



Legal Department

American Electric Power  
1 Riverside Plaza  
Columbus, OH 43215-2373  
AEP.com

September 3, 2015

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

Steven T. Nourse  
Senior Counsel –  
Regulatory Services  
(614) 716-1608 (P)  
(614) 716-2014 (F)  
stnourse@aep.com

Re: *In the Matter of the Application Seeking Approval of Ohio Power Company's Proposal to Enter into an Affiliate Power Purchase Agreement for Inclusion in the Power Purchase Agreement Rider, Case No. 14-1693-EL-RDR; In the Matter of the Application of Ohio Power Company for Approval of Certain Accounting Authority, Case No. 14-1694-EL-AAM*

Dear Attorney Examiners:

On August 7, 2015, the Commission issued its scheduling Entry in this case which provided, among other things, that intervenor testimony would be due September 11, 2015 – five weeks after the Entry and approximately four months after the Amended Application filed by Ohio Power Company (AEP Ohio). On August 12, the Environmental Law & Policy Center (ELPC) –along with several other intervenors – filed a joint motion to delay the procedural schedule established by the Commission. After the Company filed a memo contra, the group of intervenors filed a reply in support of their request for delay on August 21, which appended an un-executed affidavit inserting a new claim not raised in the original motion for delay. More than 10 days later, ELPC has now submitted the executed affidavit as additional support for the motion to delay, explaining simply that the affiant was “on vacation in Florida.”

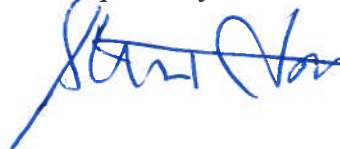
AEP Ohio questions the propriety of the executed affidavit being submitted more than 10 days after the reply memo was filed – and well after the deadline for submitting arguments in support of the motion for delay. Presuming the affiant agreed to the original language of the affidavit at the time it was submitted, why did he not just take a few extra minutes to execute and transmit the completed affidavit? Why did it take 10 days to execute the affidavit? Of course, the substantive content of the affidavit raises additional procedural questions. Can a conversation between counsel and a prospective witness that occurred after the request to delay was filed and presented for the first time on reply (after the Company responded to the original motion) be properly submitted as a valid basis for the prior motion? Is a claim that a prospective witness is on vacation and too busy to prepare testimony by

the established deadline probative or relevant, given that the question was not asked of the potential witness until 10 days after the deadline was established? AEP Ohio submits that Ohio Admin. Code 4901-1-12(B)(2) required ELPC to submit any final supporting arguments and information by August 26 (7 days after the Company's memo contra).

Even assuming that one intervenor advancing the excuse that one potential witness is vacationing and too busy to complete testimony by the established date is a basis for delay that the Commission would entertain, AEP Ohio submits that such a claim should be submitted in the original motion. Not only did ELPC fail to do so, but it also failed to substantiate this claim in its reply and did not bother doing so for another 11 days – well after the deadline for supporting its motion. For these reasons, AEP Ohio submits that the affidavit is improper and should be disregarded by the Commission.

Thank you for your attention to this matter.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to be "Greta See", written over a horizontal line.

cc: Parties of Record

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

**Commission of Ohio Docketing Information System on**

**9/3/2015 10:02:09 AM**

**in**

**Case No(s). 14-1693-EL-RDR, 14-1694-EL-AAM**

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