

**Communications Protocols for the
FirstEnergy Ohio Utilities'
Percentage of Income Payment Plan
("PIPP") Request for Proposals
("RFP")**

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1. INTRODUCTION

These Communications Protocols apply to the requests for proposals (“RFPs”) for The Cleveland Electric Illuminating Company, The Toledo Edison Company, and Ohio Edison Company (hereafter referred to as “the FirstEnergy Ohio Utilities” or “the Companies”) to procure competitive retail electric service for percentage of income payment plan (“PIPP”) program customers of the FirstEnergy Ohio Utilities.

The Communications Protocols in this document are intended to promote a fair, open, transparent, objective, and non-discriminatory process for the PIPP RFP process to procure supply for PIPP customers of the FirstEnergy Ohio Utilities. These protocols also intend to protect proprietary information of participants and information that, should it be released, would be detrimental to the outcome of the RFP process or future competitive bidding processes.

Unless noted otherwise, all capitalized terms in this document are defined in the Glossary or Master PIPP Supply Agreement available on the Information Website.

These protocols elaborate upon the means by which confidentiality is to be maintained by all parties through adherence to the procedures in this document. Should the PIPP RFP Manager recognize that additional information should be kept confidential, the RFP Manager will establish additional procedures in keeping with the principles provided in this document and inform the FirstEnergy Ohio Utilities, the PUCO and PUCO Staff, the PUCO consultant (if one has been retained), and bidders in a timely manner.

This document is organized as follows:

- Section 2 summarizes the objectives of this document.
- Section 3 describes protocols regarding communications within the FirstEnergy Ohio Utilities, including any affiliate of the FirstEnergy Ohio Utilities, and between the FirstEnergy Ohio Utilities and bidders.
- Section 4 summarizes information that may be communicated with the general public, including the media, and the means by which that information is disseminated.
- Section 5 addresses bidder Communications Protocols, including communications among bidders and between the RFP Manager and bidders.
- Section 6 summarizes Communications Protocols with the PUCO, including communications between the PUCO and the RFP Manager, between the PUCO and the FirstEnergy Ohio Utilities, and disclosure of confidential information.

2. OBJECTIVES

This document and the procedures it describes promote four main objectives:

- The first objective is to establish a fair and equitable process for all bidders by ensuring all bidders have equal access to the same information necessary to evaluate the bidding opportunity and to prepare their bids in a timely manner.
- The second objective is to take all reasonable precautions that any information generated by the RFP process that could harm the competitive position of bidders or the FirstEnergy Ohio Utilities, if released, is kept confidential.
- The third objective is to take all reasonable precautions that confidential information is provided only to those persons to whom it is deemed necessary for the conduct and management of the RFP process.
- The fourth objective is to ensure that information that, if released, could harm the competitiveness of future competitive bidding processes is kept confidential from all entities including bidders.

These objectives will be accomplished by following two guiding principles. The first is that there will be one communication point for bidders: all communications to prospective and actual bidders will be directed through the RFP Manager. The second guiding principle is that the RFP Manager will distribute and disseminate information equally and fairly to all prospective and actual bidders. These two guiding principles facilitate equal access to the same information for all bidders. Only the RFP Manager responds to inquiries from bidders and information is disseminated to all bidders by or under the supervision of the RFP Manager.

The RFP Manager also will ensure that information generated by the implementation of the RFP that could harm the competitive position of bidders, if released, is kept confidential by those who have access to such information.

3. THE FIRSTENERGY OHIO UTILITIES AND AFFILIATES

3.1 Internal Communications

The FirstEnergy Ohio Utilities will designate individuals to work on the PIPP RFP process. These individuals directly or indirectly will not have communication with, or exchange information with, any individuals of an affiliate of the FirstEnergy Ohio Utilities that may bid in the PIPP RFP process or in the FirstEnergy Ohio Utilities' competitive bidding process ("CBP") auctions used for Standard Service Offer procurement, where such communication or information is related directly or indirectly to this PIPP RFP process.

3.2 Communications with Bidders

The FirstEnergy Ohio Utilities will not communicate with bidders prior to the selection of the winning bid. When the RFP Manager informs the FirstEnergy Ohio Utilities about the price of the winning bid and identifies the winning bidder, representatives from the FirstEnergy Ohio Utilities then will communicate with the winning bidder in order to execute the necessary documents.

If a bidder attempts to contact the FirstEnergy Ohio Utilities regarding the RFP process by phone call, email, fax, or other means, the FirstEnergy Ohio Utilities will direct the bidder to the Information Website and/or to the RFP Manager.

3.3 PIPP Supplier Application

For the PIPP Supplier Application process, the RFP Manager will need to provide the names of the applications to the FirstEnergy Ohio Utilities' credit representatives for purposes of confirming the applicants' credit requirements. Following the PIPP Supplier Application process, the RFP Manager will provide to the FirstEnergy Ohio Utilities the names of the Registered Bidders.

3.4 Communication of the Bid Selection Criteria

No later than one business day before bids are due, the FirstEnergy Ohio Utilities will provide the RFP Manager with details concerning any updates to the pre-determined bid selection criteria. The Bidding Rules provide more detail on the bid selection criteria.

3.5 RFP Results

The Bidding Rules provide details on how the RFP results are communicated.

Any paper copies of the bidding results will be secured in the RFP Manager's office.

3.6 Post-Bidding Reports

Shortly after the close of bidding, the RFP Manager will provide a post-bidding report to the PUCO that include the results of the bidding. The PUCO's consultant also may provide a post-bidding report to the PUCO.

4. GENERAL PUBLIC AND MEDIA

While the bid window is open, there is to be no communication with the media or the public. After the PIPP RFP process is completed, results are determined, and bidders have been notified, all media inquiries will be forwarded to the FirstEnergy Ohio Utilities.

4.1 The Information Website

The central source of information made available publicly and to bidders is the Information Website. The PIPP RFP Manager will manage the information flow on the Information Website and will be designated on the Website as the contact person for any questions or inquiries from parties. Any party will have access to the public sections of the Information Website. The Information Website also may have restricted, non-public sections that will be accessible only to parties allowed to have such access.

4.2 Registered Users

If a party wishes to receive notices and updates regarding public information and new postings to the Information Website, then the party can register through the Information Website to become a Registered User.

Any information the RFP Manager has concerning the RFP process that is relevant and that can be disclosed publicly will be made available equally to all Registered Users in a timely manner. The method of such communication likely will be via the Information Website and/or emails to Registered Users using the BCC email field so identification of Registered Users is not disclosed to other Registered Users.

4.3 Press Releases

The FirstEnergy Ohio Utilities and/or the RFP Manager may issue one or more press releases or may place news items in the trade press with the intent to disseminate information about the PIPP RFP process in an efficient, fair, and timely manner.

4.4 Answering Inquiries from the General Public or Media

Inquiries from the general public or the media to the RFP Manager will be directed to the Information Website.

5. BIDDERS

5.1 Communications Among Bidders

Pursuant to the RFP rules, bidders are prohibited from communicating with each other in ways that would compromise the integrity and competitiveness of the PIPP RFP process. Sanctions will be applied if these rules are violated.

5.2 Communications Between the RFP Manager and Bidders

The central source of information made available to bidders is the Information Website. The Website will facilitate making information available equally to bidders in a timely manner.

Bidders will be requested to become Registered Users to receive ongoing information about the RFP process. As discussed above, once registered through the Information Website, Registered Users will receive notifications from the RFP Manager about updates to the RFP process and to the Information Website.

If the RFP Manager receives an inquiry from a party and prepares a response that would be relevant for other parties, the RFP Manager will ensure the information will be made available equally to all Registered Users in a timely manner and will post the information on the Information Website without revealing the identity of parties.

In addition to posting information to the Information Website, the RFP Manager may contact bidders directly in order to seek or provide information about the RFP process in a way that does not advantage any bidder.

Any communications from the RFP Manager to a bidder will not reveal the identity of other bidders.

5.3 Frequently Asked Questions

Among other information and resources on the Information Website, there will be a FAQ (frequently asked questions) section with posted questions and answers. As inquiries are received, they will be converted into an FAQ and posted on the Information Website without revealing the identity of the party posing the inquiry.

Inquiries to be answered by the FirstEnergy Ohio Utilities will be forwarded by the RFP Manager to the FirstEnergy Ohio Utilities. Inquiries to be answered by the RFP Manager will be forwarded to the FirstEnergy Ohio Utilities as necessary with a draft response. Any inquiry or draft response forwarded by the RFP Manager to the FirstEnergy Ohio Utilities will not identify the party posing the inquiry.

5.4 Bidding Process

During the RFP, the RFP Manager, the PUCO, the PUCO's consultant, and FirstEnergy Ohio Utilities' personnel may monitor the PIPP RFP process.

The RFP Manager will ensure the bids submitted by bidders conform to the rules of the PIPP RFP process.

The Bidding Rules and pre-determined bid selection criteria will be applied to determine which bid, if any, is the tentative winning bid.

5.5 Limitations on Disclosures by Bidders

Bidders are not allowed to disclose they are participating in a PIPP RFP and the winning bidder is not allowed to disclose that they are the winning bidder until the PUCO publicly reports the results of the PIPP RFP. Such limitation on public disclosure by bidders is waived if disclosure is required by law.

6. PUBLIC UTILITIES COMMISSION OF OHIO

6.1 Identification of the PUCO Consultant

The PUCO may identify up to three individuals who will serve as the PUCO consultant and may be onsite at the offices of the RFP Manager during the PIPP RFP bidding process. Other than information that is accessible by being onsite, the PUCO consultant will not be forwarded confidential information electronically or in hardcopy format.

6.2 Communications with the RFP Manager

During the PIPP RFP bid window, the identity of bidders and prices will be kept confidential. This information may be released to the PUCO after the RFP results are finalized.

6.3 Communications with the FirstEnergy Ohio Utilities

The PUCO may communicate with the FirstEnergy Ohio Utilities regarding the PIPP RFP process. However, the FirstEnergy Ohio Utilities will not disclose any proprietary information until after the RFP is completed and bidders are informed of the results of the RFP.

6.4 Communications with Bidders

The PUCO will not communicate with bidders about the PIPP RFP prior to the determination of a winning bid. If a bidder attempts to contact the PUCO by phone call, email, fax, or other means, the PUCO will direct the bidder to the Information Website and/or to the RFP Manager.

6.5 Information on RFP Participation

In order to maintain confidential and proprietary information provided by bidders as part of the RFP process, the identity of all bidders that submitted PIPP Supplier Applications in the RFP process will be kept confidential unless and until released publicly by the PUCO. The PUCO may elect to keep these data confidential at its sole discretion.

6.6 Bids

Actual bids by bidders will be kept confidential pursuant to the confidentiality provisions of the PIPP RFP Bidding Rules and the Master PIPP Supply Agreement.