

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 101749 / November 25, 2024

ADMINISTRATIVE PROCEEDING
File No. 3-22111

In the Matter of	:	
	:	
	:	
FirstEnergy Corp.,	:	EXTENSION ORDER
	:	
Respondent.	:	
	:	

The Division of Enforcement (“Division”) has requested an extension of time until November 24, 2025, to submit a Proposed Plan of Distribution under Rule 1101(a) of the Commission’s Rules on Fair Fund and Disgorgement Plans, 17 C.F.R. § 201.1101(a).

On September 12, 2024, the Commission issued an Order Instituting Cease-and-Desist Proceedings Pursuant to Section 8A of the Securities Act of 1933 and Section 21C of the Securities Exchange Act of 1934, Making Findings, and Imposing a Cease-and-Desist Order (the “Order”)¹ against FirstEnergy Corp. (“FirstEnergy” or the “Respondent”). In the Order, the Commission found that between 2017 and 2020, FirstEnergy and FirstEnergy Solutions (“FES”), through FirstEnergy Service Company, made payments totaling approximately \$60 million to Generation Now (“GenNow”) in exchange for specific official action for the benefit of FirstEnergy and FES. According to the Order, GenNow, an Internal Revenue Code Section 501(c)(4) entity, was controlled by a member of the Ohio House of Representatives who was

¹ Securities Act Rel. No. 11302 (Sept. 12, 2024).

later elected as its speaker. The Commission found that, on July 23 and 24, 2020, FirstEnergy violated the antifraud provisions of the Securities Act and the Exchange Act by making misrepresentations about its role in the political corruption scheme to investors in an earnings call and in a filing with the Commission. Additionally, the Commission found FirstEnergy failed to disclose material related party transactions with respect to payments FirstEnergy made to a 501(c)(4) organization funded and controlled, in part, by certain former FirstEnergy executives to help conceal the source of the payments. Further, the Commission found that FirstEnergy failed to keep accurate books and records and to devise and maintain an adequate system of internal accounting controls with respect to payments to organizations organized under Section 501(c)(4) of the Internal Revenue Code and the identification and disclosure of material related party transactions. The Commission ordered FirstEnergy to pay a \$100,000,000.00 civil money penalty to the Commission. The Commission also created a Fair Fund, pursuant to Section 308(a) of the Sarbanes-Oxley Act of 2002, so the penalty collected can be distributed to harmed investors (the “Fair Fund”) and provided that the Fair Fund may be combined with or added to any fund established in any related action arising from the same conduct that was the subject of the Order.

The Fair Fund consists of the \$100,000,000.00 collected from the Respondent. The Fair Fund has been deposited in a Commission-designated account at the U.S. Department of the Treasury, and any accrued interest will be added to the Fair Fund.

In its request for an extension of time, the Division states that additional time is needed to complete the fund administrator solicitation and appointment process, develop the distribution methodology, and prepare the proposed plan of distribution.

Accordingly, for good cause shown, IT IS HEREBY ORDERED that the Division's request for an extension of time until November 24, 2025, to submit a Proposed Plan of Distribution is granted.

For the Commission, by the Division of Enforcement, pursuant to delegated authority.²

Vanessa A. Countryman
Secretary

² 17 C.F.R. § 200.30-4(a)(21)(i).