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FirstEnergy

Parties Barred from Obtaining FirstEnergy's Internal House Bill 6 (HB 6) Investigation Reports

Summary: Following the exposure of the HB 6 scandal, two internal investigations were conducted by Jones Day and Squire Patton Boggs into FirstEnergy's involvement with HB 6-related matters. Various parties in several HB 6 cases both before the Public Utilities Commission of Ohio (PUCO) and the federal courts have since sought disclosure of those investigation materials. Unfortunately, this week the Sixth Circuit held that these internal investigation materials are protected by attorney-client privilege and therefore exempt from disclosure. Consequently, OMAEG and other intervenors in the PUCO's pending investigation into FirstEnergy's political and charitable spending will be barred from accessing those materials.