

Ohio Edison Co.,)	CASE NO. 97-K-322
)	
Appellant,)	(PUBLIC UTILITY PROPERTY TAX)
)	
vs.)	ORDER
)	
Roger W. Tracy, Tax)	(Designating Appeal As
Commissioner of Ohio,)	Complex and Scheduling
)	Preliminary Matters)
Appellee.)	

APPEARANCES:

For the Appellant-	Maryann B. Gall
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For the Appellee-	Betty D. Montgomery
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Entered May 27, 1997

This matter is now considered by the Board of Tax Appeals following a prehearing conference convened with counsel on May 20, 1997. Following a preliminary review of appellant's notice of appeal, the statutory transcript certified to this Board by the Tax Commissioner and discussions with counsel, it appears that the present appeal exhibits several of the characteristics of "complex litigation" as described in Ohio Adm. Code 5717-1-07(A). Given the

nature of this appeal and an appearance that it would progress more efficiently before this Board designated as such, the present appeal shall be treated hereafter as complex litigation. See Ohio Adm. Code 5717-1-07(C).

Pursuant to Ohio Adm. Code 5717-1-07(D), and as agreed upon by counsel, it is hereby ordered that the following schedule shall dictate the period within which several matters preliminary to hearing shall be accomplished:

Jurisdictional Motions - Motions regarding this Board's jurisdiction in this matter shall be filed by counsel for the Tax Commissioner no later than Friday, June 6, 1997. A memorandum in opposition shall be filed within one week of service of the motion. A reply may be filed no later than one week after service of the memorandum in opposition.

Discovery - Initial discovery requests shall be served no later than Monday, June 30, 1997. Responses to discovery shall be served upon the requesting party no later than Monday, July 28, 1997.

Conference - A prehearing conference shall again be convened in the offices of this Board on Monday, August 4, 1997 at 10:30 a.m.

In order to expedite the progress of this matter, service of the above-referenced documents shall be effected between counsel, located in Columbus, Ohio, by hand-delivery.