

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Fuel Adjustment )  
Clause of Columbus Southern Power ) Case No. 10-268-EL-FAC  
Company and Ohio Power Company and ) Case No. 10-269-EL-FAC  
Related Matters for 2010. )

In the Matter of the Fuel Adjustment )  
Clauses for Columbus Southern Power ) Case No. 11-281-EL-FAC  
Company and Ohio Power Company and )  
Related Matters. )

ENTRY

The attorney examiner finds:

- (1) By opinion and order issued on March 18, 2009, in Case No. 08-917-EL-SSO, *et al.*, the Commission approved the establishment of fuel adjustment clause (FAC) mechanisms under which Columbus Southern Power Company and Ohio Power Company (jointly, AEP Ohio)<sup>1</sup> recovered prudently incurred costs associated with fuel, including consumables related to environmental compliance, purchased power costs, emission allowances, and costs associated with carbon-based taxes and other carbon-related regulations. The Commission also established an annual audit of the FAC mechanisms. Energy Ventures Analysis, Inc. and its subcontractor, Larkin & Associates PLLC, were selected by the Commission to perform the management/performance and financial audits of AEP Ohio for 2009, 2010, and 2011.
- (2) On May 26, 2011, the 2010 FAC report of AEP Ohio's management/performance and financial audit (2010 report) was filed in Case No. 10-268-EL-FAC, *et al.* (10-268).
- (3) By entry issued on June 16, 2011, the attorney examiner established a procedural schedule in 10-268, which was later revised on August 18, 2011. On October 25, 2011, the attorney

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<sup>1</sup> By entry issued on March 7, 2012, the Commission approved and confirmed the merger of Columbus Southern Power Company into Ohio Power Company. *In the Matter of the Application of Ohio Power Company and Columbus Southern Power Company for Authority to Merge and Related Approvals*, Case No. 10-2376-EL-UNC.

examiner granted the parties' motion to continue the procedural schedule to allow time for settlement negotiations. The parties agreed to update the attorney examiner as to the progress of their negotiations by November 10, 2011, and to propose a new procedural schedule, if necessary.

- (4) On November 10, 2011, the parties requested further time to negotiate a settlement in 10-268 and agreed to update the attorney examiner on their progress during the first week of December 2011. The parties expressed their belief that the issues could be resolved without an evidentiary hearing. On December 1, 2011, the parties again requested further time to negotiate a settlement agreement.
- (5) On May 24, 2012, the 2011 FAC report of AEP Ohio's management/performance and financial audit (2011 report) was filed in Case No. 11-281-EL-FAC (11-281).
- (6) In light of the fact that no settlement agreement resolving the issues identified in the 2010 report has been filed by the parties in 10-268, and upon review of the 2011 report filed in 11-281, the attorney examiner finds that these matters should be set for hearing. Accordingly, the following procedural schedule should be established:
  - (a) Motions to intervene in 11-281 shall be filed by October 10, 2013.
  - (b) A prehearing conference shall take place on October 15, 2013, at 10:00 a.m., at the offices of the Commission, 180 East Broad Street, 11th Floor, Hearing Room 11-D, Columbus, Ohio 43215-3793.
  - (c) Testimony on behalf of AEP Ohio and intervenors shall be filed by November 8, 2013.
  - (d) An evidentiary hearing shall commence on November 18, 2013, at 10:00 a.m., at the offices of the Commission, 180 East Broad Street, 11th Floor, Hearing Room 11-D, Columbus, Ohio 43215-3793.

It is, therefore,

ORDERED, That the procedural schedule set forth in finding (6) be adopted. It is, further,

ORDERED, That a copy of this entry be served upon all interested persons and parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/Sarah Parrot

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By: Sarah J. Parrot  
Attorney Examiner

JRJ/sc

**This foregoing document was electronically filed with the Public Utilities**

**Commission of Ohio Docketing Information System on**

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**in**

**Case No(s). 10-0268-EL-FAC, 10-0269-EL-FAC, 11-0281-EL-FAC**

Summary: Attorney Examiner Entry sets a procedural schedule in accordance with finding (6). - electronically filed by Sandra Coffey on behalf of Sarah Parrot, Attorney Examiner, Public Utilities Commission of Ohio