

FILE
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Via Telefax Transmission and
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May 13, 2011

Public Utilities Commission of Ohio
PUCO Docketing
180 E. Broad Street, 10th Floor
Columbus, Ohio 43215


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PUCO

In re: Case No. 08-917-EL-SSO and 08-918-EL-SSO

Dear Sir/Madam:

Please find enclosed an original and twenty (20) copies of the RESPONSE OF THE OHIO ENERGY GROUP TO COLUMBUS SOUTHERN POWER COMPANY'S AND OHIO POWER COMPANY'S COMBINED: MOTION TO ESTABLISH A PROCEDURAL SCHEDULE FOR THE REMAND PROCEEDING AND TO REJECT OR HOLD IN ABEYANCE THE TARIFFS FILED ON MAY 11, 2011, AND MOTION TO PROSPECTIVELY CONVERT THE AFFECTED RATES TO BEING COLLECTED SUBJECT TO REFUND, AND REQUEST FOR EXPEDITED RULING ON BOTH MOTIONS fax-filed today in the above-referenced matter.

Copies have been served on all parties on the attached certificate of service. Please place this document of file.

Respectfully yours,

David F. Boehm, Esq.
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MLKkew
Encl.
Cc: Certificate of Service

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**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In The Matter Of The Application Of Columbus Southern Power Company For Approval Of Its Electric Security Plan, And Amendment To Its Corporate Separation Plan; And The Sale Or Transfer Of Certain Generation Assets : Case No. 08-917-EL-SSO
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In The Matter Of The Application Of Columbus Southern Power Company For Approval Of Its Electric Security Plan, And An Amendment To Its Corporate Separation Plan : Case No. 08-918-EL-SSO
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**RESPONSE OF THE OHIO ENERGY GROUP TO
COLUMBUS SOUTHERN POWER COMPANY'S AND OHIO POWER COMPANY'S COMBINED:
MOTION TO ESTABLISH A PROCEDURAL SCHEDULE FOR THE REMAND PROCEEDING AND
TO REJECT OR HOLD IN ABEYANCE THE TARIFFS FILED ON MAY 11, 2011,
AND MOTION TO PROSPECTIVELY CONVERT THE AFFECTED RATES TO BEING COLLECTED
SUBJECT TO REFUND, AND REQUEST FOR EXPEDITED RULING ON BOTH MOTIONS**

On May 11, 2001 Columbus Southern Power Company (CSP) and Ohio Power Company (OPC) filed their Combined Motion To Establish A Procedural Schedule For The Remand Proceeding. In its May 11 pleading , the Companies requested that the PUCO adopt one of two alternative procedures to implement the Ohio Supreme Court's April 19, 2011 Opinion.

The Companies' first alternative was "*The Commission should establish an expedited procedural schedule for the remand proceeding that contemplates a one-step rate change (if any) and reject the tariffs or hold them in abeyance during the pending remand.*"

The Companies' second alternative was "*The least-preferred alternative is for the Commission prospectively convert the existing POLR charge (and only to the extent necessary to delay ruling on the environmental charge remand issue) to being collected subject to refund as explained below, for such time as the Commission may deem necessary to adjudicate the remand issues.*"

OEG believes that the second alternative is reasonable and should be adopted. The second alternative would allow the Commission to thoroughly, yet expeditiously, address the factual and legal issues remanded by the Supreme Court while maintaining the flexibility to ensure that the rates ultimately charged to consumers will be lawful and reasonable. Making rates subject to refund will protect both the Companies and consumers and will not prejudice either side. If rates are to be subject to the refund, then the Commission should enter its Order to that effect at the earliest possible date.

Respectfully submitted,



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May 13, 2011

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CERTIFICATE OF SERVICE

I hereby certify that true copy of the foregoing was served by electronic mail (when available) ordinary mail, unless otherwise noted, this 13th day of May, 2011 to the individuals listed on the attached certificate of service:



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