

May 29, 2018

VIA ELECTRONIC FILING

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor
Harrisburg, PA 17120

**Re: FirstEnergy Solutions Corp. (Docket No. A-110078)
Request for Expedited Resolution**

Dear Secretary Chiavetta:

Enclosed for filing in the above referenced docket is a request from FirstEnergy Solutions Corp. (“FES” or “Company”), seeking expedited resolution from the Secretary of the matter described herein.¹ As more fully discussed below, this matter involves two Secretarial Letters: One issued on April 18, 2018 (“April 18 Letter”) in which the Company’s request to renew its financial security level at 5% was rejected; the other issued on April 27, 2018 (“April 27 Letter”), in which the Company was ordered to provide proof of security at the increased level. As also explained below, **an expedited resolution of this matter is necessary before June 10, 2018, so as to avoid Company non-compliance with Commission financial security requirements which, if not remedied, could potentially result in the loss of the Company’s EGS license.**

As background, the Company provides the following: On or about March 9, 2018, FES filed in this docket a Petition for renewal of its 5% financial security level – a level it has maintained since 2015 – for the period June 10, 2018 through June 10, 2019 (“the 2018 Compliance Period”). Its most recent renewal was granted for the period June 10, 2017 through June 10, 2018 (“the 2017 Compliance Period”). In the April 18 Letter, Staff rejected the Company’s request to maintain its 5% security level, instead ordering the Company to increase it to 10 percent for the 2018 Compliance Period. And, in the April 27 Letter, Staff ordered the Company to provide proof of security presumably sufficient to meet the 10 percent security level by May 12, 2018.² On May 8, 2018, the Company, pursuant to 52 Pa. Code § 5.44, timely filed a Petition for Reconsideration of Staff Action as it pertains to both the April 18 and April 27 Letters, arguing that the letters were unsupported both in fact and law, and/or were

¹ The Company incorporates by reference the facts and arguments as set forth in its May 8, 2018 Petition for Reconsideration filed in this docket. Inasmuch as the facts set forth therein form the basis for the instant request, and said facts were verified in the Petition for Reconsideration consistent with 52 Pa. Code § 1.36, the Company also incorporates by reference said verification.

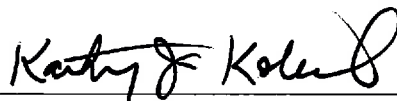
² The use of “presumably” is due to the lack of explanation in the April 27 Letter.

contrary to Commission precedent and the laws and regulations governing security requirements.³ As a result of the timely filing of the Petition for Reconsideration of Staff Action, there is no final order in which the Company's security requirement for the 2018 Compliance Period has been determined.⁴ Moreover, in accordance with Commission procedure, the Company must submit proof of security sufficient to meet its approved security requirements for the 2018 Compliance Period at least thirty days before the expiration of the bond currently in effect (which, in this case, is July 1, 2018, thus requiring a filing by June 1, 2018). Failure to do so, and/or failure to timely correct, may result in the Company losing its EGS license.⁵

In its May 8, 2018 Petition for Reconsideration, the Company requested by May 18, 2018 (the day after the last Commission public meeting before expiration of the Company's currently approved 5% security level), either an Order from the Commission granting the Company's Petition for Renewal of its security level at 5% for the 2018 Compliance Period, or, in the alternative, an entry granting an extension of the Company's 2017 Compliance Period until 30 days after the Commission establishes the Company's security requirement for the 2018 Compliance Period so as to allow the Company sufficient time to submit any compliance filings. The Company received neither. Accordingly, because (i) the Company's level of financial security for the 2018 Compliance Period has not yet been established by the Commission; and (ii) the next Commission public meeting will take place after the 5% security level currently approved for the 2017 Compliance Period expires (on June 10, 2018), the Company now asks the Commission to simply extend the Company's 2017 Compliance Period until thirty (30) days after the Commission establishes the Company's appropriate level of financial security for the new compliance period. And, if necessary, the Company further asks the Commission to stay any requirements to submit proof of security sufficient to meet said security requirement for the same 30-day period. Finally, for the reasons set forth above, **the Company asks that this matter be resolved no later than June 10, 2018.**

FirstEnergy Solutions Corp. thanks the Commission for its prompt attention to this matter. Should the Commission require any additional information, please feel free to contact me through the contact information provided below.

Respectfully submitted,



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³ See the Company's May 8, 2018 Petition for Reconsideration for details supporting such arguments.

⁴ 52 Pa. Code § 5.44.

⁵ Because the Company knows that it will, at a minimum, be required to obtain a bond sufficient to meet a 5% security level, the Company is in the process of obtaining a bond at such a level and will submit to the Commission on or before June 1, 2018 proof of this new bond for the period June 10, 2018 through June 10, 2019.

CERTIFICATE OF SERVICE

I hereby certify that I have this day filed the foregoing document electronically through the docketing system of the Pennsylvania Public Utility Commission.

Date: May 29, 2018



Kathy J. Kolich, Attorney