

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application for )  
Approval of a Contract for Electric )  
Service Between Columbus Southern ) Case No. 07-860-EL-AEC  
Power Company, Ohio Power )  
Company and Hannibal Real Estate, )  
LLC. )

FINDING AND ORDER

The Commission finds:

- (1) Applicants Columbus Southern Power Company (CSP) and Ohio Power Company (OP) are public utilities as defined in Section 4905.02, Revised Code, and, as such, are subject to the jurisdiction of this Commission.
- (2) On July 26, 2007, CSP and OP petitioned this Commission for approval of a contract with Hannibal Real Estate, LLC (customer). The customer is a steel and plate storage and distribution company now based in White Plains, New York, and has acquired the former, and now idle, Ormet Aluminum Corporation rolling mill facility, where it plans to move its entire operations. The customer is also studying the feasibility of reactivating and modifying the mothballed rolling mill for steel production. The facility is located in the combined OP/CSP service territory which was created in Case. No. 05-1057-EL-CSS to allow AEP Ohio to serve Ormet.
- (3) The customer's facilities will be served through Ormet's existing electric system. The parties have agreed to a market-based energy charge (filed under seal) for generation through December 31, 2008. The customer and AEP Ohio agree that the customer has chosen to receive service under the provisions of the General Service Large CSP rate schedule and the General Service Low Load Factor OP rate schedule, with the Distribution Customer and Demand related charges split equally between the two.
- (4) An addendum to the contract includes a disconnect agreement to help ensure the continuity of service for Hannibal Real Estate and Ormet Primary Aluminum Corporation as transmission service to the customer feeds through Ormet's electric system facilities.

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- (5) The application was filed pursuant to Section 4905.31, Revised Code. The Commission approves the electric services agreement entered into between CSP, OP and Hannibal Real Estate, LLC.
- (6) Accompanying the application was a motion for a protective order to prohibit the disclosure of certain terms of the contract for electric service between the Applicants and the customer. Unredacted copies of the contract have been filed under seal with the Commission pursuant to Section 4901-1-24(D)(2), Ohio Administrative Code. The Applicants assert that the agreed-upon price is commercially sensitive and falls within the statutory characterization of a trade secret under Section 1333.61(D), Revised Code.
- (7) The Commission finds that the Applicants' request for a protective order is well made and that the criteria for trade secret protection have been met. Accordingly, the Applicants' motion for a protective order should be granted for 18 months from the date this entry is issued. In accordance with Rule 4901-1-24(F), Ohio Administrative Code, the Applicants may apply for an extension of the protective order.

It is, therefore,

ORDERED, That the proposed contract is approved. It is, further,

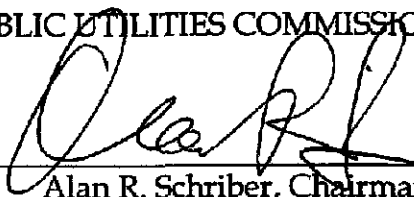
ORDERED, That the Applicants' motion for a protective order is granted. Accordingly, the Docketing Division shall maintain the unredacted contract under seal in this case for 18 months from the date this entry is issued. It is, further,

ORDERED, That the Commission's approval of this agreement does not constitute state action for the purpose of antitrust laws. It is, further,

ORDERED, That nothing in this Finding and Order shall be binding upon this Commission in any future proceeding or investigation involving the justness or reasonableness of any rate, charge, rule or regulation. It is, further,

ORDERED, That a copy this Finding and Order be served upon the Applicants and all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

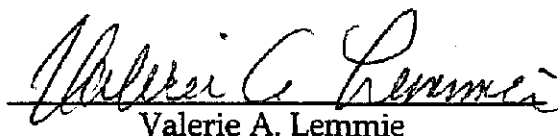


Alan R. Schriber, Chairman

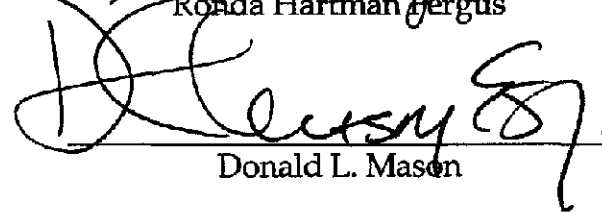
Paul A. Centolella



Ronda Hartman Fergus



Valerie A. Lemmie

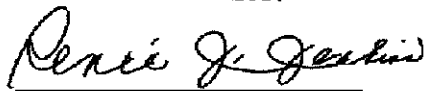


Donald L. Mason

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Renee J. Jenkins  
Secretary