

UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION

Electric Power Supply Association, Retail	:	
Energy supply Association, Dynegy, Inc.,	:	
Eastern Interconnection, LLC, NRG	:	
Power Marketing, LLC, and GenOn	:	
Energy Management, LLC,	:	
	:	
Complainants,	:	
	:	
v.	:	
	:	
AEP Generation Resources, Inc., and	:	Docket No. EL16-33-000
Ohio Power Company,	:	
	:	
FirstEnergy Solutions Corporation, Ohio	:	
Edison Company, The Cleveland Electric	:	Docket No. EL16-34-000
Illuminating Company, and The Toledo	:	
Edison Company,	:	
	:	
Respondents.	:	

NOTICE
SUBMITTED ON BEHALF OF
THE PUBLIC UTILITIES COMMISSION OF OHIO

The Public Utilities Commission of Ohio (PUCO), pursuant to Section 206 of the Federal Power Act and in accordance with Rules 206 and 214 (18 CFR 385.206 (f) and 385.214), respectfully submits the following Comments to the Federal Energy Regulatory Commission (Commission) with regard to two January 27, 2016 complaint filings. The

complaints seek rescission of previously-granted waivers of the Commission's affiliate power sales restriction as it relates to proposed affiliate transactions involving subsidiaries of First Energy Corporation (First Energy) and, separately, proposed affiliate transactions involving subsidiaries of American Electric Power, Inc. (AEP).¹

The Commission issued Public Notices of Complaints on January 28, 2016 establishing a comment date in these proceedings of February 16, 2016. On February 9, 2016, the Commission extended the comment deadline to February 23, 2016.

The PUCO respectfully serves notice that the subject matter filed in these proceedings directly relates to two cases² pending before the PUCO. Accordingly, in light of the fact that these cases are pending before the PUCO, the PUCO will not be filing comments in these proceedings. However, the PUCO reserves the right to fully participate in these proceedings, if it so chooses, after the PUCO has issued a final appealable order in the cases pending before the PUCO.

¹ *Complaint Requesting Fast Track Processing* filed by Electric Power Supply Association (EPSA), the Retail Energy Supply Association (RESA), Dynegy, Inc. (Dynegy), Eastern Generation, LLC (Eastern Generation) and the NRG Companies (NRG) against AEP, Docket No. EL16-33-000 and against FirstEnergy, Docket No. EL16-34-000 at 1-2.

² *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*, PUCO Case No. 14-1693-EL-RDR, and *In the Matter of the Application of Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company for Authority to Provide for a Standard Service Offer Pursuant to R.C. 4928.143 in the Form of an Electric Security Plan*, PUCO Case No. 14-1297-EL-SSO.

Respectfully submitted,

/s/ Thomas W. McNamee

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**Attorney for the
Public Utilities Commission of Ohio**

CERTIFICATE OF SERVICE

I hereby certify that the foregoing has been served in accordance with 18 C.F.R.
Section 385.2010 upon each person designated on the official service list compiled by the
Secretary in this proceeding.

/s/ Thomas W. McNamee

Thomas W. McNamee

Dated at Columbus, Ohio this February 10, 2016.

Submission ID 648620

Submission Description Notice submitted on behalf of the Public Utilities Commission of Ohio under EL16-33-000, et. al..

Submission Date 2/10/2016 2:22:38 PM

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Current Status Pending

Dockets

Docket	Description	Applicant/Filer
EL16-33-000	Complaint Requesting Fast Track Processing of Electric Power Supply Association, et. al.	Electric Power Supply Association, Retail Energy Supply Association, Dynegy Inc., Eastern Generation, LLC, NRG Power Marketing LLC and GenOn Energy Management, LLC v. AEP Generation Resources, Inc. and Ohio Power Company
EL16-34-000	Complaint Requesting Fast Track Processing	Electric Power Supply Association, et al v. FirstEnergy Solutions Corporation, et al

Files

Security Level	Filename
Public	Notice 021016.pdf

Filing Party/Contacts

Filing Party	Signer (Representative)	Other Contacts (Principal)
Public Utilities Commission of Ohio	thomas.mcnamee@puc.state.oh.us	lori.sternisha@puc.state.oh.us

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in

Case No(s). 93-7000-EL-FAD

Summary: Notice submitted by Assistant Attorney General Thomas McNamee to the Federal Energy Regulatory Commission on February 10, 2016 on behalf of the Public Utilities Commission of Ohio to be submitted in FERC Docket No. EL16-34-000, Eleetric Power Supply Associatoin, et al. v. FirstEnergy Solutions Corporation, et al. electronically filed by Kimberly L Keeton on behalf of Public Utilities Commission of Ohio