

## THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE APPLICATION OF  
OHIO POWER COMPANY FOR  
ESTABLISHMENT OF RENEWABLE  
REASONABLE ARRANGEMENTS WITH  
MULTIPLE NON-RESIDENTIAL  
CUSTOMERS.

CASE NO. 19-2037-EL-AEC

### ENTRY

Entered in the Journal on January 2, 2020

{¶ 1} Ohio Power Company (AEP or Applicant) is a public utility as defined by R.C. 4905.02 and, as such, is subject to regulation by the Commission.

{¶ 2} On November 12, 2019, AEP filed an application for establishment of renewable reasonable arrangements with multiple non-residential customers, seeking to implement a 900 megawatt (MW) renewable commitment previously approved by the Commission. Case Nos. 14-1693-EL-RDR, *et al.*; Case Nos. 16-1852-EL-SSO, *et al.*

{¶ 3} In its application, AEP indicated that it continues to pursue bilateral contracts with retail customers for the purchase of the new renewable generation projects in an attempt to avoid utility ownership, an affiliate renewable energy purchase agreement (REPA), and the necessity of a potential nonbypassable charge. AEP indicates that it has already made progress in obtaining letters of intent from a group of non-residential retail customers that support the development of the renewable generation projects. AEP plans to continue its efforts at obtaining additional retail customer contracts for an additional “reasonable” period of time prior to filing an amended application for renewable reasonable arrangements.

{¶ 4} On December 3, 2019, Ohio Energy Group (OEG) moved to intervene in this case, advising that it represents twelve large industrial and commercial electric customers whose interests may be affected by the case.

{¶ 5} On December 5, 2019, The Office of the Ohio Consumers’ Counsel (OCC) moved to intervene in this case on behalf of AEP’s residential customers, and to suspend

the case deadlines regarding moving to intervene, filing comments, and filing objections to the application. OCC contends that AEP's application lacks the detail required for consideration by the Commission. Ohio Adm.Code 4901:1-38(E); 4901:1-38-03

{¶ 6} On December 20, 2019, AEP filed its memorandum in response to motion to suspend case deadlines. In its motion, AEP supports OCC's procedural request, agreeing to suspend further action in this case until AEP files an amended application to advance the case after it finalizes reasonable arrangements with its customers.

{¶ 7} The attorney examiner grants intervenor status to OEG and OCC, finding that their participation in this case on behalf of AEP's residential and industrial customers will significantly contribute to full development and equitable resolution of the issues affected by the application without causing any unreasonable delay in the proceedings. R.C. 4903.221(B)

{¶ 8} The attorney examiner concurs with the position independently stated by both OCC and AEP, finding that the application lacks significant details necessary to evaluate its proposal such that the procedural schedule in this case, including deadlines for the consideration of intervention, comments, and objections should be suspended until AEP provides the amended application information as required by Ohio Adm.Code 4901:1-38-03.

{¶ 9} It is, therefore,

{¶ 10} ORDERED, That the motions to intervene filed by OEG and OCC be granted. It is, further,

{¶ 11} ORDERED, That deadlines for seeking intervention, filing comments, and filing objections in this case be suspended until such time as the attorney examiner issues an order finding that AEP has filed an amended application that more fully addresses the criteria in Ohio Adm.Code 4901:1-38-03. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/Michael L. Williams

By: Michael L. Williams  
Attorney Examiner

GAP/hac

**This foregoing document was electronically filed with the Public Utilities**

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**Case No(s). 19-2037-EL-AEC**

Summary: Attorney Examiner Entry granting motions to intervene and suspending deadlines for seeking intervention, filing comments and filing objections electronically filed by Heather A Chilcote on behalf of Michael L. Williams, Attorney Examiner, Public Utilities Commission of Ohio