

**UNITED STATES OF AMERICA  
BEFORE THE  
FEDERAL ENERGY REGULATORY COMMISSION**

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**First Energy Service Company)**

**Docket No: ER09-1589-000**

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**NOTICE OF INTERVENTION OF THE ORGANIZATION OF MISO STATES  
AND RESPONSE IN SUPPORT OF OHIO PUBLIC UTILITY COMMISSION'S  
MOTION FOR EXTENSION OF TIME**

**I. BACKGROUND**

On August 17, 2009, the FirstEnergy Service Company made a filing for the Commission's approval of its termination of membership in the Midwest ISO and its proposed move to PJM Interconnection, L.L.C. The Commission has set a comment date of September 15, 2009. On September 1, 2009, the Public Utilities Commission of Ohio submitted a request for an extension of the comment date to October 23, 2009.

**II. NOTICE OF INTERVENTION**

Pursuant to Rule 214(a)(2) of the Federal Energy Regulatory Commission's Rules of Practice and Procedure, 18 C.F.R. § 385.214(a)(2), the Organization of Midwest ISO States files its Notice of Intervention in this proceeding. Service of pleadings, documents, and communications should be made on the following:

William H. Smith, Jr.  
Executive Director  
Organization of MISO States  
100 Court Avenue, Suite 315  
Des Moines, Iowa 50309

**III. SUPPORT FOR EXTENSION OF COMMENT DATE**

The Organization of MISO States (OMS) is a regional state committee whose members are the fourteen state and provincial regulatory authorities within the Midwest ISO footprint. Today the OMS Board of Directors met and agreed to support the Ohio Commission's request for an extension of the comment date to October 23, 2009, in light of the extent and complexity of the issues identified in the Ohio Commission's motion and in the supporting pleadings of

other state regulatory agencies. The importance of these issues and their need for thoughtful analysis warrants more extensive comments than can be prepared by the September 15 comment date. The OMS suggests that the Commission's decisional process would be aided if additional time were provided for the OMS and other stakeholders to develop complete and thorough comments in this case.

### III. CONCLUSION

For the reasons explained above, the OMS requests that the Commission establish a revised comment date in this docket.

Respectfully Submitted,  
William H. Smith, Jr.  
William H. Smith, Jr.  
Executive Director  
Organization of MISO States  
100 Court Avenue, Suite 315  
Des Moines, Iowa 50309  
Tel: 515-243-0742

Dated: September 10, 2009

### CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document upon each person designated on the official service list compiled by the Secretary in this proceeding.

Dated at Des Moines, Iowa, this 10th day of September 2009.

William H. Smith, Jr.  
William H. Smith, Jr.