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BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

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In the Matter of the Application of)
Columbus Southern Power Company for) Case No. 08-917-EL-SSO
Approval of its Electric Security Plan; an)
Amendment to its Corporate Separation)
Plan; and the Sale or Transfer of Certain)
Generating Assets.)

In the Matter of the Application of Ohio)
Power Company for Approval of its) Case No. 08-918-EL-SSO
Electric Security Plan; and an Amendment)
to its Corporate Separation Plan.)

ENTRY

The attorney examiner finds:

- (1) On July 31, 2008, Columbus Southern Power Company and Ohio Power Company (collectively, AEP-Ohio) filed an application for a standard service offer (SSO) pursuant to Section 4928.141, Revised Code. This application is for an electric security plan (ESP) in accordance with Section 4928.143, Revised Code.
- (2) By entry issued August 5, 2008, as amended by the entry issued September 5, 2008, the procedural schedule was established in these matters. In accordance with that schedule the last day to file a motion to intervene was September 4, 2008.
- (3) On October 10, 2008, and October 24, 2008, EnerNoc, Inc. (EnerNoc) and the Association of Independent Colleges and Universities of Ohio (AICUO) each respectively filed a motion for leave to file out of time and a motion to intervene in these proceedings. EnerNoc is an energy management service provider. EnerNoc states that it is active in Ohio through its participation in the wholesale market demand response programs of PJM Interconnection, LLC. AICUO is comprised of 51 independent colleges and universities located across the state of Ohio, many of which have campuses served by AEP-Ohio.

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- (4) EnerNoc and AICUO state that they have a real and substantial interest in these matters which is not represented by another party. Further, each motion asserts that the disposition of these proceedings may impair or impede the party's ability to protect that interest. The attorney examiner finds that, in light of the fact that this is the first time electric utilities have filed applications for standard service offers under Am. Sub. Senate Bill 221 and that the intervention standard has been satisfied, EnerNoc's and AICUO's motions to intervene should be granted, notwithstanding the failure to file the motions by the deadline for intervention.
- (5) On October 17, 2008, AEP-Ohio filed a motion to extend its discovery deadline. AEP-Ohio notes that, in accordance with the procedural schedule established in these cases, intervenor testimony is due October 31, 2008, and the deadline for discovery requests to be served, except for notices of deposition, is November 3, 2008, the first business day following the filing of intervenor testimony. AEP-Ohio requests a two-day extension of the discovery cut off date to allow AEP-Ohio a reasonable period to formulate written discovery requests. The discovery deadline for other parties would remain November 3, 2008. AEP-Ohio proposes that responses to discovery requests served on November 5, 2008, would be due by November 14, 2008, and all other responses would be due within ten days after the request is received pursuant to the previously established procedural schedule.
- (6) In accordance with the time frames established in these matters for responding to motions that are filed, any memorandum contra AEP-Ohio's motion for an extension was due by October 24, 2008. No memoranda contra AEP-Ohio's motion for an extension was filed.
- (7) The attorney examiner finds AEP-Ohio's request for a minimal extension of the discovery deadline for AEP-Ohio only to be reasonable. As AEP-Ohio recognizes, the intervenors have had months to review AEP-Ohio's ESP and testimony in support thereof and issue multiple rounds of discovery requests. After the testimony of the intervenors is filed, AEP-Ohio will have, with the extension requested, only three business days to review the testimony and issue discovery requests. Accordingly, AEP-Ohio shall have until November 5, 2008, to

serve discovery requests on intervenors. Responses to all discovery requests shall be due within ten days, except those served by AEP-Ohio on November 5, 2008, which shall be due by the close of business on November 14, 2008.

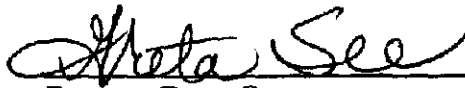
It is, therefore,

ORDERED, That EnerNoc's and AICUO's motions to intervene are granted in accordance with finding (4). It is, further,

ORDERED, That AEP-Ohio's motion for an extension of the time for AEP-Ohio to serve discovery is granted in accordance with finding (7). It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO



By: Greta See
Attorney Examiner

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Entered in the Journal

OCT 29 2008



Renee J. Jenkins
Secretary