



Public Utilities Commission

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May 4, 2021

PUCO

2021 MAY -4 PM 4: 58

RECEIVED-DOCKETING DIV

Robert Kelter
Environmental Law & Policy Center
35 East Wacker Drive, Suite 1600
Chicago, IL 60601

Re: Ohio Power Co., Case No. 20-585-EL-AIR, et al.

Mr. Kelter,

Please find enclosed the signed subpoena for Jon F. Williams as requested in Case No. 20-585-EL-AIR, et al. Pursuant to Ohio Adm.Code 4901-1-25, a copy of this cover letter and signed subpoena will be filed with the Commission's docketing division. Consistent with the rule, arranging for service of the signed subpoena will remain your responsibility. Please let us know if you have any questions or concerns. Thank you.

Sincerely,

/s/ Gregory A. Price

Gregory A. Price
Attorney Examiner
Public Utilities Commission of Ohio

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**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)	Case No. 20-587-EL-AAM
Power Company for Approval to Change)	
Accounting Methods.)	

**JOINT MOTION FOR A HEARING SUBPOENA OF JON F. WILLIAMS BY
THE ENVIRONMENTAL LAW & POLICY CENTER
AND OHIO ENVIRONMENTAL COUNCIL**

Pursuant to Ohio Administrative Code 4901-1-25(A), the Environmental Law and Policy Center (ELPC) and Ohio Environmental Council (OEC), respectfully move the Public Utilities Commission of Ohio ("PUCO") to issue the subpoena as set forth below and in the attached as Exhibit 1. The subpoena is to compel the attendance of Jon F. Williams to give testimony at the hearing, which is scheduled to begin May 12, 2021.

Under O.A.C. 4901-1-25(A), "an attorney examiner may issue subpoenas . . . upon motion of any party." Support for this Motion are set forth in the accompanying Memorandum in Support.

Respectfully submitted,

/s/ Robert Kelter
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/s/Miranda Leppla

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**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

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

MEMORANDUM IN SUPPORT

The Public Utilities Commission of Ohio (“PUCO”) is set to begin its hearing in consideration of Ohio Power Company’s (“AEP Ohio”) application to increase its electric distribution rates and the contested stipulation AEP and other parties have entered to resolve this case. Through this Motion, the Environmental Law & Policy Center (“ELPC”) and the Ohio Environmental Council (“OEC”) (jointly, the “Environmental Advocates”) request that the Commission issue a subpoena to AEP Ohio employee Jon F. Williams to require his attendance and hearing testimony. The Environmental Advocates believe that Mr. Williams’ testimony is highly relevant to their arguments against the proposed stipulation and the specific modification to the stipulation that the Environmental Advocates intends to make in their briefs.

Good cause exists for issuance of the requested subpoena. Mr. Williams is a key witness because, in his role as Managing Director of Customer Experience and Distribution Technology, he was involved in designing and providing the supporting testimony for AEP Ohio’s demand side management (DSM) proposal included in AEP Ohio’s original application. Direct Testimony of Jon F. Williams on Behalf of the Ohio Power Company at 3, Case No. 20-585

(June 15, 2020). The stipulation proposed in this proceeding excludes any DSM program, despite the benefits to customers Mr. Williams recognized in his initial testimony. Mr. Williams will be able to testify as to why AEP Ohio included a DSM program in its original application and how energy-waste reduction relates to cost-causation, a fundamental principle of ratemaking.

O.A.C. Rule 4901-1-25(A) empowers the attorney examiners to issue hearing subpoenas. Because good cause exists for the issuance of a subpoena to Mr. Williams, the Environmental Advocates request that the attorney examiners sign the attached hearing subpoena so that Mr. Williams will be compelled to appear at the hearing and subject to cross-examination. The Environmental Advocates anticipate calling Mr. Williams to testify at the hearing at 10:00 a.m. on May 14, 2021, but reserve the right to adjust the date and time of his testimony as necessary to accommodate other witnesses and needs of the parties during the hearing.

Respectfully submitted,

/s/ Robert Kelter

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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing *Joint Motion for a Hearing Subpoena of Jon F. Williams by the Environmental Law & Policy Center and Ohio Environmental Council* was filed electronically through the Docketing Information System of the Public Utilities Commission of Ohio on April 30, 2021. The PUCO's e-filing system will electronically serve notice of the filing of this document on counsel for all parties.

/s/ Robert Kelter
Robert Kelter

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**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

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

SUBPOENA FOR TESTIMONY AT HEARING

TO: Jon F. Williams
301 Cleveland Ave., S.W.
Canton, OH 44702

Upon application of the Environmental Law & Policy Center and the Ohio Environmental Council, you are hereby required to appear and give testimony at the hearing in the following proceeding:

In the Matter of the Application of Ohio Power Company for an Increase in Electric Distribution Rates, Case No. 20-585-EL-AIR.

The hearing is being conducted virtually via internet platform and commences at 10:00 a.m. on May 12, 2021 and will continue each day until concluded.

Your attendance pursuant to this subpoena is required beginning at 10:00 a.m. on May 14, 2021. You will be provided instructions to access the virtual hearing prior to this date and time. You are not required to travel or attend in person.

Please note the date and time of your required appearance may change as a result of other factors before or during the hearing. Should this occur, you will be contacted as soon as practicable by counsel for the Environmental Law & Policy Center or the Ohio Environmental Council. Should you have any questions, please contact Rob Kelter, Environmental Law & Policy Center, 35 E. Wacker Drive, Suite 1600, Chicago, IL 60601 at either 312-795-3734 or rkelter@elpc.org.

Dated at Columbus, Ohio, this 4th day of May, 2021.



Administrative Law Judge

Exhibit 1