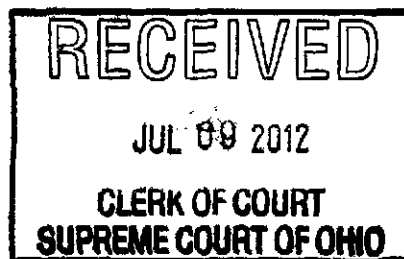


**Before
THE SUPREME COURT OF OHIO**

Ohio Power Company)	
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VS)	Supreme Court No. 12-976
)	
The Public Utilities Commission of Ohio)	
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)	
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)	
Appellee.)	

**Being Before
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the matter of the fuel adjustment clause for Columbus Southern Power Company.)	Case No. 09-872-EL-FAC
)	
In the matter of the fuel adjustment clause for Ohio Power Company.)	Case No. 09-873-EL-FAC
)	



On May 27, 2010, the record for Case No: 09-872-EL-FAC and 09-873-EL-FAC to that point in time was submitted to the Supreme Court of Ohio. Please refer to S.C. No. 10-730, ICN No: 1-24. The numbers listed below are items occurring subsequently and are a continuation of the numbering used in the previously filed documents.

<u>INDEX AND DOCKET ENTRIES</u>		<u>ICN</u>
<u>5/14/2010</u>	Confidential document target: reports (93 pages)	25
<u>5/14/2010</u>	Motion for a protective order and memorandum in support filed by S. Nourse on behalf of Columbus Southern Power Company and Ohio Power Company.	26
<u>5/14/2010</u>	Report of the management/performance and financial audits of the FAC of the Columbus Southern Power Company and The Ohio Power Company.	27
<u>5/17/2010</u>	Ohio Power Company and Columbus Southern Power Company have discovered two references in the redacted Audit Report that were inadvertently not redacted as an administrative oversight, accordingly, AEP requests that the two pages attached be substituted for the two corresponding pages that were filed on May 14, 2010 as part of the redacted report, filed by S. Nourse.	28
<u>5/19/2010</u>	Correspondence stating that the case number for Ohio Power Company was inadvertently left off for the Management Performance and Financial Audits of the FAC, corrected title pages are submitted in this filing filed by E. Medine.	29
<u>5/27/2010</u>	Supreme Court transmittal papers. (SC# 10-730)	30
<u>6/29/2010</u>	Entry ordering that the procedural schedule set forth in finding (11) be adopted. (RH)	31
<u>8/5/2010</u>	Notice to all parties that OCC intends to cross-examine representatives of Energy Ventures Analysis and/or Larkin and Associates in connection with the Report of the Management/Performance and Financial Audits at the hearing scheduled for August 23, 2010 filed by M. Idzkowski.	32

<u>8/12/2010</u>	Notice to take deposition upon oral examination of Columbus Southern Power Company and Ohio power Company witness and request for production of documents filed by M. Idzkowski on behalf of Ohio Consumers' Counsel.	33
<u>8/13/2010</u>	Notice to take deposition upon oral examination of Ohio Consumers Counsel and Industrial Energy Users-Ohio witnesses and request for production of documents filed by S Nourse.	34
<u>8/16/2010</u>	Direct testimony of J. Edward Hess on behalf of Industrial Energy Users-Ohio.	35
<u>8/16/2010</u>	Confidential document target for testimony- Rusk filed on behalf of Columbus Southern Power and Ohio Power Company by S. Nourse.	Conf.
<u>8/16/2010</u>	Confidential document target for testimony- Nelson filed on behalf of Columbus Southern Power and Ohio Power Company by S. Nourse.	Conf.
<u>8/16/2010</u>	Confidential document target for the testimony- Dooley filed on behalf of Columbus Southern Power and Ohio Power Company by S. Nourse.	Conf.
<u>8/16/2010</u>	Confidential document: Testimony of Duann filed by Idzkowski on behalf of OCC.	Conf.
<u>8/16/2010</u>	Correspondence concerning confidential information filed on behalf of the Office of the Ohio Consumers' Counsel by M. Idzkowski.	36
<u>8/16/2010</u>	Confidential document target for the testimony of J. Edward Hess filed by Industrial Energy Users-Ohio by J. Clark.	Conf.
<u>8/16/2010</u>	Correspondence to AE's concerning confidential information filed on behalf of American Electric Power by S. Nourse.	37
<u>8/16/2010</u>	Direct testimony of Timothy M. Dooley on behalf of Columbus Southern Power Company and Ohio Power Company filed by S. Nourse.	38
<u>8/16/2010</u>	Direct testimony of Philip J. Nelson on behalf of Columbus Southern Power Company and Ohio Power Company filed by S. Nourse.	39

<u>8/16/2010</u>	Direct testimony of Jason T. Rusk on behalf of Columbus Southern Power Company and Ohio Power Company filed by S. Nourse.	40
<u>8/16/2010</u>	Direct testimony of Daniel J. Duann, Ph.D. on behalf of The Office of the Ohio Consumers' Counsel by M. Idzkowski.	41
<u>8/16/2010</u>	Direct testimony of Peggy I. Simmons on behalf of Columbus Southern Power Company and Ohio Power Company filed by S. Nourse.	42
<u>8/17/2010</u>	Motion for Subpoena Duces Tecum and Memorandum in Support filed by M Idzkowski on behalf of OCC.	43
<u>8/19/2010</u>	Return of Service filed by G. Poulos on behalf of OCC.	44
<u>8/23/2010</u>	Confidential Rebuttal Testimony of J. Rusk filed by S. Nourse on behalf of Staff.	Conf.
<u>8/23/2010</u>	Confidential Rebuttal Testimony of P. Nelson filed by S. Nourse on behalf of Staff.	Conf.
<u>8/23/2010</u>	Confidential Rebuttal Testimony of T. Dooley filed by S. Nourse on behalf of Staff.	Conf.
<u>8/23/2010</u>	Rebuttal testimony of Phillip J. Nelson on behalf of Columbus Southern Power Company and Ohio Power Company on behalf of S. Nourse.	45
<u>8/23/2010</u>	Rebuttal testimony of Timothy M. Dooley on behalf of Columbus Southern Power Company and Ohio Power Company filed by S. Nourse on behalf of Staff.	46
<u>8/23/2010</u>	Rebuttal testimony of Jason T. Rusk on behalf of Columbus Southern Power Company and Ohio Power Company filed by S. Nourse on behalf of Staff.	47
<u>8/23/2010</u>	Stipulation and Recommendation filed by S. Nourse on behalf of AEP; W. Margard III on behalf of PUCO; J. Clark on behalf of AEU-Ohio; M. Idzkowski on behalf of OCC; D. Bonner on behalf of Ornet Primary Aluminum Corporation.	48

<u>9/8/2010</u>	Confidential Document: Transcript Vol. II before Mr. Jeffrey Jones and Ms. Greta See, Attorney Examiners, at the Public Utilities Commission of Ohio, 180 East Broad Street, Room 11-A, Columbus, Ohio, called at 10:00 a.m. on Monday, August 23, 2010.	Conf.
<u>9/8/2010</u>	Confidential Document: Transcript Vol. I before Mr. Jeffrey Jones and Ms. Greta See, Attorney Examiners, at the Public Utilities Commission of Ohio, 180 East Broad Street, Room 11-A, Columbus, Ohio, called at 10:00 a.m. on Monday, August 23, 2010.	Conf.
<u>9/23/2010</u>	Confidential document target for Initial brief of Industrial Energy Users-Ohio by J. Clark.	Conf.
<u>9/23/2010</u>	Post hearing brief submitted on behalf of the Staff of the Public Utilities Commission of Ohio by W. Margard.	49
<u>9/23/2010</u>	Motion for protective order and memorandum in support of Industrial Energy Users-Ohio by J. Clark.	50
<u>9/23/2010</u>	Initial brief of Industrial Energy Users-Ohio filed by J. Clark. (Public Version)	51
<u>9/23/2010</u>	Correspondence stating that a confidential version of the initial merit brief was filed under seal filed on behalf of Columbus Southern Power Company and Ohio Power Company by S. Nourse.	52
<u>9/23/2010</u>	Confidential document target for initial merit brief filed on behalf of Columbus Southern Power Company and Ohio Power Company by S. Nourse.	Conf.
<u>9/23/2010</u>	Initial merit brief of Columbus Southern Power Company and Ohio Power Company filed by S. Nourse. (Public Version)	53
<u>9/23/2010</u>	Motion for protective order and memorandum in support filed on behalf of OCC by M. Idzkowski.	54
<u>9/23/2010</u>	Post hearing brief filed on behalf of the Ohio Consumers' Counsel by M. Idzkowski. (public version)	55

<u>9/23/2010</u>	Confidential document target for post hearing brief filed on behalf of OCC by J. Migden-Ostrander.	Conf.
<u>10/6/2010</u>	Notice of withdrawal of counsel, L. McAlister, filed on behalf of McNees Wallace & Nurick LLC by J. Clark.	56
<u>10/15/2010</u>	Reply brief filed by J. Clark on behalf of Industrial Energy Users-Ohio.	57
<u>10/15/2010</u>	Confidential document target: Brief filed by J. Clark on behalf of Industrial Energy Users-Ohio. (21 pages)	Conf.
<u>10/15/2010</u>	Motion for protective order and memorandum in support filed by J. Clark on behalf of Industrial Energy Users-Ohio.	58
<u>10/15/2010</u>	Motion for protective order and memorandum in support filed by M. Idzkowski on behalf of OCC.	59
<u>10/15/2010</u>	Reply brief submitted on behalf of the Staff of PUCO.	60
<u>10/15/2010</u>	Confidential document: Reply Brief filed on behalf of Ohio Consumers' Counsel by M. Idzkowski.	Conf.
<u>10/15/2010</u>	Correspondence of American Electric Power stating that the confidential version of the Initial Brief is being filed under seal filed by S. Nourse.	61
<u>10/15/2010</u>	Confidential document filed on behalf of Columbus Southern Power Company and Ohio Power Company by S. Nourse. (27 pgs)	Conf.
<u>10/15/2010</u>	Public version of Post-hearing reply brief filed on behalf of the office of the Ohio Consumers' Counsel by M. Idzkowski.	62
<u>10/15/2010</u>	Reply brief of Columbus Southern Power Company and Ohio Power Company filed by S. Nourse.	63

<u>11/9/2010</u>	Transcript for hearing held August 23, 2010 before A.E.'s J. Jones and G. See. (Volume 1)	Trans.
<u>11/9/2010</u>	Transcript for hearing held August 24, 2010 before A.E.'s J. Jones and G. See. (Volume II)	Trans.
<u>11/9/2010</u>	Columbus Southern Power Company's and Ohio Power Company's motion for protective order and memorandum in support filed by S. Nourse.	64
<u>11/16/2010</u>	Notice of withdrawal of counsel, Joseph M. Clark in these proceedings filed by McNees Wallace & Nurick LLC by J. Olikier.	65
<u>11/29/2010</u>	Memorandum contra Columbus Southern Power Company's and Ohio Power Company's motion for protective order by the Office of the Ohio Consumers' Counsel by M. Idzkowski.	66
<u>11/30/2010</u>	Stipulation and recommendation filed by T. McNamee on behalf of the PUCO; T. O'Brien on behalf of the Ohio Hospital Association and Ohio Manufacturers' Association; M. Yurick on behalf of the Kroger Company; E. Hand on behalf of Ormet Primary Aluminum Corp.; S. Nourse on behalf of Columbus Southern Power Company and Ohio Power Company.	67
<u>11/30/2010</u>	Notice of appearance of counsel for Industrial Energy Users-Ohio filed by J. Olikier.	68
<u>12/1/2010</u>	Memorandum contra stipulators' request for expedited procedural schedule and request for expedited ruling by the OCC by K. Verrett., Ohio Energy Group by D. Boehm, Appalachian and Justice Network by M. Smalz, Industrial Energy Users-Ohio by S. Randazzo, and Ohio Partners for Affordable Energy, filed by D. Rinebolt.	69
<u>12/1/2010</u>	Testimony of Philip J. Nelson on behalf of Columbus Southern Power Company and Ohio Power Company in support of the stipulation and recommendation, filed by S. Nourse.	70
<u>12/1/2010</u>	Entry ordering that Kroger's motion for limited intervention is granted and that the parties comply with the procedural schedule set forth in finding (15). (GS)	71

<u>12/2/2010</u>	Memorandum contra of Columbus Southern Power Company and Ohio Power Company filed by S. Nourse.	72
<u>12/2/2010</u>	Ohio Partners for Affordable Energy's motion to intervene and memorandum in support and motion to admit David Rinebolt to practice pro hac vice before the commission, filed by D. Rinebolt. (FAX)	73
<u>12/2/2010</u>	Motion for extension of time and stay of the procedural schedule and memorandum in support of Ohio Partners for Affordable Energy, filed by D. Rinebolt. (FAX)	74
<u>12/3/2010</u>	Memorandum contra of Columbus Southern Power Company and Ohio Power Company to motion for extension of time and stay of the procedural schedule of Ohio Partners for Affordable Energy filed by S. Nourse.	75
<u>12/3/2010</u>	Columbus Southern Power Company's and Ohio Power Company's memorandum contra Ohio Partners for Affordable Energy's motion to intervene filed by S. Nourse.	76
<u>12/3/2010</u>	Entry ordering that the parties are directed to comply with the revised procedural schedule as set forth in finding (6) and the processing of discovery request as set forth in finding (7). (GS)	77
<u>12/3/2010</u>	Motion to intervene and memorandum in support and motion to practice pro hac vice to allow Colleen L. Mooney to practice before the Commission filed by D. Rinebolt on behalf of Ohio Partners for Affordable Energy.	78
<u>12/3/2010</u>	Motion and memorandum in support for extension of time and stay of the procedural schedule of Ohio Partners for Affordable Energy filed by D. Rinebolt.	79
<u>12/16/2010</u>	Notice of withdrawal from the November 30, 2010 stipulation filed on behalf of Columbus Southern Power Company and Ohio Power Company by S. Nourse.	80
<u>12/21/2010</u>	Ohio Partners for Affordable Energy's notice of withdrawal of motion to intervene and motion to practice pro hac vice before the commission, filed by D. Rinebolt.	81

<u>1/25/2011</u>	Entry ordering that EVA shall observe the requirements set forth in this entry. (GS)	82
<u>6/16/2011</u>	Entry ordering that the motion for protective treatment filed by Companies be granted in accordance with finding (9); motions to intervene filed by OCC, the OMAEG, and IEU-Ohio be granted in accordance to finding (15) and that the procedural schedule set forth in finding (16) be adopted. (JRJ)	83
<u>7/13/2011</u>	Notice of the Substitution of counsel Michael E. Idzkowski and designate Terry L. Etter as the counsel of record by the office of the Ohio Consumers' Counsel filed by Terry L. Etter.	84
<u>8/8/2011</u>	Joint motion and memorandum in support of the parties for an amendment to the procedural schedule filed by M. Satterwhite on behalf of American Electric Power.	85
<u>8/18/2011</u>	Entry ordering that the OPAE's motion to intervene be granted in accordance with finding 5 and the motion to amend the procedural schedule be granted, as set forth in finding 7. (GS)	86
<u>10/5/2011</u>	Columbus Southern Power Company's and Ohio Power Company's motion for renewal of protective order and memorandum in support filed by A. Vogel.	87
<u>10/13/2011</u>	Joint Motion and memorandum in support of the Parties for an Amendment to the Procedural Schedule and Request for Expedited Treatment electronically filed by Mr. Matthew J Satterwhite on behalf of American Electric Power Service Corporation.	88
<u>10/25/2011</u>	Entry ordering that the motion to amend the procedural schedule be granted, as set forth in finding 5. (GS)	89
<u>12/1/2011</u>	Request for an extension of time to focus on this case alone 10-268-EL-FAC et al electronically filed by Mr. Matthew J. Satterwhite on behalf of American Electric Power Service Corporation.	90

<u>12/22/2011</u>	Supreme Court Document The following decision, announcement or notice of action by the Supreme Court of Ohio with respect to this case is provided solely for the information and convenience of the reader, and should not be construed as a part of the record of this case before the Public Utilities Commission of Ohio, and may be subject to formal revision before it is published in the Ohio Official Reports. The Court's opinions from 1992 to the present are available online from the Reporter of Decisions at http://www.sconet.state.oh.us/ROD/ - Slip Opinion (June 7, 2011) [Cite as In re Application of Columbus S. Power Co., 129 Ohio St.3d 271, 2011-Ohio-2638.] electronically filed by Kimberly L Keeton on behalf of Public Utilities Commission of Ohio	91
<u>1/23/2012</u>	Opinion and order that; the Companies credit OP's FAC under-recovery as discussed herein; the Companies hire an auditor; the stipulation entered into by AEP-Ohio, Staff, OCC, IEU-Ohio, and Ormet be adopted and approved; AEP take all steps necessary to carry out the terms of this opinion and order.	92
<u>2/22/2012</u>	Application for rehearing and memorandum in support by the Office of the Ohio Consumers' Counsel electronically filed by Ms. Deb J. Bingham on behalf of Etter, Terry L.	93
<u>2/22/2012</u>	Application for rehearing and memorandum in support of Industrial Energy Users-Ohio filed by J. Olikar.	94
<u>2/22/2012</u>	Application for rehearing of Ohio Power Company filed by S.T. Nourse.	95
<u>3/2/2012</u>	Memorandum contra applications for rehearing of Industrial Energy Users - Ohio and the Office of the Ohio Consumers' Counsel filed by S. Nourse on behalf of Ohio Power Company.	96
<u>3/5/2012</u>	Memorandum contra Ohio Power Company's application for rehearing filed on behalf of Industrial Energy Users-Ohio by J. Olikar.	97
<u>3/5/2012</u>	Memorandum Contra Ohio Power Company's Application for Rehearing by the Office of the Ohio Consumers' Counsel electronically filed by Ms. Deb J. Bingham on behalf of Etter, Terry L.	98
<u>3/21/2012</u>	Entry on rehearing ordered, that the applications for rehearing filed by AEP-Ohio, IEU-Ohio, and OCC be granted for further consideration of the matters specified in the applications for rehearing.	99

<u>4/11/2012</u>	Entry ordering that the application for rehearing filed by AEP Ohio, IEU-Ohio, and OCC be granted or denied, as discussed in this entry.	100
<u>5/11/2012</u>	Application for rehearing and memorandum in support of Industrial Energy Users-Ohio filed by J. Olikar.	101
<u>5/21/2012</u>	Memorandum Contra electronically filed by Mr. Steven Nourse on behalf of Ohio Power Company.	102
<u>6/6/2012</u>	Third entry on rehearing ordering that the application for rehearing filed by IEU-Ohio on May 11, 2012, be granted for further consideration of the matters specified in the application for rehearing.	103
<u>6/8/2012</u>	Notice of appeal of Ohio Power Company filed by S. Nourse.	104

**Before
THE SUPREME COURT OF OHIO**

Ohio Power Company)	
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Appellant,)	
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VS)	Supreme Court No. 12-976
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The Public Utilities Commission)	
of Ohio)	
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Appellee.)	

**Being Before
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the matter of the fuel adjustment clause for)	
Columbus Southern Power Company.)	Case No. 09-872-EL-FAC
)	
In the matter of the fuel adjustment clause for)	
Ohio Power Company.)	Case No. 09-873-EL-FAC
)	

C E R T I F I C A T I O N

I, Barcy F. McNeal, the duly appointed and qualified Secretary of The Public Utilities Commission of Ohio, in whose custody the books, records, and files of said Commission are kept, do hereby certify there is transmitted herewith the docket entries of the Commission, **ICN No. 25-104**, the **Opinion and Order dated 1/23/2012** and the **Entry on Rehearing dated 3/21/2012**, **Second Entry on Rehearing dated 4/11/2012** and **Third Entry on Rehearing dated 6/6/2012** and inclusive; the Certification of the record in Case No. **09-872-EL-FAC** and **09-873-EL-FAC**.

IN WITNESS THEREOF, I have thereunto set my hand
and affixed the official seal of The Public Utilities Commission
of Ohio this 9th day of July, 2012.

Barcy F. McNeal

Barcy F. McNeal, Secretary
Betty McCauley, Acting Secretary
Tanowa M. Troupe, Acting Secretary

THE PUBLIC UTILITIES COMMISSION OF OHIO