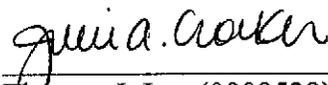


Appellant, Citizens Advocating Responsible Energy (“CARE”), by and through the undersigned counsel, hereby moves this Honorable Court pursuant to S.Ct.Prac.R. XIV, Section 4(A), for expedited consideration of its Motion to Unseal Appellate Record, which is being filed contemporaneously with the instant Motion for Expedited Consideration.

CARE requests that this Court expedite consideration of its Motion to Unseal Appellate Record because of the imminent May 26, 2009 deadline for filing its Merit Brief. This Court’s ruling on CARE’s Motion to Unseal will significantly impact the preparation of CARE’s Merit Brief and Supplement because, if the motion is not granted, CARE will be obligated to redact and/or file under seal significant portions of CARE’s Merit Brief and Supplement.

WHEREFORE, CARE requests that this Court expedite consideration of and its ruling on CARE’s Motion to Unseal Appellate Record.

Respectfully submitted,



Thomas J. Lee (0009529) (Counsel of Record)

tlee@taftlaw.com

Julie A. Crocker (0081231)

jcrocker@taftlaw.com

Taft Stettinius & Hollister LLP

200 Public Square, Suite 3500

Cleveland, OH 44114-2302

(216) 241-2838 (telephone)

(216) 241-3707 (facsimile)

Attorneys for Appellant

Citizens Advocating Responsible Energy

CERTIFICATE OF SERVICE

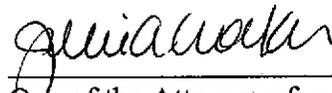
I hereby certify that a true and accurate copy of the foregoing was served this 4th day of May, 2009, via regular U.S. mail upon the following:

Richard Cordray
Duane W. Luckey
Office of the Attorney General of Ohio
Public Utilities Section
180 East Broad Street
Columbus, Ohio 43215-3793

Attorneys for Appellee
The Ohio Power Sitting Board

Christopher Schraff
Robert J. Schmidt, Jr.
Porter Wright Morris & Arthur
41 South High Street
Columbus, Ohio 43215

Attorneys for Intervening Appellees
American Transmission Systems
Incorporated and the Cleveland Electric
Illuminating Company



One of the Attorneys for Appellant