

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

ENTRY

Entered in the Journal on December 21, 2021

{¶ 1} Ohio Power Company d/b/a AEP Ohio (AEP Ohio or Company) is an electric light company as defined by R.C. 4905.03 and a public utility as defined by R.C. 4905.02, and, as such, is subject to the jurisdiction of this Commission.

{¶ 2} In Case No. 16-1852-EL-SSO, et al., the Commission modified and approved a stipulation and recommendation filed by AEP Ohio, Staff, and numerous other signatory parties, which authorized the Company to implement an electric security plan for the period of June 1, 2018, through May 31, 2024. Among other commitments, AEP Ohio agreed to file a base distribution rate case by June 1, 2020. *In re Ohio Power Co.*, Case No. 16-1852-EL-SSO, et al., Opinion and Order (Apr. 25, 2018) at ¶ 45.

{¶ 3} On June 8, 2020, AEP Ohio filed an application to increase its rates pursuant to R.C. 4909.18.¹

¹ Due to the closure of the Commission's offices from June 1, 2020, through June 5, 2020, the application for a rate increase, which was submitted by AEP Ohio on June 1, 2020, was accepted for filing on June 8, 2020, and deemed timely filed in accordance with R.C. 1.14 and Ohio Adm.Code 4901-1-07 and 4901-1-13. *In re the Extension of Filing Dates for Pleadings and Other Papers Due to a Building Emergency*, Case No. 20-1132-AU-UNC, Entry (June 8, 2020).

{¶ 4} Pursuant to R.C. 4909.19, Staff conducted an investigation of the facts, exhibits, and matters relating to the application. On November 18, 2020, as corrected on November 25, 2020, Staff filed a written report of its investigation (Staff Report).

{¶ 5} The following entities were granted intervention in these proceedings: Ohio Energy Group (OEG); Ohio Consumers' Counsel (OCC); Ohio Manufacturers' Association Energy Group (OMAEG); The Kroger Co. (Kroger); Interstate Gas Supply, Inc. (IGS); Natural Resources Defense Council; Industrial Energy Users-Ohio (IEU-Ohio); Ohio Partners for Affordable Energy; Environmental Law & Policy Center; Walmart Inc. (Walmart); Direct Energy Services, LLC and Direct Energy Business, LLC; Ohio Hospital Association (OHA); ChargePoint, Inc. (ChargePoint); Nationwide Energy Partners, LLC (NEP); Armada Power, LLC; Constellation NewEnergy, Inc.; Clean Fuels Ohio (CFO); Citizens' Utility Board of Ohio (CUB-Ohio);² Zeco Systems, Inc. d/b/a Greenlots; Ohio Environmental Council; One Energy Enterprises LLC (One Energy); Ohio Cable Telecommunications Association (OCTA); and EVgo Services LLC (EVgo).

{¶ 6} Objections to the Staff Report were filed by various parties on December 18, 2020.

{¶ 7} On March 4, 2021, an evidentiary hearing was convened via Webex and continued to provide additional time for settlement negotiations among the parties.

{¶ 8} On March 12, 2021, a joint stipulation and recommendation (Stipulation) was filed by AEP Ohio, Staff, Kroger, OCC, OEG, IEU-Ohio, OMAEG, CFO, EVgo, OHA, Walmart, One Energy, ChargePoint, and OCTA.

{¶ 9} The evidentiary hearing reconvened via Webex on May 12, 2021, and concluded on May 18, 2021.

² On April 30, 2021, CUB-Ohio filed notice of its withdrawal as a party to these proceedings.

{¶ 10} Initial and reply briefs were filed by the parties on June 14, 2021, and July 6, 2021, respectively.

{¶ 11} By Opinion and Order dated November 17, 2021, the Commission approved and adopted the Stipulation.

{¶ 12} R.C. 4903.10 states that any party who has entered an appearance in a Commission proceeding may apply for a rehearing with respect to any matters determined therein by filing an application within 30 days after the entry of the order upon the Commission's journal.

{¶ 13} On December 17, 2021, NEP and IGS filed applications for rehearing with respect to the Commission's Opinion and Order.

{¶ 14} On December 20, 2021, AEP Ohio filed, pursuant to Ohio Adm.Code 4901-1-13(A) and 4901-1-12(C), a motion for an extension of time for the parties to file memoranda in opposition to the applications for rehearing filed by NEP and IGS, along with a request for an expedited ruling. Noting that such memoranda are currently due for filing within ten days under Ohio Adm.Code 4901-1-35(B), AEP Ohio requests a three-day extension of the deadline, or until December 30, 2021. AEP Ohio asserts that, in light of the intervening holiday and the various issues raised by NEP and IGS, there is good cause for the motion. AEP Ohio adds that the requested extension will not prejudice any party or materially impact the Commission's ability to timely rule on the applications for rehearing. AEP Ohio also states that, due to time constraints, the Company is unable to certify that it contacted the parties and received no objections to the issuance of an expedited ruling.

{¶ 15} Ohio Adm.Code 4901-1-12(C) provides that, if a motion seeks an expedited ruling and requests an extension of time to file pleadings or other papers of five days or less, an immediate ruling may be issued without the filing of memoranda.

{¶ 16} The attorney examiner finds that AEP Ohio's motion for an extension is reasonable and should be granted pursuant to Ohio Adm.Code 4901-1-12(C). Accordingly,

any memoranda contra the applications for rehearing filed by NEP and IGS are due no later than December 30, 2021.

{¶ 17} It is, therefore,

{¶ 18} ORDERED, That AEP Ohio's motion for an extension be granted. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/ Sarah J. Parrot

By: Sarah J. Parrot
Attorney Examiner

GAP/mef

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

Summary: Attorney Examiner Entry granting the motion for extension and setting the due date for memoranda contra the applications for rehearing to December 30, 2021. electronically filed by Ms. Mary E. Fischer on behalf of Sarah J. Parrot, Attorney Examiner, Public Utilities Commission of Ohio