

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of)
Ohio Power Company to Update Its) Case No. 19-1747-EL-RDR
Enhanced Service Reliability Rider.)

**MOTION FOR LEAVE TO FILE COMMENTS
BY
THE OFFICE OF THE OHIO CONSUMERS' COUNSEL**

The Office of the Ohio Consumers' Counsel ("OCC") moves¹ the Public Utilities Commission of Ohio ("PUCO") for leave to file comments involving AEP's request to charge customers over \$13 million for tree trimming when it should instead be crediting (refunding) customers for approximately \$9 million in overcollections made by AEP from customers in past years. As a result of lost wages, unemployment, and other financial hardships resulting from the coronavirus, customers need assistance now. The PUCO can assist customers by rejecting the charge AEP proposes, and ordering a long overdue credit for customers.

The PUCO's Staff has filed its Review and Recommendations. AEP has filed reply comments to the PUCO Staff's Review and Recommendations. OCC should be afforded an opportunity to weigh in on this issue of vital importance to AEP customers.

Good cause to grant OCC leave to file comments exists. OCC's comments will provide the PUCO with additional information as it considers AEP's application and the

¹ OCC's motion is filed under Ohio Admin. Code 4901-1-12. Under Ohio Admin. Code 4901-1-12 and 4901-1-14, a ruling on this motion may be made by the legal director, deputy legal director, or attorney examiner.

Staff's Review and Recommendations. No party will be prejudiced by OCC filing comments. OCC's comments will not cause undue delay in this case where there is no procedural schedule established by rule or Attorney Examiner Entry.

The grounds for this Motion are more fully described in the accompanying Memorandum in Support.

Respectfully submitted,

Bruce Weston (0016973)
Ohio Consumers' Counsel

/s/ William Michael
William Michael (0070921)
Counsel of Record
Amy Botschner O'Brien (0074423)
Assistant Consumers' Counsel

Office of the Ohio Consumers' Counsel
65 East State Street, 7th Floor
Columbus, Ohio 43215
Telephone [Michael]: (614) 466-1291
Telephone [Botschner O'Brien]: (614) 466-9575
William.michael@occ.ohio.gov
Amy.botschner.obrian@occ.ohio.gov
(Willing to accept service by e-mail)

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of)
Ohio Power Company to Update Its) Case No. 19-1747-EL-RDR
Enhanced Service Reliability Rider.)

MEMORANDUM IN SUPPORT

Under Ohio Admin. Code 4901-1-28(E), comments are not to be filed in cases such as this (non-base rate cases involving an investigation and PUCO Staff report) unless directed by the PUCO, the legal director, the deputy legal director, or the attorney examiner. The attorney examiner should grant OCC leave to file comments or objections to the report.

The PUCO Staff has filed its Review and Recommendations.² Without requesting leave (as would be required by Ohio Admin. Code 4901-1-28(E)), AEP filed comments in response to PUCO Staff's Review and Recommendations.³ As it considers AEP's application, and the PUCO Staff Review, the PUCO should also consider OCC's comments. OCC's comments will assist the PUCO by facilitating the development of a full record upon which the PUCO can base its decision. So good cause exists for granting this motion.

No party will be prejudiced by allowing OCC to file comments. There is no undue delay, as a procedural schedule has not been established in this case by PUCO rule or Attorney Examiner Entry.

² PUCO Staff Review and Recommendations (December 31, 2019).

³ AEP's Reply Comments (February 25, 2020).

Respectfully submitted,

Bruce Weston (0016973)
Ohio Consumers' Counsel

/s/ William Michael
William Michael (0070921)
Counsel of Record
Amy Botschner O'Brien (0074423)
Assistant Consumers' Counsel

Office of the Ohio Consumers' Counsel
65 East State Street, 7th Floor
Columbus, Ohio 43215
Telephone [Michael]: (614) 466-1291
Telephone [Botschner O'Brien]: (614) 466-9575
William.michael@occ.ohio.gov
Amy.botschner.obrian@occ.ohio.gov
(Willing to accept service by e-mail)

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion for Leave to File Comments by the Office of the Ohio Consumers' Counsel has been served electronically upon those persons listed below this 9th day of April 2020.

/s/ William Michael

William Michael

Assistant Consumers' Counsel

The PUCO's e-filing system will electronically serve notice of the filing of this document on the following parties:

SERVICE LIST

John.jones@ohioattorneygeneral.gov

stnourse@aep.com

Attorney Examiners:

Sarah.parrot@puco.ohio.gov

Greta.see@puco.ohio.gov

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

4/9/2020 4:03:28 PM

in

Case No(s). 19-1747-EL-RDR

Summary: Motion Motion for Leave to File Comments by the Office of the Ohio Consumers' Counsel electronically filed by Ms. Deb J. Bingham on behalf of Michael, William J. Mr.