

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of)
Columbus Southern Power Company and)
Ohio Power Company for Authority to) Case No. 11-346-EL-SSO
Establish a Standard Service Offer) Case No. 11-348-EL-SSO
Pursuant to Section 4928.143, Revised)
Code, in the Form of an Electric Security)
Plan.)

In the Matter of the Application of)
Columbus Southern Power Company and) Case No. 11-349-EL-AAM
Ohio Power Company for Approval of) Case No. 11-350-EL-AAM
Certain Accounting Authority.)

ENTRY

The Attorney Examiner finds:

- (1) Columbus Southern Power Company and Ohio Power Company (jointly, AEP-Ohio) are public utilities as defined in Section 4905.02, Revised Code, and, as such, are subject to the jurisdiction of this Commission.
- (2) On January 27, 2011, AEP-Ohio filed an application for a standard service offer pursuant to Section 4928.141, Revised Code. The application is for an electric security plan in accordance with Section 4928.143, Revised Code.
- (3) By entry issued February 9, 2011, as revised by entries issued March 23, 2011, June 9, 2011, July 8, 2011, August 12, 2011 and August 25, 2011, a procedural schedule was established in these matters where, most recently, the hearing was scheduled to reconvene on August 31, 2011.
- (4) On August 30, 2011, a joint motion for continuance of the hearing date and request for expedited ruling (Joint Motion) was filed by AEP-Ohio, Commission Staff, Constellation NewEnergy, Inc., Constellation Energy Commodities Group, Inc., Ohio Manufacturers' Association Energy Group, Wal-Mart Stores East, LP and Sam's East, Inc., Exelon Generation Company, LLC, Retail Energy Supply Association, Environmental Law and Policy Center, The Kroger Company, City of Grove City, City of Hilliard, Ohio

Energy Group, Ormet Primary Aluminum, EnerNOC, Inc., Association of Independent Colleges and Universities of Ohio, Duke Energy Retail Sales, LLC, Natural Resources Defense Council, Ohio Hospital Association, Pauling Wind Farm LLC, Dominion Retail, Inc., Ohio Environmental Council, and AEP Retail Energy Partners LLC (collectively, Movants). The Movants request a continuance of the hearing until September 6, 2011. Movants state that numerous parties to the proceedings have been engaged in productive settlement negotiations over the past few weeks and that such negotiations are continuing. To that end, Movants request that the hearing be continued until September 6, 2011, and propose that if a Stipulation has been filed prior to the commencement of the hearing, that the September 6, 2011 hearing be used to discuss the process and schedule for the Commission's consideration of the Stipulation. If no Stipulation has been filed prior to the September 6, 2011 hearing date, then the evidentiary hearing would begin with the Companies first witness. The Movants request an expedited ruling on the motion. According to the Movants, the Appalachian Peace and Justice Association does not oppose the request for a continuance and OCC takes no position on the request for a continuance.

- (5) Also, on August 30, 2011, FirstEnergy Solutions Corporation (FES), Industrial Energy Users-Ohio (IEU), and Ohio Partners for Affordable Energy (OPAE) filed a memorandum contra the joint motion for a continuance. The intervenors in opposition to the motion for a continuance emphasize that the hearing has already been continued twice for the purpose of accommodating settlement negotiations and assert that AEP-Ohio's participation thus far has not been productive. FES, IEU and OPAE claim that it is clear a full settlement on the ESP application is not likely. Further, FES, IEU and OPAE argue another extension of the hearing in these matters will affect the schedules of numerous parties and endanger the schedules established for other Commission proceedings. Thus, FES, IEU and OPAE request that the motion for another continuance of the hearing be denied and the hearing proceed on August 31, 2011.
- (6) Rule 4901-1-12(F), Ohio Administrative Code, permits the issuance of an expedited ruling on the Joint Motion, without the filing of memoranda, as the issuance of an expedited ruling will not adversely affect a substantial right of any party. The Attorney Examiner finds that the Joint Motion is reasonable and should be

granted. FES, IEU and OPAAE note the procedural schedules established in other Commission proceedings, namely AEP-Ohio Case No. 10-2929-EL-UNC and Duke Energy Ohio Case No. 11-3549-EL-SSO, as one reason to deny the request for another continuance. However, at this point, an extension of three business days, as requested by the Joint Movants, is not likely to significantly increase the level of any scheduling overlap anymore than has already occurred. Furthermore, the possibility of a partial stipulation with some of the parties will likely reduce the number of witness offering testimony in these matters and the duration of the hearing. As such, it is appropriate to grant the motion for a continuance.

- (7) Accordingly, Joint Movants' request for a continuance of the hearing should be granted. As requested by the Joint Movants, any Stipulation should be filed with the Commission by 10:00 a.m., on September 6, 2011, along with written testimony in support of the Stipulation.
- (8) However, there is only one Commission hearing room which will accommodate the numerous parties to these proceedings and that hearing room is unavailable on September 6, 2011. As such, the hearing in these matters shall commence on September 7, 2011, at 10:00 a.m., at the offices of the Commission, in hearing room 11-A.

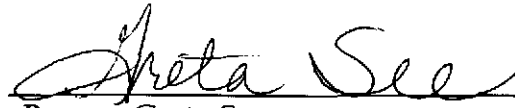
It is, therefore,

ORDERED, That the motion for a continuance of the hearing, until September 7, 2011, be granted as set forth herein. It is, further,

ORDERED, That the parties comply with the directives in finding (6). 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

AUG 30 2011

Betty McCauley

Betty McCauley
Secretary