

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application for)
Approval of an Amendment to a Contract) Case No. 09-516-EL-AEC
for Electric Service between Ohio Power)
Company and Eramet Marietta, Inc.)

ENTRY

The attorney examiner finds:

- (1) Pursuant to R.C. 4905.31 and Ohio Adm.Code 4901:1-38-5(B), a mercantile customer of an electric utility may apply to the Commission for a reasonable arrangement with the electric utility.
- (2) On January 22, 2015, Eramet Marietta, Inc. (Eramet) filed an application for approval of an amendment to its reasonable arrangement with Ohio Power Company (AEP Ohio). In its application, Eramet proposes to extend the current contract expiration date of its existing reasonable arrangement by one year to December 31, 2020. Further, Eramet proposes that its proposed delivered price outcomes be accomplished using generation supply from a competitive retail electric service (CRES) provider. Additionally, Eramet proposes to modify its capital investment and employment commitments, such that it will use its best efforts to secure investment to the level necessary to comply with pending environmental protection agency (EPA) regulations and maintain the facility's operations, as well as maintain an average of 175 full-time equivalent employees over the six-year period of the modified unique arrangement.
- (3) On September 21, 2015, a stipulation and recommendation (Stipulation) signed by Staff and Eramet was filed in this case. However, AEP Ohio, the Ohio Consumers' Counsel (OCC), and the Ohio Energy Group (OEG) were not signatory parties to the Stipulation. The Stipulation recommends, among other things, that Eramet be permitted to purchase its energy, capacity, and market-based service components and other competitive services from a certified

CRES provider. The Stipulation also recommends that Eramet's existing reasonable arrangement be amended so that the currently approved declining discount is maintained but applied to Eramet's total bill. Further, the Stipulation recommends that the reduced difference between Eramet's bill at the otherwise applicable shopping rate and the bill Eramet would pay based upon the 2015 application be deemed delta revenue. The signatory parties agree that this will result in a reduction to the potential amount of delta revenue. Finally, Eramet agrees to use its best efforts to maintain an average of 175 full-time equivalent direct employees at its Marietta facility over the terms of the currently approved reasonable arrangement.

- (4) The attorney examiner finds that a hearing should be held in order to consider the Stipulation in this matter. Accordingly, this matter should be set for hearing on September 25, 2015, at 10:00 a.m., at the offices of the Commission, 180 East Broad Street, 11th Floor, Hearing Room 11-C, Columbus, Ohio 43215-3793.

It is, therefore,

ORDERED, That the hearing in this matter should be scheduled for September 25, 2015, in accordance with finding (4). It is, further,

ORDERED, That a copy of this Entry be served upon each party of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/Bryce McKenney

By: Bryce A. McKenney
Attorney Examiner

JRJ/sc

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in

Case No(s). 09-0516-EL-AEC

Summary: Attorney Examiner Entry scheduling a hearing for 09/25/2015 in accordance with Finding (4). - electronically filed by Sandra Coffey on behalf of Bryce McKenney, Attorney Examiner, Public Utilities Commission of Ohio