BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

| In the Matter of the Complaint of |) |
|---|---------------------------|
| Ormet Primary Aluminum Corporation |) |
| and Ormet Aluminum Mill Products |) |
| Corporation, |) |
| - |) |
| Complainants, |) Case No. 05-1057-EL-CSS |
| <u>-</u> |) |
| v. |) |
| |) |
| South Central Power Company and |) |
| Ohio Power Company, |) |
| |) |
| Respondents. |) |
| | |

ENTRY NUNC PRO TUNC

The Commission finds:

- On August 25, 2005, Ormet Primary Aluminum Corporation (1) and Ormet Aluminum Mill Products Corporation (Ormet) filed a petition to transfer rights to furnish electric service and/or reallocate certified electric service territories, a complaint for inadequate service against South Central Power Company (South Central) and a complaint for unjust, unreasonable and discriminatory proposed rates against Ohio Power Company (Ohio Power). This pleading requested that the Commission: transfer South Central's rights to serve Ormet's facilities to Ohio Power or reallocate the service territories of Ohio Power and South Central such that all of Ormet's facilities are part of Ohio Power's certified territory; and order Ohio Power to serve Ormet, upon such transfer or reallocation, at rates in accordance with Ohio Power's unbundled standard tariff GS-4 rate schedule.
- (2) On November 8, 2006, the Commission issued its Supplemental Opinion and Order in this case. In the Supplemental Opinion and Order, the Commission adopted a stipulation entered into between certain parties and approved an electric service

agreement between Ormet and Ohio Power and Columbus Southern Power Company.

(3) The sixth ordering paragraph on page 11 states that "the Commission's approval of this contract does not constitute state action for purposes of antitrust laws." This boilerplate paragraph was inadvertently included in the Order and should be stricken from the Supplemental Opinion and Order.

It is, therefore,

ORDERED, That the Supplemental Opinion and Order of November 8, 2006, be amended, nunc pro tunc, to strike the sixth ordering paragraph as set forth above. It is, further,

ORDERED, That a copy of this entry be served upon all parties of record.

Alan R. Schriber, Chairman

And Martman Fergus

Judith A. Jones

Valerie A. Lemmie

GAP:ct

Entered in the Journal NOV 21 2006

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Reneé J. Jenkins Secretary