

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE APPLICATION OF
OHIO POWER COMPANY FOR
ADMINISTRATION OF THE
SIGNIFICANTLY EXCESSIVE EARNINGS
TEST PURSUANT TO R.C. 4928.143(F)
AND OHIO ADM.CODE 4901:1-35-10.

CASE No. 17-1230-EL-UNC

ENTRY

Entered in the Journal on February 22, 2018

{¶ 1} Ohio Power Company d/b/a AEP Ohio (AEP Ohio or 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} On February 25, 2015, the Commission approved, with certain modifications, AEP Ohio's application for a standard service offer in the form of an electric security plan (ESP), in accordance with R.C. 4928.143, with a term of June 1, 2015, through May 31, 2018. *In re Ohio Power Co.*, Case No. 13-2385-EL-SSO, et al., Opinion and Order (Feb. 25, 2015).

{¶ 3} Pursuant to the directives set forth in R.C. 4928.143(F), the Commission is required to evaluate the earnings of each electric distribution utility's approved ESP to determine whether the ESP produces significantly excessive earnings for the electric distribution utility.

{¶ 4} On May 15, 2017, AEP Ohio filed its application for the administration of the significantly excessive earnings test for 2016 earnings, as required by R.C. 4928.143(F) and Ohio Adm.Code 4901:1-35-10. In support of the application, the Company also filed the testimony of Andrea E. Moore, William A. Allen, and Tyler H. Ross.

{¶ 5} By Entry issued on December 7, 2017, a procedural schedule was established to assist the Commission with its review of AEP Ohio's 2016 earnings. Pursuant to the procedural schedule, motions to intervene were due by December 19, 2017, testimony by

Staff and intervenors was due by January 12, 2018, and the evidentiary hearing was scheduled to commence on February 6, 2018.

{¶ 6} Consistent with the procedural schedule, the direct testimony of Daniel J. Duann was filed by Ohio Consumers' Counsel (OCC).

{¶ 7} On January 16, 2018, Staff filed a motion to accept testimony instanter. In the motion, Staff requests that the testimony of Joseph P. Buckley be accepted one business day late. Staff notes that the testimony was untimely filed as the result of technical difficulties and personnel absences, which prevented the submission of the testimony on the due date. No memorandum contra Staff's motion was filed.

{¶ 8} The attorney examiner finds that the motion to accept the testimony of Staff witness Joseph P. Buckley is reasonable under the circumstances and should be granted.

{¶ 9} On January 26, 2018, AEP Ohio, Staff, and OCC filed a joint motion to suspend the procedural schedule and a request for an expedited ruling to permit the parties additional time to engage in settlement negotiations to resolve the issues in dispute.

{¶ 10} By Entry issued January 29, 2018, the parties' motion to suspend the procedural schedule was granted.

{¶ 11} On February 13, 2018, AEP Ohio and Staff filed a Stipulation and Recommendation (Stipulation), purportedly resolving all the issues in the case.

{¶ 12} In order to assist the Commission with its review of the Stipulation, the following procedural schedule should be established:

- (a) Testimony in support of the Stipulation should be filed by March 9, 2018.
- (b) Testimony in opposition to the Stipulation should be filed by March 23, 2018.

(c) The evidentiary hearing shall commence on April 10, 2018, at 10:00 a.m., at the offices of the Commission, 180 East Broad Street, 11th Floor, Hearing Room 11-C, Columbus, Ohio.

{¶ 13} It is, therefore,

{¶ 14} ORDERED, That Staff's motion to accept testimony instanter be granted. It is, further,

{¶ 15} ORDERED, That the procedural schedule be established as set forth in Paragraph 12. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/Greta See

By: Greta See
Attorney Examiner

JRJ/mef

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Case No(s). 17-1230-EL-UNC

Summary: Attorney Examiner Entry setting the procedural schedule and granting the Staff's motion to accept testimony instant. electronically filed by Ms. Mary E Fischer on behalf of Greta See, Attorney Examiner, Public Utilities Commission of Ohio