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February 17, 2009

VIA FEDERAL EXPRESS

Public Utilities Commission of Ohio
Docketing Division
180 East Broad Street
Columbus, Ohio 43215-3793

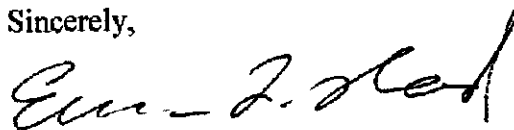
Re: Enclosed Document for Filing in Case Nos. 08-1338-EL-AAM and 08-1339-EL-UNC

Dear Sir or Madam:

Enclosed for filing in Case Nos. 08-1338-EL-AAM and 08-1339-EL-UNC please find an original and 15 copies of Ormet Primary Aluminum Corporation's Memorandum Contra the Application for Rehearing by the Office of the Ohio Consumer's Counsel.

Also enclosed are two extra copies of each document to be date-stamped and returned to me in the enclosed, self-addressed Federal Express envelope. Thank you for your assistance in this matter, if you have any questions please contact me at the number above.

Sincerely,



Emma F. Hand

Enclosures

This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business.
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**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

**In the Matter of the Joint Application of
Columbus Southern Power Company and
Ohio Power Company for Authority to
Modify their Accounting Procedure**

Case No. 08-1338-EL-AAM

**In the Matter of the Joint Application of
Columbus Southern Power Company and
Ohio Power Company and Ormet
Primary Aluminum Corporation for
Approval of Temporary Amendment to
Their Special Arrangement**

Case No. 08-1339-EL-UNC

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**ORMET PRIMARY ALUMINUM CORPORATION'S
MEMORANDUM CONTRA THE APPLICATION FOR REHEARING
BY THE OFFICE OF THE OHIO CONSUMERS' COUNSEL**

Ormet Primary Aluminum Corporation ("Ormet") respectfully submits this memorandum contra the Application for Rehearing By the Office of the Ohio Consumers' Counsel ("OCC") pursuant to Ohio Administrative Code Section 4901-1-35, to oppose the OCC's attempt to overturn a measure that is helping to preserve approximately 1,000 Ohio jobs.

The OCC is incorrect that the interim arrangement approved in the Public Utility Commission of Ohio's ("Commission") January 7 order results in a subsidy to Ormet. Ormet is an industrial retail customer of Columbus Southern Power Company and Ohio Power Company (collectively "AEP Ohio") and the effect of the interim arrangement is merely to allow Ormet to take power under the current applicable tariff rates and riders during the brief period of time between the expiration of Ormet's previous agreement with AEP Ohio and Ormet's new agreement with AEP Ohio, which is being filed contemporaneously with this memorandum contra.

Ormet's previous agreement with AEP Ohio was the result of a stipulation reached in Case No. 05-1057-EL-CSS wherein Ormet agreed to pay a rate higher than the AEP Ohio tariff rate that would otherwise have been applicable to Ormet for a two year period in order to settle the litigation regarding Ormet's petition to return to AEP Ohio's service territory. The interim arrangement approved by the Commission preserves approximately 1,000 jobs by assuring that Ormet will pay only the AEP Ohio tariff rates until the effective date of new AEP Ohio tariffs based on a Commission ruling on AEP Ohio's Electric Security Plan application and the effective date of a new special arrangement subsequently approved by the Commission.

WHEREFORE, Ormet respectfully requests that the Commission deny the Application for Rehearing by the Office of the Ohio Consumers' Counsel.

Respectfully submitted,



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Attorneys for Ormet Primary Aluminum
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Memorandum Contra was served by U.S.

Mail upon the parties of record identified below this 17th day of February, 2009.



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