

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application)
of Columbus Southern Power)
Company for Authority to Institute) Case No. 96-759-EL-ATA
a New Residential Variable Spot)
Schedule.)

In the Matter of the Application)
of Columbus Southern Power)
Company for Authority to Limit)
The Applicability of the Storage) Case No. 99-147-EL-ATA
Water Heating Provision Contained)
in the Company's Schedules R-R,)
R-R-1, and RLM.)

In the Matter of the Application)
of Ohio Power Company for Authority) Case No. 99-148-EL-ATA
to Limit the Applicability of the Storage)
Water Heating Provision Contained in)
the Company's Schedule RS.)

FINDING AND ORDER

The Commission finds:

- (1) On August 2, 1996, Columbus Southern Power Company (CSP) filed an application with the Commission in Case No. 96-759-EL-ATA for authority to institute a new variable spot price schedule for residential customers. On February 12, 1999, CSP filed an application with the Commission in Case No. 99-147-EL-ATA for authority to limit the applicability of the storage water heating provision contained in schedules R-R, R-R-1, and RLM. On February 12, 1999, Ohio Power Company (OP) filed an application with the Commission in Case No. 99-148-EL-ATA for authority to limit the applicability of the storage water heating provision contained in its schedule RS.
- (2) On June 22, 1999, the Ohio General Assembly passed legislation requiring the restructuring of the electric utility industry and providing for retail competition with regard to the generation component of electric service (Amended Substitute Senate Bill No. 3 of the 123rd General Assembly). Governor Taft signed this legislation (SB 3) on July 6, 1999, and most provisions of SB3 became effective on October 5, 1999. Section 4928.31, Revised Code, required each electric utility to file with the Commission a transition plan for the company's provision of retail electric service in the state of Ohio.
- (3) On December 30, 1999, CSP and OP (hereinafter, jointly referred to as AEP, applicant or the company) filed a transition plan. On May 8, 2000, a stipulation and recommendation on the company's transition plan

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was filed on behalf of various parties. On September 28, 2000, the Commission approved the transition plan to the extent set forth in the order, and subject to final approval of AEP's compliance tariffs.


- (4) The September 28, 2000 Opinion and Order ordered the company to distribute informally its proposed compliance tariffs to all interested parties within 14 days of the issuance of the order. Following that distribution, interested parties were given 14 days to provide informal comments to the Commission staff. Within 14 days thereafter, the company was to file its proposed tariffs in the form of an application for approval.
- (5) In accordance with this schedule, interested parties provided informal comments to the company and the staff. Various modifications were made to the proposed tariffs based on the informal comments and staff's review. The company submitted, on November 9, 2000, its proposed compliance tariffs to be effective on January 1, 2001. On December 7, 2000, the Commission approved the proposed tariffs, subject to modifications detailed in the order, to be effective for bills rendered covering service beginning on or after January 1, 2001.
- (6) The restructuring of the electric utility industry, in conjunction with the tariffs approved on December 7, 2000, eliminates the need for and renders moot the applications in Case Nos. 96-759-EL-ATA, 99-147-EL-ATA, and 99-148-EL-ATA. Therefore, the Commission finds that the cases be closed.

It is, therefore,

ORDERED, That Case Nos. 96-759-EL-ATA, 99-147-EL-ATA, and 99-148-EL-ATA be closed as a matter of record. It is, further,

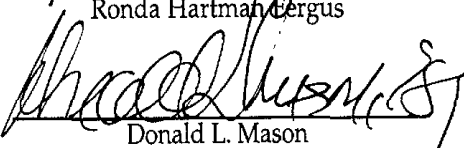
ORDERED, That a copy of this Finding and Order be served on the Applicant.

THE PUBLIC UTILITIES COMMISSION OF OHIO


Alan R. Scherber, Chairman


Ronda Hartman Cergus


Judith A. Jones

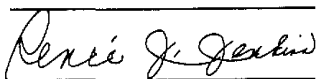

Donald L. Mason

Clarence D. Rogers, Jr.

RBF:dj

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AUG 14 2003



Renee J. Jenkins

Secretary

CASE NUMBER: 96-0759-EL-ATA
CASE DESCRIPTION: COLUMBUS SOUTHERN POWER CO.
DOCUMENT SIGNED ON: 8/14/2003
DATE OF SERVICE: 8/14/03

PARTIES SERVED

PARTIES OF RECORD

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CASE DESCRIPTION: COLUMBUS SOUTHERN POWER COMPANY
DOCUMENT SIGNED ON: 8/14/2003
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CASE NUMBER: 99-0148-EL-ATA
CASE DESCRIPTION: OHIO POWER COMPANY
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