

ORIGINAL

IN THE SUPREME COURT OF OHIO

C. RICHARD SMITH	:	CASE NO.: 11-1828
	:	
APPELLANT,	:	On Appeal from the Ohio Public
VS.	:	Utilities Commission
	:	Case No.: 10-340-EL-CSS
OHIO EDISON COMPANY,	:	
	:	
APPELLEE,	:	

APPELLANT'S MOTION TO EXPEDITE ORAL ARGUMENT

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MEMORANDUM IN SUPPORT

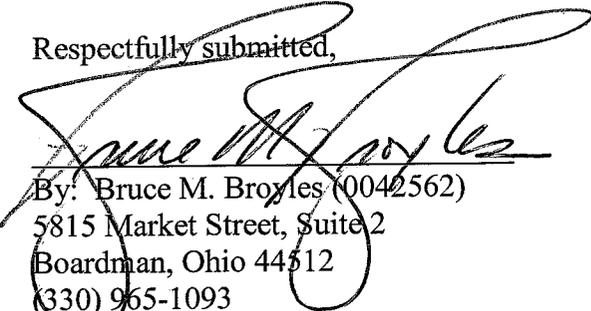
Appellant C. Richard Smith, by and through counsel, moves this Honorable Court to give the above captioned matter expedited consideration in the scheduling of Oral Argument.

The briefing in this matter has been closed. On October 27, 2011, Appellant C. Richard Smith filed his notice of appeal to the Supreme Court of Ohio from the Opinion and Order of The Public Utilities Commission of Ohio Case No.: 10-340-EL-CSS on July 6, 2011, and from the Entry on Rehearing on August 31, 2011 denying the Application for Rehearing. Appellant filed his merit brief on January 27, 2012; Appellee and Intervener filed their merit briefs on March 16 and 19 2012 respectively. Appellant filed his reply brief on April 5, 2012. The briefing is closed.

The Court recently published its schedule for oral arguments in pending appeals through April 10, 2013, and the above captioned matter has not been scheduled. As more than a year will have elapsed since the close of the briefing, Appellant C. Richard Smith moves this Court for expedited consideration in the scheduling of the oral argument as the Court sets its next calendar.

Based upon the above, this Court should give the above captioned appeal expedited consideration in scheduling the oral arguments in its future calendars.

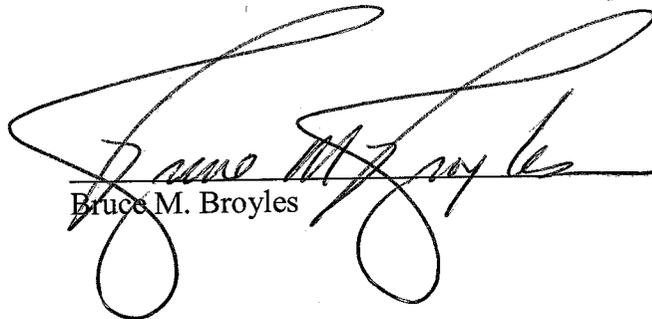
Respectfully submitted,



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CERTIFICATE OF SERVICE

A copy of the forgoing motion for expedited oral argument was served upon Richard Michael Dewine, Ohio Attorney General, c/o Public Utilities Section, 180 East Broad Street, 9th Floor, Columbus, Ohio 43215-3793, and upon Allison Haedt, Attorney for Ohio Edison, of Jones Day, at P.O. 165017, Columbus, Ohio 43216-5017 Ohio 44446, by regular U.S. mail on this *3rd* day of January 2013.



Bruce M. Broyles