

**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 §4928.143, Ohio Rev. 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)	

**OHIO POWER COMPANY’S MEMORANDUM CONTRA FIRSTENERGY
SOLUTIONS CORP.’S, THE OFFICE OF THE OHIO CONSUMERS’ COUNSEL’S,
DUKE ENERGY RETAIL SALES AND DUKE ENERGY COMMERCIAL ASSET
MANAGEMENT’S, AND INDUSTRIAL ENERGY USERS-OHIO’S
MAY 4, 2012 MOTIONS TO STRIKE**

Pursuant to Rule 4901:1-12, Ohio Administrative Code, Ohio Power Company (the “Company” or “AEP Ohio”) hereby submits this memorandum contra in response to the motions to strike that FirstEnergy Solutions Corp. (“FES”), The Office of the Ohio Consumers’ Counsel (“OCC”), Duke Energy Retail Sales (“DER”) and Duke Energy Commercial Asset Management (“DECAM”), and Industrial Energy Users-Ohio (“IEU”) filed on May 4, 2012.

I. MOTIONS TO STRIKE

The motions to strike are without merit. FES moves to strike page 10, line 20 through page 12, line 31 and Exhibit RVH-6 of AEP Ohio witness Hawkins’ direct testimony on hearsay, foundation, and relevance grounds. (*See* FES Mot. to Strike at 5.) OCC moves to strike AEP Ohio witness Dias’ supplemental direct testimony on the grounds that the subjects of that testimony could have been included in Mr. Dias’ initial direct testimony. (*See* OCC Mot. to

Strike at 1-2.) DER and DECAM move to strike AEP Ohio witness Graves' testimony in its entirety or, alternatively, request that the Commission strike page 15, line 12 through page 17, line 2 on the grounds that the testimony is irrelevant and constitutes impermissible duplicative evidence. (*See* DER/DECAM Mot. to Strike at 3-4.) IEU requests that the Commission strike a number of proposals contained in the Company's application to establish a standard service offer (SSO) in the form of an electric security plan ("ESP Application"), as well as witness testimony supporting those proposals, on the grounds that they are "without statutory justification or a basis in law" and, therefore, are irrelevant. (*See* IEU Mot. to Strike at 3.) For the reasons set forth below, each of the motions to strike should be denied.

II. THE MOTIONS TO STRIKE ARE WITHOUT MERIT AND SHOULD BE DENIED.

FES', OCC's, DER and DECAM's, and IEU's (collectively, "Movants") motions to strike should be denied. AEP Ohio's pending ESP Application and the testimony it has filed in support of that application are relevant, admissible, and properly before the Commission for review. The Movants' motions to strike are without merit and, in some instances, raise legal arguments that are better addressed through post-hearing briefing. Accordingly, the Commission should deny each of the motions in its entirety.

A. The Commission Should Deny FES's Motion To Strike Ms. Hawkins' Testimony.

FES moves to strike a portion of AEP Ohio witness Hawkins' testimony, as well as Exhibit RVH-6 (which contains copies of reports published by a number of major rating agencies), arguing that the testimony is hearsay, that Ms. Hawkins has no personal knowledge

from which to base her opinions as to the rating agencies' reports, and that the testimony is not relevant. FES's motion is meritless and should be denied.¹

As an initial matter, and as FES itself concedes, the Commission is not strictly bound by the Ohio Rules of Evidence. *Greater Cleveland Welfare Rights Org., Inc., v. Pub. Util. Comm.*, 2 Ohio St.3d 62 (1982). Indeed, "[w]hen the Commission has deemed it appropriate, it has allowed the admission of hearsay testimony." *In Re. Ohio Power Company*, Case No. 11-346-EL-SSO, *et. al*, Entry at 13 (Dec. 14, 2011). As the Commission itself recently noted:

[H]earsay rules are designed, in part, to exclude evidence, not because it is not relevant or probative, but because of concerns regarding jurors' inability to weigh evidence appropriately. These concerns are inapplicable to administrative proceedings before the Commission, as the Commission has the expertise to give the appropriate weight to testimony and evidence.

Id.

In any event, Ms. Hawkins' testimony is not hearsay. "Hearsay" is "a statement, other than one made by the declarant while testifying at the trial or hearing, offered in evidence **to prove the truth of the matter asserted.**" Evid. R. 801(C) (emphasis added). The rating agency reports, as well as Ms. Hawkins' testimony discussing those reports, are not being offered for their truth. Ms. Hawkins did not, as FES argues, offer the reports for the veracity of the content contained therein (*see* FES Mot. to Strike at 3); rather, Ms. Hawkins has simply described rating agency reports and actions made since the February 23, 2012 Entry on Rehearing that rejected the ESP II Stipulation. These reports and actions, regardless of their content, have a direct impact on AEP Ohio, as Ms. Hawkins' testimony discusses. (*See* Hawkins Test. at 13:1-5.)

¹ IEU also moves to strike Exhibit RVH-6. (*See* IEU Mot. to Strike at 15-16). For the reasons set forth in response to FES's motion to strike, this aspect of IEU's motion to strike also should be denied.

Thus, the reports and actions are not being offered for the truth of their content, but rather for the fact that they occurred and, therefore, are not hearsay.

Further, even if the reports *were* offered for the truth of their content, they are admissible under the “market reports” exception to the hearsay rule. *See* Evid. R. 803(17). Evid. R. 803(17) provides that “[m]arket quotations, tabulations, lists, directories, or other published compilations, generally used and relied upon by the public or by persons in particular occupations” are not excluded by the hearsay rule. The rating agency reports at issue would fit within that exception. The reports are published for use in the investment market and are relied upon both by economists and financial experts, as well as by the public. Thus, they satisfy the “market reports” exception to the hearsay rule. *See, e.g., Marting Realty, Inc. v. Marks*, 5th Dist. No. 12296, 1986 WL 4647, *3 (Apr. 16, 1986) (holding that a consumer credit report was admissible under the market report exception and stating, “[c]redit reports are held to be highly reliable by the business world and should be admitted where such reliability is not challenged”).

FES further argues that the testimony and rating agency reports should be excluded because their admission would “significantly prejudice Intervenors” and because they are “irrelevant.” (FES Mot. to Strike at 3.) Notably, however, FES does not explain *how* the admission of the testimony and reports would prejudice intervenors. FES also does not explain how the information is relevant. Contrary to FES’s assertion, the information is highly relevant to demonstrate the impact of regulatory uncertainty on AEP Ohio’s ability to access liquidity and capital at a reasonable cost, particularly as the market transitions to competition, as well as to demonstrate the necessity of an appropriate outcome in this case. Accordingly, the Commission should not strike Exhibit RJH-6 or Ms. Hawkins’ testimony from page 10, line 20 through page 12, line 18.

Nor should the Commission strike the portion of Ms. Hawkins’ testimony located on page 12, lines 19 through 31. FES contends that this portion of the testimony is improper

because it is “speculative” and not based on personal knowledge and, alternatively, because Ms. Hawkins may not offer expert opinion testimony that is based on impermissible hearsay. (*Id.* at 4-5.) This argument fails for the reasons discussed above, namely that the testimony is (1) not hearsay because it is not offered to prove the truth of the reports’ content and (2) even if it were, it would be admissible under the “market report” exception to the hearsay rule found in Evid. R. 803(17).

B. The Commission Should Deny OCC’s Motion to Strike Mr. Dias’ Testimony.

OCC moves to strike AEP Ohio witness Dias’ supplemental testimony that AEP Ohio prefiled on April 27, 2012. OCC’s motion to strike is also meritless and should be denied.

AEP Ohio filed Mr. Dias’ April 27, 2012 supplemental testimony in accordance with the Attorney Examiners’ April 2, 2012 Entry. That Entry permitted AEP Ohio the opportunity to submit supplemental testimony by April 27, and it did not restrict the topics that AEP Ohio might address through supplemental testimony. Accordingly, Mr. Dias’ testimony clearly is within the scope of what the April 27 Entry permits. Notably, the supplemental testimony that AEP Ohio did submit was, in fact, relatively narrow. It is also notable that, contrary to OCC’s (and other parties’) claims, intervenors had, and still have, the ability to conduct additional discovery both through written discovery and deposition regarding the topics that Mr. Dias addresses in his supplemental testimony. Accordingly, OCC’s motion to strike should be denied.

C. DER And DECAM’s Motion To Strike Mr. Grave’s Testimony Should Be Denied.

DER and DECAM’s motion to strike also should be denied. DER and DECAM have moved to strike the testimony of AEP Ohio witness Graves. In their motion, DER and DECAM make two alternative requests. First, they move to strike Mr. Graves’ testimony in its entirety on

the ground that, because the ESP's term ends on May 31, 2012, and Mr. Graves addresses the reliability consequences of AEP Ohio's transition to RPM status on June 2, 2015, Mr. Graves testimony is irrelevant. (*See* DER/DECAM Mot. to Strike at 3-4.)

DER and DECAM's fall-back position is that Mr. Graves' testimony at page 15, line 12 through page 16, line 8, regarding the impact of transferring the Amos and Mitchell generating units to Appalachian Power Company (APCo) and Kentucky Power Company (KPCo) on future reliability of supply within Ohio and PJM duplicates testimony that AEP Ohio witness Powers provides and, therefore, is needless and cumulative. (*Id.* at 4.) DER and DECAM also contend, as part of their fall-back position, that Mr. Graves' testimony at page 16, line 9 through page 17, line 2, which explains how his position regarding the efficacy of RPM in maintaining reliability, is also consistent with his support for an embedded cost price to CRES providers for capacity that AEP Ohio furnishes to them. (*Id.*)

DER and DECAM are wrong. The impact of AEP Ohio's proposed ESP, which presumes a transition to RPM from FRR by AEP Ohio and the structural separation of its generation assets, upon adequacy and reliability of generation supplies has been a topic of interest that has cut across and affected each of the pending AEP Ohio proceedings, including this pending ESP. It was, and remains, appropriate for AEP Ohio to address that topic in this ESP proceeding and to both confirm and provide assurance that this ESP will not adversely affect either the adequacy or reliability of generation supplies in AEP Ohio's service territory or in PJM. Mr. Graves' testimony supports that conclusion, and it is relevant.

With regard to DER and DECAM's alternative request to strike Mr. Graves' testimony regarding the reliability impact of transferring Amos and Mitchell to APCo and KPCo, his testimony is direct support for the Company's position that the transfer of those two plants will

not adversely affect adequacy and reliability and, to the contrary, will enable the restructured AEP East Pool companies to meet their capacity obligations to PJM in a complementary and reinforcing manner. This testimony is not the needless presentation of cumulative evidence. DER and DECAM's motion to strike it should be denied.

Finally, DER and DECAM's argument that Mr. Graves' testimony at page 16, line 9 through page 16, line 8 is irrelevant is also incorrect. In this testimony, Mr. Graves explains that his testimony regarding the ability of PJM, through the RAA's RPM and FRR mechanisms, to achieve reliability goals while AEP Ohio is an FRR entity and thereafter when it participates in RPM is consistent with his position that it is appropriate to use an embedded cost approach to price AEP Ohio's capacity while it is an FRR entity. This testimony also is relevant because it provides context and support for the position that it is appropriate for AEP Ohio to participate in the RPM mechanism beginning June 1, 2015.

D. IEU's Motion To Strike Should Be Denied.

IEU contends that the ESP Application and supporting testimony contain references to matters "beyond the scope of an ESP proceeding" that have "no basis in law." (IEU Mot. to Strike at 3.) There are separate bases upon which IEU's motion rests. As explained below, IEU's motion to strike, which for the most part advances IEU's legal positions that would be more appropriately addressed in its post-hearing arguments, should be denied.

1. Capacity Pricing Issues

As part of the ESP/MRO comparison, it is necessary to include in the competitive benchmark price (CBP), a component that estimates the cost of capacity. AEP Ohio's position is that the amount that it charges CRES providers is the appropriate estimate of that cost component. Furthermore, it is AEP Ohio's position that the appropriate price for capacity is

approximately \$355/MW-Day. At the same time, AEP Ohio has proposed, as part of the package contained in its proposed ESP, to supply capacity to CRES providers at a two-tiered rate, with the first tier price equating to the current RPM price (approximately \$145.79/MW-Day) that will apply to Tier 1 priced set-aside capacity and the second tier price (\$255/MW-Day) applying to all capacity beyond the set aside amounts.

IEU contends that AEP Ohio's references to capacity prices are either irrelevant to the ESP or are simply incorrect. (*Id.* at 6-9.) Consequently, IEU contends that AEP Ohio may not reflect its position regarding the proper price for capacity in the CBP that is used to perform the MRO Price Test, may not reflect the discounted pricing for capacity that it has offered as part of its proposed ESP as the basis for determining a quantifiable benefit of its ESP to incorporate into the "in the aggregate" test, and may not even include as part of its ESP the two-tiered capacity pricing described above.

Respectfully, IEU's arguments are without merit. The correct price for capacity to include in the CBP is an issue in this proceeding, and AEP Ohio is entitled to advance its position on the matter. Similarly, the two-tiered capacity pricing proposal that AEP Ohio has included in its ESP provides a compelling basis for a very significant benefit of the ESP, compared to what an MRO would provide. IEU may not agree with AEP Ohio's position, but that is not a basis for precluding AEP Ohio from presenting its case in the manner it has determined is accurate and appropriate. In addition, AEP Ohio's two-tiered capacity pricing proposal is a central element of its proposed ESP. IEU's contention that AEP Ohio may not include it in the ESP is baseless, and the Commission has not issued any ruling that precludes it. Furthermore, IEU's arguments that AEP Ohio's proposed capacity pricing conflicts with provisions of Ohio law that address stranded cost recovery are just that, arguments. The

arguments, with which AEP Ohio strenuously disagrees, may be appropriate to make as part of its post-hearing arguments, but they are not an appropriate basis for striking portions of AEP Ohio's ESP Application or testimony.

2. Corporate Separation

AEP Ohio's proposed ESP is based in a number of respects upon corporate separation occurring in the manner and according to the time table requested in the proceeding in which its pending corporate separation application is pending, Case No. 12-1126-EL-UNC. IEU requested that the reference to the Company's corporate separation plan be stricken because the plan was not filed in this proceeding and, therefore, is "irrelevant to the consideration of OP's ESP." (*Id.* at 9.) IEU's argument that the Company's corporate separation plan is irrelevant to the ESP is incorrect. That plan relates to and, indeed, provides a foundation for a number of the provisions of the ESP. The modified ESP II is premised upon an expectation that the Commission wants the Company to move to a competitively-bid SSO over time, and corporate separation is an important step in that transition to the Commission's desired result. It, therefore, is highly relevant and references to the corporate separation plan in the ESP and the supporting testimony are both appropriate and necessary to ensure that the Commission considers all pertinent issues. In short, a full understanding of the Company's proposed ESP is not feasible without the reference to the Company's proposed corporate separation plan.

3. Pool Termination

IEU also objects to the Pool Termination Rider that AEP Ohio has included in its proposed ESP. (*Id.* at 10.) IEU's primary concern appears to be the contingent nature of this rider. IEU also believes that there is no statutory basis for the pool termination provision. IEU also believes that the rider improperly seeks to recover transition revenues and, based on IEU

witness Hess's testimony, that should not be allowed as a matter of law. Consequently, IEU would strike as irrelevant references in AEP Ohio's ESP Application and testimony that reference the pool termination rider, the AEP Interconnection Agreement, and other background information regarding that agreement.

IEU's motion to strike this aspect of the ESP Application and supporting testimony also should be denied. As is the case with regard to capacity pricing, AEP Ohio's pool termination provision is a significant component of its ESP proposal. The Commission has previously concluded that such a provision is appropriate and authorized by §4928.143(B), Ohio Rev. Code. Case Nos. 11-346, and 11-348, et. al, Opinion and Order, at 49 (Dec. 14, 2011). IEU's arguments that references to the pool termination provision, the AEP Interconnection Agreement, and other background information regarding the pool agreement are irrelevant cannot be regarded as serious criticisms. They are central to understanding the Company's proposed ESP and to how that plan will facilitate a transition to a restructured and more fully competitive business model for AEP Ohio.

4. Turning Point Solar Project

IEU disagrees with AEP Ohio's position, and AEP Ohio witness Thomas's supplemental testimony, regarding how the costs of the Turning Point Solar (TPS) Project, if it is authorized for inclusion in the Generation Resource Rider, should be reflected in the MRO Price Test. (*Id.* at 11-12.) Based on its view that AEP Ohio, and Ms. Thomas, have not correctly reflected TPS project costs in the MRO Price Test, IEU seeks to strike Ms. Thomas's supplemental testimony on this subject.

IEU's disagreement with AEP Ohio's position regarding the impact of the TPS project's costs (if such costs are incurred) in the MRO Price Test is not a basis for striking Ms. Thomas's

Supplemental Testimony. IEU is free to argue its position, legally and factually, regarding how such costs impact the MRO Price Test, just as AEP Ohio may advance its position on the topic.

5. The Last Year of the MRO Price Test

IEU also disagrees with the manner in which Ms. Thomas calculates the impact of the last year of the proposed ESP on the MRO Price Test. (*Id.* at 12-14.) Because AEP Ohio and Ms. Thomas's approach is different from IEU's preferred approach to addressing this issue, IEU believes that Ms. Thomas's testimony on the subject should be stricken.

Again, just because IEU disagrees with AEP Ohio regarding how the issues should be resolved does not mean that AEP Ohio's position is incorrect (or that IEU's position is correct). Indeed, AEP Ohio firmly disagrees with IEU on this point. IEU can present its testimony and make its arguments on this point. Its motion to strike should be denied.

6. References to Stipulations

IEU's request that all references to stipulations entered in previous proceedings (*see id.* at 14-15) should be denied. As an initial matter, the portions of page 7 of AEP Ohio witness Powers' testimony and page 13 of witness Roush's testimony that IEU seeks to have stricken are not a reference to any stipulation. Rather, in response to a question asking him to summarize AEP Ohio's regulatory experience since the advent of electric restructuring in Ohio, Mr. Powers stated: "By contrast [to AEP Ohio], other Ohio utilities such as the FirstEnergy operating companies recovered billions of dollars of stranded investment costs under SB 3, based on the book value of their generation fleet being much higher than projected market prices." Mr. Roush's testimony on page 13 relates to incidental costs that AEP Ohio might seek to recover when it begins its competitive bid process in early 2015. His reference to the riders that FirstEnergy and Duke implemented in conjunction with their auction-based SSOs are simply

examples of riders that AEP Ohio might seek in a future proceeding. These are not references to a stipulation and, moreover, they are relevant to demonstrate AEP Ohio's situation relative to other electric distribution utilities in the state. Thus, they should not be stricken.

IEU argues that the references to certain stipulations in the testimony of AEP Ohio witnesses Hawkins and Powers should be stricken because the stipulations "carry no precedential or evidentiary weight and [their terms] prohibit citation to them." (*Id.* at 14.) IEU, however, either ignores or has misunderstood the context in which the references it seeks to strike have been offered. None of the testimony at issue (Hawkins Test. at 4:22-5:1 and RVH-6 at 1, para 2-3; Powers Test. at 6:5-7:7, 24:17; Roush Test. at 13:19-23) seeks to offer the stipulations referred to therein as precedent or evidence. Rather, in each instance, the stipulation(s) referred to are noted either as explanation or by way of example.

On page 4, line 22 through page 5, line 1 of her testimony, Ms. Hawkins refers to Case Nos. 11-351-EL-AIR and 11-352-EL-AIR only for the purpose of explaining the source from which she derived the cost of equity figure used in her calculation of AEP Ohio's capital structure and cost of capital. The portion of Exhibit RVH-6 that IEU seeks to strike is part of a Moody's Investor Comment and simply summarizes the PUCO's reversal of the September 7, 2011 Stipulation entered into in the ESP II case. Similarly, the portions of AEP Ohio witness Power's testimony on pages 6, line 5 through page 7, line 7 and page 24, line 17 do not cite to any stipulation referred to therein as precedent but simply as an example demonstrating that AEP Ohio's present proposals are consistent with other electric distribution utilities' approved rate plans.

As a more general matter, IEU's apparent argument that any Commission ruling that approves all or part of a settlement should be placed in a black box never to be spoken of again is

wrong. This is the same argument made in the ESP II Stipulation hearing to consider a partial stipulation in that round of the proceeding related to reliability indices. The Commission rejected that position, finding that the fact that the indices were established in a settlement did not mean that their use in the ESP II case was an attempt to use them “as precedent” against any party to that Stipulation. *See* Case No. 11-346-EL-SSO, *et. al*, Opinion and Order at 11 (Dec. 14, 2012). The argument should be rejected again here. Accordingly, IEU’s requests to strike testimony referring to stipulations should be denied.

III. CONCLUSION

For the reasons set forth above, the Commission should deny the motions to strike that FES, OCC, DER and DECAM, and IEU filed on May 4, 2012.

Respectfully submitted,

/s/ Christen M. Moore

Steven T. Nourse
Matthew J. Satterwhite
Yazen Alami
American Electric Power Service Corporation
1 Riverside Plaza, 29th Floor
Columbus, Ohio 43215
(614) 716-1608
Fax: (614) 716-2950
Email: stnourse@aep.com
mjsatterwhite@aep.com
yalami@aep.com

Daniel R. Conway
Christen M. Moore
Porter, Wright, Morris & Arthur, LLP
41 S. High St.
Columbus, Ohio 43215
(614) 227-2270
Fax: (614) 227-2100
Email: dconway@porterwright.com
cmoore@porterwright.com

Counsel for Ohio Power Company

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served by E-mail upon counsel for all parties of record in this case, on this 9th day of May, 2012.

/s/ Christen M. Moore
Christen M. Moore

Daniel.Shields@puc.state.oh.us
Tammy.Turkenton@puc.state.oh.us
Jodi.Bair@puc.state.oh.us
Bob.Fortney@puc.state.oh.us
Doris.McCarter@puc.state.oh.us
Stephen.Reilly@puc.state.oh.us
Werner.Margard@puc.state.oh.us
William.Wright@puc.state.oh.us
Thomas.Lindgren@puc.state.oh.us
john.jones@puc.state.oh.us
dclark1@aep.com
grady@occ.state.oh.us
keith.nusbaum@snrdenton.com
kpkreider@kmklaw.com
mjsatterwhite@aep.com
ned.ford@fuse.net
pfox@hilliardohio.gov
ricks@ohanet.org
stnourse@aep.com
cathy@theoec.org
dsullivan@nrdc.org
aehaedt@jonesday.com
dakutik@jonesday.com
haydenm@firstenergycorp.com
dconway@porterwright.com
cmoore@porterwright.com
jlang@calfee.com
lmcbride@calfee.com
talexander@calfee.com
etter@occ.state.oh.us
grady@occ.state.oh.us
small@occ.state.oh.us
cynthia.a.fonner@constellation.com
David.fein@constellation.com
Dorothy.corbett@duke-energy.com
Amy.spiller@duke-energy.com
dboehm@bkllawfirm.com
mkurtz@bkllawfirm.com
ricks@ohanet.org
tobrien@bricker.com

henryeckhart@aol.com
laurac@chappelleconsulting.net
whitt@whitt-sturtevant.com
thompson@whitt-sturtevant.com
sandy.grace@exeloncorp.com
christopher.miller@icemiller.com
asim.haque@icemiller.com
gregory.dunn@icemiller.com
mhpetricoff@vorys.com
smhoward@vorys.com
mjsettineri@vorys.com
lkalepsclark@vorys.com
bakahn@vorys.com
Gary.A.Jeffries@dom.com
Stephen.chriss@wal-mart.com
dmeyer@kmklaw.com
holly@raysmithlaw.com
barthroyer@aol.com
philip.sineneng@thompsonhine.com
carolyn.flahive@thompsonhine.com
terrance.mebane@thompsonhine.com
cmooney2@columbus.rr.com
drinebolt@ohiopartners.org
trent@theoec.org
nolan@theoec.org
gpoulos@enernoc.com
emma.hand@snrdenton.com
doug.bonner@snrdenton.com
clinton.vince@snrdenton.com
sam@mwncmh.com
joliker@mwncmh.com
fdarr@mwncmh.com
jestes@skadden.com
paul.wight@skadden.com
dstahl@eimerstahl.com
aaragona@eimerstahl.com
ssolberg@eimerstahl.com
tsantarelli@elpc.org
callwein@wamenergylaw.com
malina@wexlerwalker.com

myurick@taftlaw.com
zkavitz@taftlaw.com
jejadwin@aep.com
msmalz@ohiopoveritylaw.org
jmaskovyak@ohiopoveritylaw.org
todonnell@bricker.com
cmontgomery@bricker.com
lmcaster@bricker.com
mwarnock@bricker.com
gthomas@gtpowergroup.com
wmassey@cov.com
Elizabeth.watts@duke-energy.com
bmcmahon@emh-law.com
judi.sobecki@DPLINC.com
Randall.griffin@DPLINC.com
matt@matthewcoxlaw.com
toddm@wamenergylaw.com
ssalamido@cloppertlaw.com
kwatson@cloppertlaw.com
rburke@cpv.com
bkelly@cpv.com
eisenstatl@dicksteinshapiro.com
lehfeldtr@dicksteinshapiro.com
kinderr@dicksteinshapiro.com

jkooper@hess.com
kguerry@hess.com
afreinfeld@viridityenergy.com
swolfe@viridityenergy.com
korenergy@insight.rr.com
sasloan@aep.com
Dane.Stinson@baileycavalieri.com
cendsley@ofbf.org
bpbarger@bcslawyers.com
OhioESP2@aep.com
kaelber@buckleyking.com
walter@buckleyking.com
Jeanne.kingery@duke-energy.com
jmclark@vectren.com
sbruce@oada.com
rsugarman@keglerbrown.com
mchristensen@columbuslaw.org
rjhart@hahnlaw.com
rremington@hahnlaw.com
djnichalski@hahnlaw.com
arthur.beeman@snrdenton.com
dan.barnowski@snrdenton.com

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

5/9/2012 5:20:01 PM

in

Case No(s). 11-0346-EL-SSO

Summary: Memorandum Ohio Power Company's Memorandum Contra FirstEnergy Solutions Corp.'s, The Office of the Ohio Consumers' Counsel's, Duke Energy Retail Sales and Duke Energy Commercial Asset Management's, and Industrial Energy Users-Ohio's May 4, 2012 Motions to Strike electronically filed by Ms. Christen M Moore on behalf of Ohio Power Company