



Legal Department

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October 31, 2012

The Honorable Greta See
Attorney Examiner
Public Utilities Commission of Ohio
180 East Broad Street
Columbus Ohio 43215-3793

Re: In the Matter of the Electric Security Plan of Ohio Power Company, Case Nos. 11-346-EL-SSO, 11-348-EL-SSO, 11-349-EL-AAM and 11-350-EL-AAM

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Dear Ms. See:

On October 29, 2012, the Ohio Energy Group (OEG) filed “comments” in these dockets regarding the pending stakeholder process regarding the competitive bidding process of the Ohio Power Company (AEP Ohio).

In its filing, OEG again raises two points that it already raised on rehearing (OEG AFR Prop. 4). Under the Commission’s rules, it is untimely and impermissible for OEG to supplement its rehearing position at this time. OEG’s rehearing arguments in this regard were already fully addressed by AEP Ohio as part of its memorandum in opposition to intervenor rehearing applications (at p. 53). As AEP Ohio pointed out, the Commission’s Opinion and Order (at p. 39) already rejected the position –advanced by OCC in testimony and briefing – that market-based auction clearing prices should only be approved if they result in rate decreases for customers. In any case, these issues are already fully submitted on rehearing. OEG should not be permitted to flout the Commission’s well-established rehearing process and rehash its rehearing arguments through the filing of additional “comments.”

Also important is the fact that OEG’s comments violate the pending stakeholder process required by the Opinion and Order that is presently being implemented by AEP Ohio. While OEG’s comments purport to address AEP Ohio’s pending CBP stakeholder process, the reality is that the issues raised in OEG’s comments were not raised as part of the Company’s stakeholder discussion points and were beyond the scope of the initial stakeholder meeting that was conducted. In any case, all of the other stakeholders have followed the established process for exploring consensus on the CBP issues and no other party attempted to short-circuit the process like OEG by prematurely taking their concerns to the Commission. The Commission ordered a stakeholder process in order for parties to initially work toward consensus prior to involvement by the Commission. Permitting filings like

OEG's clearly undermines the stakeholder process. Once the stakeholder process has run its course and the Company files its CBP (by December 31, 2012), the Commission will establish a process for parties to address any concerns that may exist at that time. Therefore, it was improper and counterproductive for OEG to raise any concerns about the pending CBP stakeholder process.

In sum, OEG's comments should be ignored or stricken *sua sponte* by the Commission as being procedurally deficient and otherwise inappropriate.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to be "Shirley A. [unclear]", written over a horizontal line.

cc: Parties of Record

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in

Case No(s). 11-0346-EL-SSO, 11-0348-EL-SSO, 11-0349-EL-AAM, 11-0350-EL-AAM

Summary: Correspondence to Atty Examiner Greta See electronically filed by Mr. Steven T Nourse on behalf of Ohio Power Company