

**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)	Case No. 10-269-EL-FAC
And Related Matters for 2010)	

In the Matter of the Fuel Adjustment)	
Clause of Columbus Southern Power)	Case No. 11-281-EL-FAC
Company and Ohio Power Company)	
And Related Matters for 2011)	

**OHIO POWER COMPANY’S MOTION FOR FILING OF PRE-FILED DIRECT
TESTIMONY AND MOTION FOR PROTECTIVE ORDER OUT OF TIME AND
MEMORANDUM IN SUPPORT**

Ohio Power Company (“Company” or “AEP Ohio”), pursuant to Ohio Admin. Code Rule 4901-1-12, hereby move the Commission for acceptance of the pre-filed testimony of AEP Ohio witnesses in the above captioned case and the motion for a protective order of information filed November 8, 2013, out of time. It was discovered on Monday morning November 11, 2013, that the testimony and motion for protective order served on Friday November 8, 2013 were not filed electronically with the Commission. The testimony and motion for protective order were served electronically on Friday November 8, 2013. The testimony and motion were electronically filed

with the Commission on Monday November 11, 2013 and this motion seeks for acceptance of these documents.

Respectfully submitted,

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MEMORANDUM IN SUPPORT

The due date for pre-filed testimony in these proceedings was established by the Examiner as Friday November 8, 2013. AEP Ohio prepared the testimony of three witnesses, Timothy Dooley, Philip Nelson and James Henry. Mr. Henry's testimony involved confidential information from both the 2010 Audit and the 2011 Audit requiring three different confidential versions depending on what cases involved what parties and who signed confidentiality agreements. AEP Ohio also prepared a motion for a Protective Order of the confidential information included in Mr. Henry's testimony.

Due to an administrative error the public versions of the AEP Ohio testimony was not filed with docketing electronically as was intended and as was indicated in the service email to the parties in the case. A service email was sent on Friday November 8, 2013, with the public versions attached and confidential versions were sent to the appropriate parties also on Friday November 8, 2013. Three hard copies of Mr. Henry's confidential testimony were also filed with docketing on Friday November 8, 2013 per Commission rules for confidential information. The motion for protective order that corresponded to the filing of that confidential information was also served with the testimony on Friday afternoon but not officially docketed. Two full copies of all the testimony and the motion for a protective order were also left for Examiner Parrot at the front desk on the 12th floor at the Commission.

Upon reviewing the record on Monday November 11, 2013 counsel for AEP Ohio noticed that its filings had not registered in the docketing system. Sometimes documents filed close to 5:30 PM are not reflected on the docketing until the next business day. But knowing that the instruction to file had been made prior to 5:00 PM on Friday November 8, 2013 the documents should have been reflected on the docket. After checking for a verification notice

from docketing and then checking with the assistant asked to electronically file the documents it became apparent that the documents had been served but not filed with the Commission's docketing system. Upon discovery on Monday morning, Counsel for AEP Ohio immediately informed the parties of the error and resent the public versions of the testimony to the parties. The testimony served on Friday November 8, 2013 was then filed on Monday November 11, 2013 and this motion and memorandum in support is being filed to seek acceptance of the testimony and the associated motion for protective order out of time.

As this time the parties are all in receipt of the testimony finalized on Friday November 8, 2013. The versions filed are the exact same versions included in the Friday November 8, 2013 email service. The parties should not be disadvantaged by the administrative oversight of the Company. The Company is willing to delay the start date of the hearing for more time to review to the extent that its failure to complete the filing electronically with docketing disadvantages any party. The Company apologizes for the mix-up in submission and hopes its efforts to provide the different versions of confidential testimony and the public documents are appreciated.

Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing was served via electronic mail upon the below-listed counsel this 11th day of November, 2013.

//s// Matthew J. Satterwhite

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

Summary: Motion for Filing of Pre-Filed Direct Testimony and Motion for Protective Order Out of Time and Memorandum in Support electronically filed by Mr. Matthew J Satterwhite on behalf of Ohio Power Company