from 11133382884 to 11133382892.

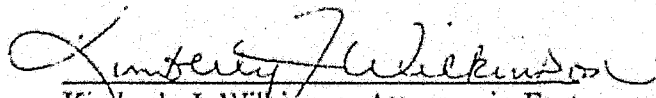
IT IS ALSO UNDERSTOOD that, this change does not change any obligations, rights or provisions of this bond but is solely for the purpose of bringing the Pennsylvania Public Utility Commission records in conjunction with the Surety's, Fireman's Fund Insurance Company, as respects to the bond number.

Signed, sealed this first day of July, 1998.

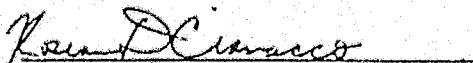
DOCKETED

SEP 15 1998

Fireman's Fund Insurance Company


Kimberly J. Wilkinson, Attorney-in-Fact

Countersigned by:


Roseann D. Ciamacco
Pennsylvania Resident Agent

DOCUMENT
FOLDER

GENERAL
POWER OF
ATTORNEY

FIREMAN'S FUND INSURANCE COMPANY

KNOW ALL MEN BY THESE PRESENTS: That FIREMAN'S FUND INSURANCE COMPANY, a Corporation duly organized and existing under the laws of the State of California, and having its principal office in the County of Marin, State of California, has made, constituted and appointed, and does by these presents make, constitute and appoint ANDREW K. TEETER, JANIS K. PEACOCK, ROBERT L. LUDWIG, KIMBERLY L. MILES, DOUGLAS P. TAYLOR, C. LEE JORDAN, KIMBERLY J. WILKINSON, M. TELENE LUCAS, STEPHEN S. PIERCE, ROSEMARY A. STOUT, jointly or severally

CHARLESTON WV

its true and lawful Attorney(s)-in-Fact, with full power and authority hereby conferred in its name, place and stead, to execute, seal, acknowledge and deliver any and all bonds, undertakings, recognizances or other written obligations in the nature thereof

and to bind the Corporation thereby as fully and to the same extent as if such bonds were signed by the President, sealed with the corporate seal of the Corporation and duly attested by its Secretary, hereby ratifying and confirming all that the said Attorney(s)-in-Fact may do in the premises.

This power of attorney is granted pursuant to Article VII, Sections 45 and 46 of By-laws of FIREMAN'S FUND INSURANCE COMPANY now in full force and effect.

"Article VII. Appointment and Authority of Resident Secretaries, Attorney-in-Fact and Agents to accept Legal Process and Make Appearances.

Section 45. Appointment. The Chairman of the Board of Directors, the President, any Vice-President or any other person authorized by the Board of Directors, the Chairman of the Board of Directors, the President or any Vice-President may, from time to time, appoint Resident Assistant Secretaries and Attorneys-in-Fact to represent and act for and on behalf of the Corporation and Agents to accept legal process and make appearances for and on behalf of the Corporation

Section 46. Authority. The authority of such Resident Assistant Secretaries, Attorneys-in-Fact and Agents shall be as prescribed in the instrument evidencing their appointment. Any such appointment and all authority granted thereby may be revoked at any time by the Board of Directors or by any person empowered to make such appointment."

This power of attorney is signed and sealed under and by the authority of the following Resolution adopted by the Board of Directors of FIREMAN'S FUND INSURANCE COMPANY at a meeting duly called and held on the 7th day of August, 1984, and said Resolution has not been amended or repealed:

"RESOLVED, that the signature of any Vice-President, Assistant Secretary, and Resident Assistant Secretary of this Corporation, and the seal of this Corporation may be affixed or printed on any power of attorney, on any revocation of any power of attorney, or on any certificate relating thereto, by facsimile, and any power of attorney, any revocation of any power of attorney, or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Corporation."

IN WITNESS WHEREOF, FIREMAN'S FUND INSURANCE COMPANY has caused these presents to be signed by its Vice-President, and its corporate seal to be hereunto affixed this 2nd day of February, 19 98.



FIREMAN'S FUND INSURANCE COMPANY

By [Signature]
Vice-President

STATE OF CALIFORNIA
COUNTY OF MARIN

} ss.

On this 2nd day of February, 19 98, before me personally came M. A. Mallonee, to me known, who, being by me duly sworn, did depose and say: that he is Vice-President of FIREMAN'S FUND INSURANCE COMPANY, the Corporation described in and which executed the above instrument; that he knows the seal of said Corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said Corporation and that he signed his name thereto by like order.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year herein first above written.



[Signature]
Notary Public

CERTIFICATE

STATE OF CALIFORNIA
COUNTY OF MARIN

} ss.

I, the undersigned, Resident Assistant Secretary of FIREMAN'S FUND INSURANCE COMPANY, a CALIFORNIA Corporation, DO HEREBY CERTIFY that the foregoing and attached POWER OF ATTORNEY remains in full force and has not been revoked; and furthermore that Article VII, Sections 45 and 46 of the By-laws of the Corporation, and the Resolution of the Board of Directors; set forth in the Power of Attorney, are now in force.

Signed and sealed at the County of Marin. Dated the first day of July, 19 98.



[Signature]
Resident Assistant Secretary