

FILE

BEFORE

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THE PUBLIC UTILITIES COMMISSION OF OHIO

2021 NOV -9 PM 2: 00

Ed Browning

PUCO

Complainant,

v.

Case No. 20-1002-EL-CSS

Ohio Power Company,

Respondent.

COMPLAINANT'S RESPONSE TO AEP OHIO'S NOVEMBER 5, 2021 MOTION TO
CONTINUE THE EVIDENTIARY HEARING

This case was filed with PUCO in March of 2020. Due to many varied reasons, including PUCO changing attorney examiners, AEP changing litigation counsel, COVID concerns, etc. this case has had a history of delays to the extent that Complainant's rights for due process and judicial redress have been seriously jeopardized. A chronology for this case is as follows:

July 27, 2020- AEP requested a hearing delay

September, 2, 2020- PUCO set a new hearing date, but due to COVID issues the date was cancelled;

December, 2, 2020- PUCO reassigned a new Attorney Examiner;

December 14, 2020- PUCO set a new hearing date for April/May 2021 (5-month delay);

April 28, 2021- PUCO cancelled the hearing dates and rescheduled for June or July 2021;

May 13, 2021- PUCO delayed the hearing and reset to August 24, 2021;

August 16, 2021 – Hearing of August 24, 2021 was rescheduled to December 7, 2021

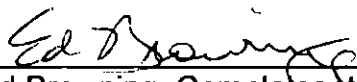
AEP Ohio has had adequate time to prepare for the hearing regardless of a pending motion for dismissal which has no merit. The lack of preparation by AEP's counsels should not penalize Complainant with a further delay. Justice will not be served by another postponement of the evidentiary hearing.

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PUCO should act immediately on Complainant's Motion to Compel AEP Ohio to provide requested discovery information. It is Complainant's third request for information and documents that are critical the evidentiary hearing scheduled for December 7, 2021.

However, if PUCO grants AEP Ohio's "Motion for Continuance" the postponement could cause considerable hardship on Complainant due to planned travel and financial commitments made for December 10, 2021 through March 30, 2022.

Respectfully submitted,

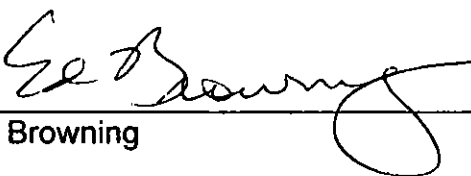


Ed Browning, Complainant

CERTIFICATE OF SERVICE

The undersigned certifies that a true and accurate copy of the foregoing was Served upon Respondent at the address listed below by regular U.S. mail, postage prepaid, on this 8th day of November, 2021.

Spencer C. Meador
Porter, Wright, Morris and Arthur LLP
1 Riverside Plaza, 29th Floor
Columbus, Ohio 43215


Ed Browning