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Office of the Ohio Consumers' Counsel

Your Residential Utility Consumer Advocate

Janine L. Migden-Ostrander
Consumers' Counsel

September 11, 2009

Duane W. Luckey
Senior Deputy Attorney General
Public Utilities Commission of Ohio
180 East Broad Street, 9th Floor
Columbus, Ohio 43215-3793

Re: *In the Matter of the Application of Columbus Southern Power Company for Approval of its Electric Security Plan; an Amendment to its Corporate Separation Plan; and the Sale or Transfer of Certain Generation Assets*, PUCO Case No. 08-917-EL-SSO and *In the Matter of the Application of Ohio Power Company for Approval of its Electric Security Plan; and an Amendment to its Corporate Separation Plan*, PUCO Case No. 08-918-EL-SSO

Appeal Filed As: *The Office of the Ohio Consumers' Counsel v. The Public Utilities Commission of Ohio*, Supreme Court Case No. 09-1620

Dear Mr. Luckey:

Without waiving or conceding any arguments with respect to the notice provision in R.C. 4903.16, the Office of the Ohio Consumers' Counsel ("OCC") hereby docketts and gives notice to the Public Utilities Commission of Ohio ("PUCO" or "Commission") of OCC's intent to file a motion at the Ohio Supreme Court, on or after September 14, 2009, for a stay of the Commission's Entries and Orders in the above-captioned cases. The stay will be directed at preventing the retroactive portion of the rate increase from being collected from AEP Ohio customers. In the absence of a stay, the Commission's Orders granting AEP Ohio retroactive rate increases will irreparably harm AEP Ohio's residential customers.

Sincerely,

A handwritten signature in cursive script that reads "Maureen R. Grady".

Maureen R. Grady
Assistant Consumers' Counsel

cc: Parties to PUCO Cases 08-917-EL-SSO et al.
PUCO (by Docketing)

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