

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE APPLICATION OF
OHIO VALLEY ELECTRIC CORPORATION
FOR APPROVAL OF TERMINATION OF
SERVICE.

CASE No. 15-892-EL-AEC

ENTRY ON REHEARING

Entered in the Journal on August 22, 2018

I. SUMMARY

{¶ 1} The Commission grants the United States Department of Energy's application for rehearing and request for clarification of the June 28, 2018 Opinion and Order, and approves the Termination Agreement for service from the Ohio Valley Electric Corporation.

II. PROCEDURAL HISTORY

{¶ 2} On June 28, 2018, the Commission issued its Opinion and Order approving a Stipulation, filed on April 10, 2018 by Ohio Valley Electric Corporation (OVEC), the United States Department of Energy (DOE), and the Ohio Power Company (AEP Ohio), for the termination of OVEC's 345kV electric service to the DOE's former Portsmouth Gaseous Diffusion Plant in Southern Ohio (Portsmouth Facility), which is now undergoing a multi-year decommissioning and decontamination project. Under the Stipulation as approved by the Opinion and Order, OVEC's service to DOE at the Portsmouth Facility will be replaced by 138kV service from AEP Ohio.

{¶ 3} On July 20, 2018, OVEC filed a notice of the Eighth Amendment to its Termination Agreement with DOE, and is requesting expedited approval of termination for the underlying power supply arrangement between DOE and OVEC.

{¶ 4} On July 25, 2018, DOE filed an application for rehearing of the Opinion and Order, requesting that the reference to DOE's obligation to reimburse AEP Ohio for construction costs of approximately \$23 million in ¶13 of the Opinion and Order, be clarified to reflect that such payment is contingent upon DOE's termination of the project, or a new electric service agreement is not executed prior to the service being energized.

III. DISCUSSION

{¶ 5} R.C. 4903.10 and Ohio Adm.Code 4901-1-35 provide that any party who has entered an appearance in a Commission proceeding may apply for rehearing of a Commission order with respect to any matters determined therein by filing an application for rehearing within 30 days after the entry of the order upon the Commission's journal.

{¶ 6} In this case, the Commission did not intend for its Opinion and Order to modify the April 10, 2018 Stipulation filed by OVEC, DOE, and AEP Ohio. Accordingly, the Commission finds DOE's request for clarification of the Opinion and Order to be reasonable, and its application for rehearing should be granted. Specifically, the third sentence of ¶13 of the Opinion and Order should be amended to read as follows:

Under the terms of the Stipulation, DOE's contract capacity is expected to be 36,000 kW, and DOE will reimburse AEP Ohio for construction costs of approximately \$23 million, in the event DOE either terminates the project or a new electric service is not executed prior to the service being energized, and including payment of an estimated \$1.8 million as contribution in aid of construction (Jt. Ex. I, at 7-8, Exs. C and D).

{¶ 7} Further, OVEC's request for approval of its Termination Agreement with DOE should be approved subject to the terms of April 10, 2018 Stipulation, as approved in the Opinion and Order.

IV. ORDER

{¶ 8} It is, therefore,

{¶ 9} ORDERED, That DOE's application for rehearing be granted, as set forth above. It is, further,

{¶ 10} ORDERED, That OVEC's Termination Agreement with DOE, as amended, be approved. It is, further,

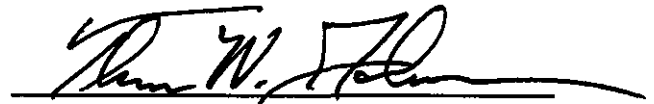
{¶ 11} ORDERED, That a copy of this Entry on Rehearing be served upon each party of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

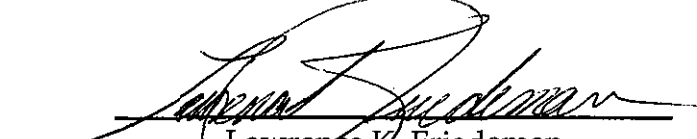
Asim Z. Haque, Chairman



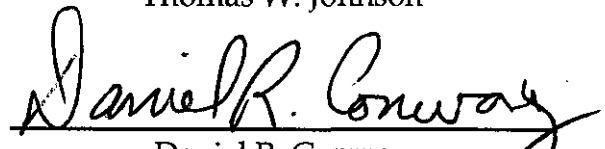
M. Beth Trombold



Thomas W. Johnson



Lawrence K. Friedeman



Daniel R. Conway

RMB/mef

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AUG 22 2018



Barcy F. McNeal
Secretary