

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE APPLICATION
OF OHIO POWER COMPANY FOR
AUTHORITY TO ESTABLISH A
STANDARD SERVICE OFFER PURSUANT
TO R.C. 4928.143, IN THE FORM OF AN
ELECTRIC SECURITY PLAN.

CASE No. 16-1852-EL-SSO

IN THE MATTER OF THE APPLICATION
OF OHIO POWER COMPANY FOR
APPROVAL OF CERTAIN ACCOUNTING
AUTHORITY.

CASE No. 16-1853-EL-AAM

ENTRY

Entered in the Journal on March 22, 2017

{¶ 1} Ohio Power Company d/b/a AEP Ohio (AEP Ohio or the Company) is an electric distribution utility as defined in R.C. 4928.01(A)(6) and a public utility as defined in R.C. 4905.02, and, as such, is subject to the jurisdiction of this Commission.

{¶ 2} R.C. 4928.141 provides that an electric distribution utility shall provide consumers within its certified territory a standard service offer (SSO) of all competitive retail electric services necessary to maintain essential electric services to customers, including a firm supply of electric generation services. The SSO may be either a market rate offer in accordance with R.C. 4928.142 or an electric security plan (ESP) in accordance with R.C. 4928.143.

{¶ 3} On November 23, 2016, AEP Ohio filed an application to extend, with certain modifications, the term of its current SSO pursuant to R.C. 4928.141. The application is for an ESP in accordance with R.C. 4928.143. The Company's current SSO term is scheduled to end May 31, 2018, and the ESP application proposes to extend the term through May 31, 2024.

{¶ 4} The technical conference on AEP Ohio's ESP application was held on December 14, 2016.

{¶ 5} By Entry issued February 7, 2017, the procedural schedule was established in these matters, including the due date for timely motions to intervene. Pursuant to the procedural schedule, motions to intervene were due by March 1, 2017.

{¶ 6} Timely motions to intervene were filed by the following movants:

Industrial Energy Users-Ohio
Ohio Consumers' Counsel
Ohio Manufacturers' Association Energy Group
Environmental Law and Policy Center
Ohio Partners for Affordable Energy
The Kroger Company
Buckeye Power, Inc. (Buckeye Power)
Ohio Environmental Council
Environmental Defense Fund
Ohio Energy Group
Wal-Mart Stores East, LP and Sam's East, Inc.
Ohio Hospital Association
Paulding Wind Farm II LLC
PJM Power Providers Group and Electric Power Supply Association
Natural Resources Defense Council
Interstate Gas Supply, Inc.
Commerce Energy, Inc. d/b/a Just Energy
Retail Energy Supply Association
Dynegy Inc.
Sierra Club
Calpine Energy Solutions, LLC
Duke Energy Ohio, Inc.
Mid-Atlantic Renewable Energy Coalition
EnerNOC, Inc.
Electric Vehicle Charging Association
Constellation NewEnergy, Inc.

{¶ 7} No memorandum contra any of the motions to intervene was filed.

{¶ 8} Buckeye Power initially filed a motion to intervene on October 31, 2016, and on February 27, 2017, filed a motion for leave to amend its motion to intervene. The attorney examiner finds Buckeye Power's request for leave to amend its motion to intervene is reasonable and should be granted.

{¶ 9} The attorney examiner finds that all of the motions to intervene assert a real and substantial interest that is not represented by another party to these matters. Further, each motion asserts that the disposition of these proceedings may impair or impede the movant's ability to protect that interest. As each of the motions to intervene meets the criteria set forth in R.C. 4903.221 and Ohio Adm.Code 4901-1-11, the motions to intervene filed by the entities listed in paragraph 6 above are reasonable and should be granted.

{¶ 10} On February 3, 2017, and March 21, 2017, motions were filed by attorney Richard Sahli, an active attorney in good standing in Ohio, requesting that Anthony Mendoza and Joseph Halso be permitted to appear pro hac vice and as co-counsel for Sierra Club. In support of the motions, movant submitted copies of the certificate of pro hac vice registration for Mr. Mendoza and Mr. Halso furnished by the Supreme Court of Ohio Office of Attorney Services, and copies of the affidavits required by Gov. Bar R. XII(2)(A)(6), granting pro hac vice status to appear in Ohio proceedings until December 31, 2017.

{¶ 11} The attorney examiner finds that the motions to admit Mr. Mendoza and Mr. Halso to appear pro hac vice and as co-counsel on behalf of Sierra Club should be granted.

{¶ 12} It is, therefore,

{¶ 13} ORDERED, That Buckeye Power's request for leave to amend its motion to intervene be granted. It is, further,

{¶ 14} ORDERED, That the motions to intervene filed by the persons listed in paragraph 6 be granted. It is, further,

{¶ 15} ORDERED, That Anthony Mendoza and Joseph Halso be permitted to appear pro hac vice and as co-counsel on behalf of Sierra Club. It is, further,

{¶ 16} ORDERED, That a copy of this Entry be served upon all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/ Greta See

By: Greta See
Attorney Examiner

JRJ/dah

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Commission of Ohio Docketing Information System on

3/22/2017 11:51:49 AM

in

Case No(s). 16-1852-EL-SSO, 16-1853-EL-AAM

Summary: Attorney Examiner Entry ordering the motions to intervene filed by the persons listed be granted; and that Anthony Mendoza and Joseph Halso be permitted to appear pro hac vice and as co-counsel on behalf of Sierra Club. Entry electronically filed by Debra Hight on behalf of Greta See, Attorney Examiner.