

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Ohio)	
Power Company for an Increase in)	Case No. 20-585-EL-AIR
Electric Distribution Rates.)	
In the Matter of the Application of Ohio)	Case No. 20-586-EL-ATA
Power Company for Tariff Approval.)	
In the Matter of the Application of Ohio)	
Power Company for Approval to Change)	Case No. 20-587-EL-AAM
Accounting Methods.)	

**OBJECTIONS OF
THE OHIO CABLE TELECOMMUNICATIONS ASSOCIATION**

In accordance with Ohio Revised Code Section 4909.19(C), Ohio Administrative Code Rule 4901:1-19-07(F), and the Attorney Examiner’s Entries in these proceedings, the Ohio Cable Telecommunications Association (“OCTA”) files the following objections to the Staff Report and to the Rate Increase Application filed June 8, 2020, in these proceedings.

A. Objections to the Staff Report

- 1. The Staff Report omits the pole attachment rate calculations. (Staff Report at 28-29)**
- 2. The Staff Report fails to demonstrate that the calculated pole attachment rate was calculated consistent with Commission requirements. (Staff Report at 28-29)**

Noting that Ohio Power Company (“AEP”) did not propose any substantive change to its pole attachment tariff (Tariff Sheets 300-1 thru 300-3), Staff recommends that AEP’s pole attachment rate be adjusted from \$9.59 per pole per year to \$9.38 per pole per year. Staff Report at 28-29; 127. The Staff-calculated rate was based on the following:

- The pole attachment formula based on 2019 FERC Form 1 data.
- The formula presumptions.

- Unamortized excess accumulated deferred income taxes “as required by the Commission in Case No. 18-47-AU-COI.”

Id. at 29. Staff further calculated and reduced operating revenues consistent with the lower pole attachment rate. *Id.* at 23, 127. The Staff Report does not include a copy of the calculation worksheet or details regarding the company-specific inputs used to calculate Staff’s recommended pole attachment rate (i.e., number of poles).¹ As a result, the information needed for the parties to thoroughly evaluate the Staff’s rate calculation, operating revenue adjustment, and recommendations were omitted. The OCTA objects to these omissions in the Staff Report regarding the recommended pole attachment rate and operating revenue adjustment. The OCTA further objects to the extent Staff’s calculated pole attachment rate contains an error.

B. Objections to the Rate Increase Application

1. AEP proposed to adjust its base rates without proposing an adjustment to its pole attachment rate and with overstated operating revenues.

AEP did not propose any substantive change to its pole attachment tariff (Tariff Sheets 300-1 thru 300-3) as part of its application to increase base rates in these proceedings. As such, AEP proposed to base its proposed operating revenues on its current pole attachment rate of \$9.59 per pole per year. Staff’s updated pole attachment rate calculation results in a lower pole attachment rate that it considers just and reasonable for Ohio. *See* Ohio Admin.Code 4901:1-3-04(D)(2). AEP’s proposed operating revenues, therefore, were overstated, at least to the extent of the difference between AEP’s assumed pole attachment revenues compared to those calculated by Staff under the new rate. The OCTA objects to AEP’s failure to propose a new pole attachment rate and further objects to AEP’s reliance on overstated operating revenues from pole attachments to justify its proposed rate increase.

¹ The Staff Report may refer to a possible Staff workpaper that was the basis of Staff’s proposed pole attachment rate. Staff Report at 127, footnote (b). That workpaper was not included in the report.

C. Conclusion

For the foregoing reasons, the Ohio Cable Telecommunications Association objects to the Staff Report and AEP's Rate Increase Application in these proceedings. The Ohio Cable Telecommunications Association's **major issues** are:

- (a) Pole attachment rate calculations are appropriately conducted consistent with the formula adopted by the Commission and consistent with all other applicable Commission orders.
- (b) An updated, lower pole attachment rate is approved.
- (c) Operating revenues are properly adjusted to reflect pole attachment revenues based on an updated, lower pole attachment rate.

Respectfully Submitted,

/s/ Gretchen L. Petrucci

Gretchen L. Petrucci (0046608)

Vorys, Sater, Seymour and Pease LLP

52 East Gay Street

Columbus, OH 43215

Telephone 614-464-5407

glpetrucci@vorys.com

(Willing to accept service via e-mail)

*Counsel for the Ohio Cable Telecommunications
Association*

CERTIFICATE OF SERVICE

The Public Utilities Commission of Ohio's e-filing system will electronically serve notice of the filing of this document on the parties referenced on the service list of the docket card who have electronically subscribed to the case. In addition, the undersigned certifies that a courtesy copy of the foregoing document is also being served (via electronic mail) on the 18th day of December 2020 upon all persons/entities listed below:

Ohio Power Company	stnourse@aep.com cmblend@aep.com christopher.miller@icemiller.com egallon@porterwright.com
Armada Power, LLC	msettineri@vorys.com glpetrucci@vorys.com dromig@armadapower.com
ChargePoint, Inc.	dborchers@bricker.com kherrnstein@bricker.com jspottswood@bricker.com
Clean Fuels Ohio	mfleisher@dickinsonwright.com
Direct Energy Business, LLC and Direct Energy Services, LLC	whitt@whitt-sturtevant.com fykes@whitt-sturtevant.com
Environmental Law & Policy Center	ccox@elpc.org rkelter@elpc.org
Industrial Energy Users-Ohio	mpritchard@mcneeslaw.com rglover@mcneeslaw.com bmckenney@mcneeslaw.com
Interstate Gas Supply, Inc.	bethany.allen@igs.com joe.oliker@igs.com michael.nugent@igs.com
Natural Resources Defense Council	rdove@keglerbrown.com
Nationwide Energy Partners, , LLC	msettineri@vorys.com glpetrucci@vorys.com
Ohio Consumers' Counsel	angela.obrien@occ.ohio.gov christopher.healey@occ.ohio.gov
Ohio Energy Group	mkurtz@BKLawfirm.com kboehm@BKLawfirm.com jkylarcohn@BKLawfirm.com
Ohio Environmental Council	ctavenor@theOEC.org tdougherty@theOEC.org mleppla@theOEC.org

Ohio Hospital Association	dparram@bricker.com rmains@bricker.com
Ohio Manufacturers' Association Energy Group	bojko@carpenterlipps.com
Ohio Partners for Affordable Energy	rdove@keglerbrown.com
One Energy Enterprises LLC	ktreadway@oneenergyllc.com dstinson@bricker.com mwarnock@bricker.com hogan@litohio.com little@litohio.com
The Kroger Company	paul@carpenterlipps.com
Walmart, Inc.	cgrundmann@spilmanlaw.com dwilliamson@spilmanlaw.com
Staff of the Public Utilities Commission of Ohio	werner.margard@ohioattorneygeneral.gov kyle.kern@ohioattorneygeneral.gov

/s/ Gretchen L. Petrucci

Gretchen L. Petrucci

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

12/18/2020 4:25:50 PM

in

Case No(s). 20-0585-EL-AIR, 20-0586-EL-ATA, 20-0587-EL-AAM

Summary: Objection Objections electronically filed by Mrs. Gretchen L. Petrucci on behalf of Ohio Cable Telecommunications Association