**BEFORE**

**THE PUBLIC UTILTIES COMMISSION OF OHIO**

In the Matter of the Establishment of )

4901:1-10-10(B) Minimum Reliability ) Case 12-1945-EL-ESS

Performance Standards for Ohio Power )

Company. )

**INITIAL COMMENTS**

**OF THE**

**OFFICE OF THE OHIO CONSUMERS’ COUNSEL**

BRUCE J. WESTON

OHIO CONSUMERS’ COUNSEL

Joseph P. Serio, Counsel of Record

Assistant Consumers’ Counsel

**Office of the Ohio Consumers’ Counsel**

10 West Broad Street, Suite 1800

Columbus, Ohio 43215-3485

Telephone: Serio - (614) 466-9565

[serio@occ.state.oh.us](mailto:serio@occ.state.oh.us)

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# I. INTRODUCTION

On June 29, 2012, Ohio Power Company (“AEP Ohio” or “the Company”) filed an Application (“Application”)[[1]](#footnote-2) to establish new reliability standards that will affect the quality of service that 1.3 million residential customers receive from AEP Ohio pursuant to Ohio Admin. Code 4901:1-10-10(B).[[2]](#footnote-3) AEP Ohio filed the Application for new reliability standards as required by an agreement (that it, OCC, PUCO Staff and AEP Ohio signed) from a previous reliability standards case, which provided for an Application for updated standards to be filed for 2013 by June 30, 2012.[[3]](#footnote-4)

The two reliability standards that are being established in this proceeding are the System Average Interruption Frequency Index (“SAIFI”) and the Customer Average Interruption Duration Index (“CAIDI”). SAIFI indicates how often the average customer experiences a sustained interruption in electric service over a predefined period of time. CAIDI represents the average time required to restore electric service.[[4]](#footnote-5) The establishment of SAIFI and CAIDI reliability standards is required pursuant to Ohio Admin. Code 4901:1-10-10(B)(1) and (B)(2).

The reliability standards that are being established in this proceeding are an indication of the quality of electric service customers are receiving during the normal day-to-day operation of the electric distribution system -- sometimes referenced as the “blue sky” standards. Inclement weather and many other factors can result in customers experiencing more outages, and outages that last much longer than prescribed by these SAIFI and CAIDI standards. However, the Public Utilities Commission of Ohio’s (“Commission” or “PUCO”) rules exclude performance data for outages that occur during major events and transmission outages from the calculations for each index.[[5]](#footnote-6) Furthermore, the Commission’s rules exclude non-sustained outages (or those outages having a duration of under five minutes) from consideration in determining reliability performance, even though such outages can be disruptive for customers using electrical devices.[[6]](#footnote-7)

By Entry dated June 29, 2012, the Attorney Examiner established a procedural schedule for this proceeding including a technical conference on December 11, 2012, the opportunity for filing initial comments by January 4, 2013, the filing of the PUCO Staff’s comments by January 14, 2013, and the opportunity for reply comments by January 22, 2013.[[7]](#footnote-8) Furthermore, the Entry granted the Office of the Ohio Consumers’ Counsel’s (“OCC”) motion to intervene in the case.

The Commission’s rules establish a process for a hearing if the proposed reliability standards appear to the Commission to be unjust or unreasonable.[[8]](#footnote-9) In the settlement of the prior case, the parties agreed that no party will oppose a request by another party for a hearing in this case.[[9]](#footnote-10) OCC requests that the PUCO hold such a hearing.

OCC welcomes the opportunity to file these initial comments on behalf of the approximate 1.3 million residential customers of the Ohio Power Company. These comments demonstrate that the reliability standards proposed by the Company are unjust and unreasonable. The Commission should set this matter for a hearing.

# II. COMMENTS

## A. The PUCO Should Enforce the Stipulations from Case Nos. 09-756-EL-ESS and 11-351-EL-AIR et al, to Ensure That Customers Receive the Benefit of Just and Reasonable Service Reliability Standards Based on Specific Data Agreed Upon In The Stipulation.

The Company’s last service reliability standards case was resolved by a Stipulation signed by the OCC, PUCO Staff and the Company.[[10]](#footnote-11) That Stipulation not only resolved the then-pending service reliability standards case, but also established specific requirements regarding the Company’s next service reliability case (which is the current case).[[11]](#footnote-12) Those requirements included:

These standards shall be in effect until new standards are set, expected by the Parties to be no later than by the 2013 reporting year pursuant to paragraph 3 below.[[12]](#footnote-13)

Rather than comply with those terms, the Company’s Application is requesting the establishment of reliability standards at different levels -- that is instead of separate standards for Columbus Southern Power Company (“CSP”) and Ohio Power Company (“OP”), the Company has proposed a consolidated standard for the merged Company for the period 2012 and beyond.

This violation of the 09-756 Stipulation and Opinion and Order is then magnified by the Company’s failure to abide by the terms of the Stipulation and Opinion and Order in the Company’s last distribution rate case.[[13]](#footnote-14) The Joint Stipulation and Recommendation and Opinion and Order both state:

The Signatory Parties agree that the Company will include data related to their DIR investments and their effect on distribution service reliability in their next application(s) to establish new service standards under O.A.C. 4901:1-10-10. Such data will be considered in establishing reliability performance standards in 2012 through 2015.[[14]](#footnote-15)

Despite this agreed requirement for DIR-related data, the Company’s current Application is void of data relating to its DIR investment and the impact of that investment on service reliability.

The Company’s failure to abide by terms of the two Stipulations has resulted in an Application proposing service reliability that will degrade customers’ service quality by subjecting customers to less stringent reliability standards than would be the case if the Company adhered to the terms of the Stipulations. Such a result would not only degrade the service reliability standards but would also deny customers the benefit of the bargain from the two Stipulations. The above-referenced terms were specifically negotiated for and included in the Stipulations as part of the quid pro quo that customers bargained for. While the Company has received the benefit of the bargain from those cases, customers have not. The PUCO should reject the Company’s Application and instead enforce the terms of the Stipulations and of the PUCO’s Opinion and Orders in those cases by requiring the Company to re-file its Application according to the requirements of the Stipulations.

## B. The PUCO Should Find That AEP Ohio’s Proposal To Amend The PUCO’s 2012 Reliability Standards Violates Ohio Admin. Code 4901:1-10-10(B)(7), Revised Code 4928.11, With Regard To Protecting The Quality Of Electric Service To Customers. The PUCO Should Order AEP Ohio To Re-file its Application.

The Application proposes that reliability standards of 1.34 for SAIFI and 152.36 minutes for CAIDI be adopted for the combined Company[[15]](#footnote-16) effective with year 2012 and lasting until new standards are filed by the Company.[[16]](#footnote-17) In making this proposal AEP Ohio disregards the reliability standards that are currently in effect for 2012 for Columbus Southern Power and Ohio Power Company as individual entities. According to the Opinion and Order in the last reliability standards case, reliability standards were established for the period 2011 and after until new standards were set by the Commission for 2013 and beyond.[[17]](#footnote-18) Tables 1 and 2 below provide the current reliability standards for both Columbus Southern Power and Ohio Power Company for 2010 through 2012 that were established in the 09-756-EL-ESS case.

**Table 1: 2012 Reliability Standards for Columbus Southern Power**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | 2010 | 2011 | 2012 | 2013 |
| CSP SAIFI | 1.59 | 1.54 | 1.54 | Being set in current case |
| CSP CAIDI | 136 | 135.17 | 135.17 | Being set in current case |

**Table 2: 2012 Reliability Standards for Ohio Power Company**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | 2010 | 2011 | 2012 |  |
| OP SAIFI | 1.23 | 1.19 | 1.19 | Being set in current case |
| OP CAIDI | 170.40 | 169.22 | 169.22 | Being set in current case |

AEP Ohio claims that because Columbus Southern Power (“CSP”) and Ohio Power (“OP”) merged into one entity on December 31, 2011, the Company is justified in filing for a new standards based on the merger of CSP and OP. However, AEP Ohio was required to file an Application for new reliability standards by June 30, 2012 for the time period 2013 and beyond to comply with the Commission’s Order in the last reliability case.

Despite the restrictions in the two Stipulations, if AEP Ohio had wanted to request a change in the reliability standards for 2012 to reflect the reliability that the merged Company provides to customers, a request for revising the approved 2012 reliability standards should have been filed with the Commission. However, AEP Ohio failed to make such a request. Ohio Admin. Code 4901:1-10-10(B)(7) outlines an explicit process where electric utilities may request a revision in the authorized performance standards. The rule does not permit the utility to retroactively change the standards by which it was supposed to deliver service to customers in the past. The rule only allows proposals that could be effective in the future (the next succeeding year).

(7) An electric utility may request to revise its authorized performance standards **(starting with the next succeeding calendar year**) by filing its revisions and supporting justification for such revisions with the commission for approval pursuant to paragraph (B)(6) of this rule, unless otherwise ordered by the commission, legal director, deputy legal director, or attorney examiner. (Emphasis added).[[18]](#footnote-19)

By not making the required filing and instead requesting the change to reflect the merger, AEP Ohio is essentially requesting a change in the reliability standards that would be effective in the same year the Application to amend the standards is filed. Such an outcome is not permitted under the rule.[[19]](#footnote-20)

Furthermore, AEP Ohio’s proposal is not allowed under law. When asked what reliability standards the Company was required to comply with in 2012, the Company responded:

That depends on the outcome of this case. The Commission may apply the new standard developed for the Company in this case as the applicable standard or apply the standards approved in Case 09-756-EL-ESS.[[20]](#footnote-21)

This response contradicts R.C. 4928.11, which requires the electric utilities to have actual minimum performance standards for service reliability, and not just proposed standards.[[21]](#footnote-22)

The Commission enacted rules in Case No. 06-653-EL-ORD that required the electric utilities to have specific SAIFI and CAIDI performance standards in place and not just pending.[[22]](#footnote-23) In the event there was any doubt about the Commission’s enforcement of the reliability standards on a going forward basis, the Commission even ordered a date certain of March 31, 2010, whereby either new standards or then-existing reliability targets would continue in effect for the electric utilities to demonstrate compliance with Ohio Admin. Code 4901:1-10-10.[[23]](#footnote-24) The Commission approved the reliability standards for the Columbus Southern Power Company and Ohio Power Company on September 8, 2010 and these are the standards that are in effect until and unless modified by the Commission in this case for the period 2013 and beyond.[[24]](#footnote-25)

## C. AEP Ohio’s Proposal To Amend The 2012 Reliability Standards Disguises A Potential Violation Of The Commission’s Rules For Ensuring Quality Electric Service to Ohioans.

Ohio electric utilities are required, pursuant to Ohio Admin. Code 4901:1-10-10(C), to file an annual report that includes information related to the performance for each of the reliability standards. On April 9, 2012, AEP Ohio filed its annual report with the CAIDI and SAIFI reliability performance for Columbus Southern Power Company for 2011.[[25]](#footnote-26) The annual report reflects CSP missing the CAIDI performance standard in 2011 by 4.25 minutes as shown in Table 3. This means that CSP customers experienced outages with duration longer than permitted by the reliability standards. A failure to meet performance standards for two consecutive years would constitute a violation of Ohio Admin. Code 4901:1-10-10.[[26]](#footnote-27)

**Table 3: CSP Reliability Performance in 2011[[27]](#footnote-28)**

|  |  |  |  |
| --- | --- | --- | --- |
|  | **2011 Standard** | **2011 Performance** | **Difference[[28]](#footnote-29)** |
| **SAIFI** | 1.54 | 1.39 | (.15) |
| **CAIDI** | 135.17 | 139.42 | **4.25 Minutes** |

If the Commission were to amend the 2012 reliability standards as proposed by AEP Ohio, the Company would not be required to provide separate reporting for the reliability performance of Columbus Southern Power and Ohio Power Company in the annual report it must file by March 31, 2013.[[29]](#footnote-30) As a result, the Commission and other stakeholders would not be able to determine the effectiveness of the reliability standards, if CSP customers are experiencing inadequate reliability over time, the effectiveness of the Company action plan(s) in correcting deficiencies, and the ability to hold AEP Ohio accountable for the quality of service it provides customers.

OCC recommends that the Commission reject AEP Ohio’s proposal to amend 2012 reliability standards. And the Commission should order the Company to file the annual report required pursuant to Ohio Admin. Code 4901:1-10-10(C) reflecting the reliability performance for both CSP and OP.

## D. AEP Ohio’s Proposal To Combine Reliability Standards For Columbus Southern Power Company And Ohio Power Company In 2012 Is Unjust, Unreasonable, And Contradictory To The Argument The Company Presented To The Commission That Approval Of Its Merger Was In The Public Interest.

If the Commission were to approve the AEP Ohio’s Application to combine the reliability standards for the Columbus Southern Power and the Ohio Power service territories, AEP Ohio’s customers will be subject to a significant degradation in the reliability standard of service that AEP Ohio is required to provide customers. According to the Application, the proposed combined Company standard is a SAIFI of 1.34 and a proposed CAIDI of 152.36 minutes.[[30]](#footnote-31)

The Application ignores that its proposed combined reliability standards result in harm to all customers because Ohio Power Company customers could experience more frequent outages and Columbus Southern Power customers could experience longer duration outages under the proposed combined standards. Table 4 provides a comparison of the current AEP Ohio reliability standards with the proposed standards and demonstrates the potential degradation of service quality that customers may experience under the Company proposal.

**Table 4: Comparison of current and proposed reliability standards**

|  |  |  |  |
| --- | --- | --- | --- |
| **Standard** | **2012 Standard** | **AEP Ohio Proposal 2013** | **Difference** |
| CSP SAIFI | 1.54 | 1.34 | (0.2) |
| CSP CAIDI | 135.17 | 152.36 | 17.19 |
| OP SAIFI | 1.19 | 1.34 | 0.15 |
| OP CAIDI | 169.22 | 152.36 | (16.86) |

As can be seen above, AEP Ohio is proposing reliability standards that can result in OP customers being subject to reliability standards that would permit more frequent outages (by approximately 13%) and CSP customers being subject to reliability standards that permit longer duration outages (by approximately 13%). OCC appreciates that the proposed reliability standards result in some improvement over the current standards. However, an outcome that results in less stringent reliability standards for the OP SAIFI and CSP CAIDI standards from a consolidation of the two service territories is unjust and unreasonable and contradictory to the reasoning the Commission used in approving the merger in the first place. The Commission approved the merger with the understanding from the Application that there was no adverse impact in reliability[[31]](#footnote-32) and that **public interest would not be compromised** because the pre-merger rates, terms and conditions of service that were in effect at the time would not change until otherwise ordered by the Commission.

Further, the Companies reason that the merger will not adversely rates as the pre-merger distribution rates, terms, and **conditions of service** presently in effect for each Company will continue until otherwise ordered by the Commission. [[32]](#footnote-33) (Emphasis added).

Yet the AEP Ohio Application represents a degradation in the conditions for service given that Columbus Southern Power customers could experience longer duration outages and Ohio Power customers could experience more frequent outages because the proposed reliability standards are less stringent compared to the current reliability standards. Specifically the Application claimed that there would be no detrimental impact in the reliability of service that CSP and OPC customers receive:

The merger of CSP into OPCo will have no detrimental impact on CSP’s and OPCo’s customers, either in the cost of obtaining utility service or in the adequacy and reliability of the service that they receive.[[33]](#footnote-34)

This statement by AEP Ohio is especially disingenuous considering the Company is now proposing a retroactive change in the reliability standards for even the year 2012. Given the conditions for reliability of service that the Commission approved in the merger case, the Commission must now find the AEP Ohio proposal -- to combine reliability standards -- to be unjust and unreasonable.

## E. The AEP Ohio Application For A Combined Reliability Standard Is Unjust And Unreasonable Because The Service Area Geography In Both Areas Is Uniquely Suited For Having Individual Reliability Standards.

As seen in Table 4, there are significant differences in the reliability standards for CSP and OP because there are major differences in the service area geography between the two areas. Because AEP Ohio operates in all four quadrants of the state,[[34]](#footnote-35) there are considerable variances in weather, forestry, and many other factors that directly influence the reliability performance in each area.[[35]](#footnote-36) One service area has a preponderance of rural territory (OP), whereas the other area is more of an urban environment (CSP). In fact, the Company discusses the geographic differences in great detail in its prior service reliability standards Application.[[36]](#footnote-37) In addition, the Company made references to the operating characteristics of heavily forested, unglaciated regions of the state.[[37]](#footnote-38) Yet at the same time, the central region is densely populated. Historically, reliability performance for the two areas tends to reflect OP having a lower SAIFI and higher CAIDI; whereas CSP tends to have a higher SAIFI and lower CAIDI. Table 5 and 6 provides a comparison of the SAIFI and CAIDI reliability performance over the last three years.

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Table 5**  **CSP and OP SAIFI Performance 2009 - 2011** | | | | | | |
| Year | CSP SAIFI (Without Exclusions) | OP SAIFI (Without Exclusions) | **CSP-OP SAIFI (Without Exclusions)** | CSP SAIFI (With Exclusions) | OP SAIFI (With Exclusions) | **CSP-OP SAIFI (With Exclusions)** |
| 2009 | 1.58 | 1.25 | **0.33** | 1.31 | 0.91 | **0.40** |
| 2010 | 1.53 | 1.45 | **0.08** | 1.21 | 0.98 | **0.23** |
| 2011 | 1.91 | 1.64 | **0.27** | 1.39 | 1.06 | **0.33** |
| **Average** | **1.67** | **1.45** | **0.23** | **1.30** | **0.98** | **0.32** |
|  |  |  |  |  |  |  |

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Table 6**  **CSP and OP CAIDI Performance 2009 - 2011** | | | | | | |
| Year | CSP CAIDI (Without Exclusions) | OP CAIDI (Without Exclusions) | **CSP-OP CAIDI (Without Exclusions)** | CSP CAIDI (With Exclusions) | OP CAIDI (With Exclusions) | **CSP-OP CAIDI (With Exclusions)** |
| 2009 | 314.94 | 356.62 | **-41.68** | 122.60 | 133.37 | **-10.77** |
| 2010 | 163.55 | 299.44 | **-135.89** | 123.40 | 157.51 | **-34.11** |
| 2011 | 218.26 | 259.01 | **-40.75** | 139.42 | 154.09 | **-14.67** |
| **Average** | **232.25** | **305.02** | **-72.77** | **128.47** | **148.32** | **-19.85** |

Ohio has adopted the Institute of Electrical and Electronic Engineers (“IEEE”) standard 1366-2003 for electric power distribution reliability indices.[[38]](#footnote-39) The use of these standards results in the establishment of reliability standards that are intended to be representative of the day to day operation of the distribution system during times where the system is not being subjected to catastrophic conditions which are defined as major events.[[39]](#footnote-40) Events such as severe weather result in the designation of major event days where the reliability performance for a period of time is excluded from consideration with normal day to day reliability performance. IEEE standards are significant because they attempt to capture the unique aspects of each service area, maintenance programs, historical performance, staffing, and the results of investments that are made in reliability improvements. AEP Ohio’s proposal to combine reliability standards would distort a proper review of the level of reliability that the Company is responsible for providing to customers.

In much the same way that the reliability performance for each of the three FirstEnergy service areas are reflected in their own unique reliability performance standards, the CSP and OP service areas have their own unique reliability performance and as such their own unique reliability standards. As shown in Table 7, trying to combine reliability standards for the three FirstEnergy areas would result in an outcome where the standards are not reflective of the performance in the areas where FirstEnergy operates.[[40]](#footnote-41) Under this hypothetical case, an average SAIFI would be 1.14 and an average CAIDI would be 120.57 minutes and both would represent a degradation in reliability performance standards for Ohio Edison and Toledo Edison (the smaller of the FirstEnergy EDU’s) and a reliability improvement for Cleveland Electric Illuminating Company. Yet there would be no real change in reliability. The AEP Ohio service areas are no different and the reliability performance is sufficiently different in each area to justify separate reliability performance standards.

**Table 7: FirstEnergy Reliability Standards**

|  |  |  |
| --- | --- | --- |
| **Service Area** | **SAIFI** | **CAIDI (Minutes)** |
| Cleveland Electric Illuminating Company | 1.30 | 135 |
| Ohio Edison Company | 1.11 | 114.37 |
| Toledo Edison Company | 1.0 | 112.33 |

Ohio Admin. Code 4901:1-10-10(B)(4) requires electric utilities to justify reliability standards based on historical performance, service area geography, system design, technological advancements and the results of a customer perception survey.[[41]](#footnote-42) Consideration of either the OP or CSP reliability performance using data that is not representative of the normal day to day operation of the actual distribution systems results in a distortion in the effectiveness of the reliability standards. This outcome is radically different from the reason why Ohio adopted the use of reliability standards in the first place.

By reasonably reflecting the actual day to day reliability performance of the distribution system, the Commission is able to fulfill its statutory mandate in ensuring that customers are provided reliable electric service.[[42]](#footnote-43) Otherwise, the reliability of the distribution systems could be left to happenstance where hundreds of millions of dollars

could be spent on items like the Enhanced Service Reliability Riders,[[43]](#footnote-44) GridSmart,[[44]](#footnote-45) and the Distribution Investment Riders[[45]](#footnote-46) without resulting in reliability improvements for customers.[[46]](#footnote-47) AEP Ohio agreed to propose a single set of distribution tariffs for all rate schedules in their next distribution rate case.[[47]](#footnote-48) Consideration of combined reliability standards for CSP and OP are premature until that time.

As mentioned earlier, the reliability performance for the CSP and OP distribution systems are uniquely impacted by weather. Table 8 provides a comparison of the days in which major event outages occurred in 2011 for each of the two service areas. While there were three days in 2011 where the weather resulted in major event day designations for both CSP and OP, the majority of the major event days were isolated to one service area or the other.

A total of six major event days were excluded from consideration of the normal day to day reliability performance of the CSP and OP distribution systems when considered on an individual company basis. Differences in the service areas’ geography resulted in no major event days in the CSP service territory from February 2, 2011 through May 22, 2011. Yet OP experienced two major events. During June 2011, CSP experienced three major events while OP experienced only one. Yet a combined standard resulted in nine major event day exclusions for the year. The unnecessary exclusion of data can distort the Commission and others from being able to meaningfully evaluate the true reliability performance of the two distribution systems.

**Table 8: Major Event Outages CSP and OPC 2011**

|  |  |  |
| --- | --- | --- |
| **Date** | **Company** | **Description** |
| 2/1/2011 | CSP | Ice/ Snow |
| 2/1/2011 | OPC | Ice/ Snow |
| 4/20/2011 | OPC | Wind/ Rain |
| 4/28/2011 | OPC | Wind |
| 5/23/2011 | OPC | Wind |
| 5/23/2011 | CSP | Wind |
| 6/4/2011 | CSP | Lightning |
| 6/10/2011 | CSP | Lightning |
| 6/21/201 | OPC | Wind |
| 7/11/2011 | CSP | Wind |
| 7/11/2011 | OPC | Wind |
| 7/24/2011 | CSP | Wind/ Thunderstorms |

Another major difference between CSP and OP is the impact of forestry and vegetation in each area. As can be seen in Table 9, the number of tree-related outages in CSP and OP for 2010 and 2011 are significantly different. Evaluating the reliability performance for the CSP area using outage data from OP, or vice versa can lead to unrealistic expectations of the reliability performance for each distribution system.

**Table 9: Tree caused outages in CSP and OPC 2010 and 2011**

|  |  |  |  |
| --- | --- | --- | --- |
| **Tree Caused Outages** | **2010** | **2011** | **Total** |
| CSP inside right of way | 936 | 931 | 1,867 |
| CSP outside right of way | 1,156 | 1,508 | 2,664 |
| OPC inside right of way | 1,757 | 1,734 | 3491 |
| OPC outside right of way | 2,492 | 2,830 | 5,322 |

## F. AEP Ohio’s Application And Proposal For Combined Reliability Standards Are Unjust And Unreasonable Because The Distribution Rates For Each Operating Area Of The Company Are Different.

The AEP Ohio tariff reflects different distribution rates for the Columbus Southern Power rate zone[[48]](#footnote-49) and the Ohio Power Company rate zones.[[49]](#footnote-50) When rates were last set for each of these zones, the Company expenses in each area were considered along with the capital expenses that the Company sought to recover in rates. Significant differences in the distribution systems for the two service areas resulted in the establishment of different distribution rates.

Ohio Admin. Code 4901:1-10-26 requires each electric utility in the state to file an annual system improvement plan report with the Commission.[[50]](#footnote-51) The annual system improvement plan is required to include information about the electric utility’s budgeted and actual reliability-specific capital and maintenance expenditures for the past and current year, and the ratio of those expenditures to the electric utility’s total distribution investment.[[51]](#footnote-52) Table 10 provides a comparison of the reliability-related expenditures in Operations and Maintenance (“O&M”) and capital investments as operated by both CSP and OP in 2009, 2010, and 2011.

**Table 10: O&M and Capital Expenditures CSP and OPC 2009-2011**

|  |  |  |  |
| --- | --- | --- | --- |
| **Type of Expenditure** | **2009[[52]](#footnote-53)** | **2010[[53]](#footnote-54)** | **2011[[54]](#footnote-55)** |
| CSP O&M | 30,954,535 | 82,865,557 | 64,653,512 |
| CSP Capital Expenditure | 93,095,753 | 62,419,068 | 98,066,926 |
| OPC O&M | 58,036,608 | 88,866,449 | 77,262,125 |
| OPC Capital Expenditures | 124,380,366 | 95,921,729 | 90,950,993 |

Because the distribution rates are different and the level of expenditures spent in each service area are so different, the proposal by AEP Ohio to combine reliability standards is unjust and unreasonable. AEP Ohio’s failure to include budget information in the annual system improvement plan report related to budgetary information for the reliability-specific capital and maintenance expenditures for Columbus Southern Power in 2012 is also unjust and unreasonable.[[55]](#footnote-56) The annual system improvement plan includes a footnote stating:

2012 budget reflects the disillusion of the former Columbus Southern Power Company that was merged with Ohio Power Company on January 1, 2012 per PUCO Case No. 10-2376-EL-UNC.[[56]](#footnote-57)

However, the Commission did not approve a single combined distribution system for AEP Ohio and it is inappropriate for the Company not to provide reporting about the budgetary plans for this service area. In fact, the Commission approved completely different distribution rates for CSP compared to OP. Furthermore, the Commission approved the merger with the understanding from the Company’s Merger Application that the merger would have no detrimental impact on the reliability for CSP or OP customers.[[57]](#footnote-58) Without separate reporting in the annual system improvement plan report for CSP and OP’s planned capital and maintenance expenditures, it would be virtually impossible to verify that detrimental impacts have not occurred in the reliability provided to consumers. Such a result would not be in the public interest and would contradict the intent of the reliability rules in providing separate data for each operating service territory.[[58]](#footnote-59) The Commission should order AEP Ohio to include reliability-specific budget information for both the CSP rate zone and the OP rate zone in the 2012 report to be filed March 30, 2013.

## G. AEP Ohio’s Application Is Unjust And Unreasonable Because It Fails To Adequately Quantify The Adjustments That Must Be Made In The CSP And OPC Reliability Standards To Account For GridSmart And Vegetation Management.

The PUCO Staff issued guidelines concerning reliability standards applications on the Commission’s website.[[59]](#footnote-60) According to the guidelines, the CAIDI and SAIFI reliability standards should be calculated by averaging a minimum of five years of historical performance and then using the average as a baseline for further adjustments. As stated earlier, the AEP Ohio Application proposed combined standards and therefore five years of performance data for CSP and OP were not provided in the Application.

AEP Ohio proposed adjustments in the SAIFI and CAIDI combined standard as reflected in Table 11. One adjustment is related to gridSmart and the other is related to changes in vegetation management practices.

**Table 11: AEP Ohio Proposed SAIFI and CAIDI Adjustments**

|  |  |  |
| --- | --- | --- |
| **Adjustment** | **SAIFI** | **CAIDI** |
| gridSmart | 0.01 | (0.26) Minutes |
| Forestry | 0.06 | 2.48 Minutes |
| Total | 0.07 | 2.22 Minutes |

Table 11 further supports why the Company’s proposal to combine reliability standards for CSP and OP is unjust and unreasonable. The majority of the investment that the Company has made in gridSmart Phase 1 has been in the CSP service area.[[60]](#footnote-61) The Company has yet to file a plan as required by the Commission for the gridSmart Phase 2 initiative. However, the meager 0.01 adjustment that the Company is proposing in the SAIFI reliability standard and the 0.26 minute increase in the CAIDI reliability standard indicates the need for additional analysis to determine the gridSmart impact on improving reliability performance. The Commission should require the Company to determine the appropriate gridSmart adjustment in the CSP reliability standards. In addition, the Commission should require the Company to propose additional adjustments in the SAIFI and CAIDI standards for both CSP and OP when it files its proposed expansion Phase 2 of the gridSmart program.

The second adjustment to the SAIFI and CAIDI reliability performance standards is related to changes mandated by the Commission in the vegetation management practices of the CSP and OP. The Commission ordered AEP Ohio to transition to a four-year cycle-based vegetation management program funded through an Enhanced Service Reliability Rider (“Reliability Rider”) on customer bills.[[61]](#footnote-62) In the Opinion and Order approving the Reliability Rider, the Commission stated:[[62]](#footnote-63)

To this end, the Companies have demonstrated in the record that increased spending earmarked for specific vegetation initiatives can reduce tree-caused outages, resulting in better reliability*.*

However, as shown in Table 9, there has been no significant decrease in the number of tree-caused outages between 2010 and 2011. In fact, the number of tree caused outages outside right-of-way in both CSP and OP service areas significantly increased. As shown in Table 11, AEP Ohio is proposing an adjustment of 0.06 in SAIFI and a 2.48 minute adjustment in CAIDI. However, the Company has not provided adjustments specific for CSP and OP reliability standards. Without this information, the Commission, the PUCO Staff, and other interested parties are unable to discern the impact that the Reliability Rider is having on improving reliability in each of the service areas. However, there does not appear to be much of a reduction in tree-caused outages as was expected by the Commission.

The prudence in continuing to require customers to pay for the Reliability Rider in light of the dismal improvement in SAIFI should be re-evaluated by the Commission toward protecting customers from paying unreasonable rates.

## H. The AEP Ohio Application Is Unjust And Unreasonable Because There Are No Proposed Reliability Standards Adjustments Proposed For The Distribution Investment Rider.

On December 3, 2012, AEP Ohio filed (in a separate case) a Distribution Investment Rider (“DIR”) Work Plan concerning projects that it plans to undertake in 2013[[63]](#footnote-64) with a total cost estimated at more than $186 million. By Commission Entry dated December 12, 2012, a procedural schedule was adopted for Motions to Intervene to be filed by January 11, 2013, initial comments to be filed by January 18, 2013, and reply comments by February 1, 2013. OCC intends to Intervene in this case and will reserve specific comments for this docket.

However, based on a cursory review of the work plan, OCC notes that the DIR work plan is not specific to either the CSP or the OP service areas. The proposed DIR work plan results in no proposed adjustment to the proposed reliability standards. The proposed DIR work plan has no specific boundaries concerning baseline spending and incremental spending. Without this information, there is no ability for the Commission or others to quantify the cost and benefits that the DIR will have on improving reliability. Moreover, the PUCO authorized the DIR concluding that improved service will come with the replacement of aging infrastructure that will facilitate improved service reliability.[[64]](#footnote-65) The PUCO required the proactive DIR plan to quantify reliability improvements.[[65]](#footnote-66)

As a final matter, the Company agreed in AEP Ohio’s last distribution rate case to include data related to its DIR investments and their effect on distribution service reliability in their Applications for establishment of reliability standards.[[66]](#footnote-67) However, the Company provided no information in its Application to establish reliability standards related to the impact from the DIR investments on service reliability. Providing the Company with a blank check for “reliability” is inconsistent with Ohio law and rulings that the Commission has taken in similar cases.[[67]](#footnote-68)

## I. The CSP and OPC reliability performance standards should be based on the five year average performance for 2007 through 2011 and be adjusted to reflect the impacts of the SmartGrid, Reliability Rider, and DIR.

The PUCO Staff has provided a document titled Guidelines for Reliability Standards Applications on the PUCO website.[[68]](#footnote-69) According to the guidelines, historical system performance should include at least five years of reliability performance data adjusted to exclude major events and transmission outages.[[69]](#footnote-70)In addition, the five year average performance is to be adjusted to reflect consideration of the system design, service area geography, technical advancements, and the results of a customer perception survey. The five year average performance data for 2007 through 2011 for CSP and OP are reflected in Table 12 and Table 13.

**Table 12: Five Year Average Performance Data CSP**

|  |  |  |  |
| --- | --- | --- | --- |
| **CSP** | **Year** | **SAIFI** | **CAIDI** |
|  | 2011[[70]](#footnote-71) | 1.39 | 139.42 |
|  | 2010[[71]](#footnote-72) | 1.21 | 123.4 |
|  | 2009[[72]](#footnote-73) | 1.31 | 122.6 |
|  | 2008[[73]](#footnote-74) | 1.6 | 121.00 |
|  | 2007[[74]](#footnote-75) | 1.63 | 134.01 |
| **Five Year Average Performance** |  | **1.43** | **128.09** |
| Minus Adjustment for Reliability Rider |  | (a) | (a) |
| Minus SmartGrid Adjustment |  | (b) | (b) |
| Minus DIR Adjustment |  | (c) | (c) |
| **Proposed 2013 Standard** |  | **<1.43** | **<128.09 Minutes** |

1. Company must provide adjustment specific for CSP service area.
2. SmartGrid adjustment is specific to the CSP area.
3. Company must quantify the DIR adjustments for CSP

**Table 13: Five Year Average Performance Data OPC**

|  |  |  |  |
| --- | --- | --- | --- |
| **OPC** | **Year** | **SAIFI** | **CAIDI** |
|  | 2011[[75]](#footnote-76) | 1.06 | 154.09 |
|  | 2010[[76]](#footnote-77) | 0.98 | 157.51 |
|  | 2009[[77]](#footnote-78) | 0.91 | 133.37 |
|  | 2008[[78]](#footnote-79) | 1.3 | 148.26 |
|  | 2007[[79]](#footnote-80) | 1.23 | 129.88 |
| **Five Year Average Performance** |  | **1.09** | **144.62** |
| Minus Reliability Rider Adjustment |  | (a) | (a) |
| Minus DIR Adjustment |  | (b) | (b) |
| **Proposed 2013 Standard** |  | **<1.09** | **<144.62 Minutes** |

1. Company must provide adjustment specific for OPC service area.
2. Company must quantify the DIR adjustments for OPC

Based on review of the data contained in Table 12 and Table 13, the five-year average performance for CSP is a SAIFI performance of 1.43 and a CAIDI performance of 128.09 minutes. The five-year average SAIFI performance for OPC is 1.09 and the CAIDI performance is 144.62 minutes. The reliability standards for OPC based only on the five-year average performance data supports lower SAIFI and CAIDI reliability performance standards than proposed by the Company with the combined standard (meaning there should be better reliability for customers). The reliability standards for CSP based only on the five year average performance data supports a lower CAIDI reliability performance standard than proposed by the Company with the combined standard. However, once adjustments are properly made in the reliability standards to reflect the impact of the Reliability Rider, GridSmart, and DIR in each service area, OCC suspects that the SAIFI for CSP and OP and the CAIDI for both areas will be better for customers (meaning more stringent) than proposed by the Company with the combined standard.

## J. Summary of Recommendations

OCC recommends that the Commission enforce the terms of the Stipulation from the previous reliability standards case concerning the 2012 reliability standards. The 2012 AEP Ohio reliability standards for CSP are a SAIFI of 1.54 and a CAIDI of 135.17 minutes. The 2012 AEP Ohio reliability performance standards for OP are a SAIFI of 1.19 and a CAIDI of 169.22 minutes. In addition, OCC recommends that the Commission reject the Company proposal for combining reliability standards for CSP and OP rate zones for 2013 and beyond because the combined standards are not beneficial for consumers. Combining reliability standards should not be considered until the Company proposes combined distribution tariffs in its next distribution rate case as the Company agreed to do. The Commission should Order AEP Ohio to continue filing separate annual reports pursuant to Ohio Admin. Code 4901:1-10-10 and Ohio Admin. Code 4901:1-10-26 for both CSP and OP.

The Commission should require the Company to file an Application for reliability standards for 2013 and beyond that proposes appropriate adjustments (meaning benefits for customers) to the five-year average reliability performance for CSP based upon the impact that the Reliability Rider, GridSmart, and DIR are projected to have on the distribution reliability. The Commission should require the Company to file an Application for reliability standards for the period 2013 and beyond that proposes appropriate adjustments (meaning benefits for customers) to the five-year average reliability performance for OP based on the impact that the Reliability Rider and DIR have on the distribution reliability.

Finally, the Commission should find that the AEP Ohio proposed reliability standards are unjust and unreasonable and should set this matter for hearing as required by the rules and the Stipulation in Case No. 09-756-EL-ESS, which also noted that no party could oppose another parties’ request for a hearing in this case.[[80]](#footnote-81)

# III. CONCLUSION

AEP Ohio’s Application for establishing distribution reliability standards is unjust and unreasonable because the Company proposes combined reliability standards for both the CSP and the OP even though the characteristics in each area support maintaining different standards to protect Ohio customers. The Company’s proposal for combined standards in 2012 violates the terms and conditions of the Commission Order that approved the prior reliability standards for CSP and OP.

Furthermore, the Commission approved the Company’s Application to merge CSP and OPC with the understanding that reliability would not be negatively affected. Use of combined standards for both CSP and OP results in harm to AEP Ohio’s customers because either the frequency of outages increase or the duration of outages increase compared to the current reliability standards. AEP Ohio must be ordered to file historical reliability performance data for the years 2007-2011 for both CSP and OPC that are adjusted to reflect exclusions that can be supported with the IEEE-1366-2003 standards.

Using the five-year average performance, the Company must justify exclusions for both CSP and OP to reflect gridSmart and the changes that have been made in the vegetation management practices in each service area. AEP Ohio has the burden of proof to demonstrate the need for any other variances in calculating the standards. In accordance with Ohio Admin. Code 4901:1-10-10(B)(6)(e), the magnitude of the issues with the AEP Ohio Application for proposing new reliability standards reflect that the proposed standards are unjust and unreasonable. OCC requests that the Commission set this matter for hearing.

Respectfully submitted,

BRUCE J. WESTON

OHIO CONSUMERS’ COUNSEL

/s/ Joseph P. Serio

Joseph P. Serio, Counsel of Record

Assistant Consumers’ Counsel

**Office of the Ohio Consumers’ Counsel**

10 West Broad Street, Suite 1800

Columbus, Ohio 43215-3485

Telephone: Serio - (614) 466-9565

[serio@occ.state.oh.us](mailto:serio@occ.state.oh.us)

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of these Comments was served on the persons stated below via electronic transmission, this 4th day of January 2013.

*/s/ Joseph P. Serio*\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Joseph P. Serio

Assistant Consumers’ Counsel

**SERVICE LIST**

|  |  |
| --- | --- |
| William Wright  Attorney General’s Office  Public Utilities Commission of Ohio  180 E. Broad St., 6th Fl.  Columbus, OH 43215  [William.wright@puc.state.oh.us](mailto:William.wright@puc.state.oh.us)  [Bryce.mckenney@puc.state.oh.us](mailto:Bryce.mckenney@puc.state.oh.us) | Matthew J. Satterwhite  Yazen Alami  Steven T. Nourse  AEP Service Corporation  1 Riverside Plaza, 29th Fl.  Columbus, OH 43215  [mjsatterwhite@aep.com](mailto:mjsatterwhite@aep.com)  [yalami@aep.com](mailto:yalami@aep.com)  [stnourse@aep.com](mailto:stnourse@aep.com) |

1. The Application was filed pursuant to Ohio Admin. Code 4901:1-10-10(B). [↑](#footnote-ref-2)
2. *In the Matter of the Establishment of 4901:1-10-10(B) Minimum Reliability Performance Standards for Ohio Power Company,* Case No. 12-1945-EL-ESS, Application (June 29, 2012). [↑](#footnote-ref-3)
3. *In the Matter of the Establishment of 4901:1-10-10(B) Minimum Reliability Performance Standards for Columbus Southern Power Company and Ohio Power Company,* Case No. 09-756-EL-ESS, Stipulation and Recommendation at 5 (July 22, 2010). [↑](#footnote-ref-4)
4. Institute of Electrical and Electronic Engineers (“IEEE”) Guide for Electric Power Distribution Reliability Indices, IEEE Std 1366-2012, (Revision of IEEE Std 1366-2003) at 5 (May 31, 2012). [↑](#footnote-ref-5)
5. Ohio Admin. Code 4901:1-10-10(B)(4)(c). [↑](#footnote-ref-6)
6. Ohio Admin. Code 4901:1-10-01 Sustained Outage. [↑](#footnote-ref-7)
7. Case No. 12-19445-EL-ESS, Entry at 1 (June 29. 2012). [↑](#footnote-ref-8)
8. Ohio Admin. Code 4901:1-10-10(6)(e). [↑](#footnote-ref-9)
9. Case No. 09-756-EL-ESS, Stipulation (July 22, 2010) and Opinion and Order (July 22, 2010). [↑](#footnote-ref-10)
10. Id. [↑](#footnote-ref-11)
11. Case No. 09-756-EL-ESS, Stipulation at 5 (July 22, 2010) and Opinion and Order at 7 (July 22, 2010). [↑](#footnote-ref-12)
12. Id. [↑](#footnote-ref-13)
13. *In the Matter of the Application of Columbus Southern Power Company and Ohio Power Company, Individually and, if Their Proposed Merger is Approved, as a Merged Company (collectively, AEP Ohio) for an Increase in Electric Distribution Rates,* Case Nos. 11-351-EL-AIR et al, Joint Stipulation and Recommendation at 10-11 (November 23, 2011) and Opinion and Order at 7-8 (December 14, 2011). [↑](#footnote-ref-14)
14. Id. [↑](#footnote-ref-15)
15. For purposes of these comments, Combined Company reflects the entity resulting from the merger of Columbus Southern Power Company and Ohio Power Company. [↑](#footnote-ref-16)
16. Case No. 12-1945-EL-ESS, Application at 16 (June 29, 2012). [↑](#footnote-ref-17)
17. Case No. 09-756-EL-ESS, Opinion and Order at 7 (July 22, 2010). [↑](#footnote-ref-18)
18. Ohio Admin. Code 4901:1-10-10(B)(7). [↑](#footnote-ref-19)
19. Id. [↑](#footnote-ref-20)
20. AEP Ohio Response to OCC Interrogatory No. 2-54. [↑](#footnote-ref-21)
21. R.C. 4928.11(A) required the Commission to establish rules that that specify minimum service quality, safety, and reliability requirements for noncompetitive retail electric services supplied by an electric utility in this state. [↑](#footnote-ref-22)
22. *In the Matter of the Commission*’*s Review of Chapters 4901:1-9,4901:1-10,4901:1-21, 4901:1-22, 4901:1-23,4901:1-24, and 4901:1-25 of the Ohio Administrative Code,* Case No. 06-653-EL-ORD, Finding and Order (November 5, 2008). [↑](#footnote-ref-23)
23. Case No. 06-653-EL-ORD, Entry on Rehearing at 9 (May 6, 2009). [↑](#footnote-ref-24)
24. Case No. 09-756-EL-ESS, Opinion and Order at 6-7 (September 8, 2010). [↑](#footnote-ref-25)
25. *In the Matter of the Annual Report of the Columbus Southern Power Company Pursuant to Rule 10 of the Electric Service and Safety Standards, Ohio Administrative Code 4901:1-10-10,* Case No. 12-1132-EL-ESS, Corrected Annual Report(April 9, 2012). [↑](#footnote-ref-26)
26. Ohio Admin. Code 4901:1-10-10(E). [↑](#footnote-ref-27)
27. Case No. 12-1132-EL-ESS, CSP Annual Report at 2 of 35 (April 8, 2012). Table 3 demonstrates that CSP reliability performance for SAIFI exceeds the standard. Reliability performance for CAIDI was worse than the standards. [↑](#footnote-ref-28)
28. Negative numbers represent an improvement compared to the current standard, while positive numbers reflect a decline in reliability compared to the current standard. [↑](#footnote-ref-29)
29. Ohio Admin. Code 4901:1-10-10(C). [↑](#footnote-ref-30)
30. Case No. 12-945EL-ESS, Application at 16 (June 29, 2012). [↑](#footnote-ref-31)
31. Case No. 10-2376-EL-UNC, Application at 4 (October 18, 2010). [↑](#footnote-ref-32)
32. Case No. 10-2376-EL-UNC, Opinion and Order at 56 (December 14, 2011). [↑](#footnote-ref-33)
33. Case No. 10-2376-EL-UNC, Application at 4 (October 18, 2010). [↑](#footnote-ref-34)
34. Case No. 12-945-EL-ESS, Application at 2 (June 29, 2012). [↑](#footnote-ref-35)
35. Case No. 09-756-EL-ESS, Application at 4 (August 27, 2009). [↑](#footnote-ref-36)
36. Id. [↑](#footnote-ref-37)
37. Id. [↑](#footnote-ref-38)
38. Ohio Admin. Code 4901:1-10-01. [↑](#footnote-ref-39)
39. According to the IEEE standard, a major event designates an event that exceeds the reasonable design and or operational limits of the distribution system. [↑](#footnote-ref-40)
40. *In the Matter of the Annual Report of the Cleveland Electric Illuminating Company, the Ohio Edison, and the Toledo Edison Pursuant to Rule 10 of the Electric Service and Safety Standards, Ohio Admin. Code 4901:1-10-10,* Case No. 12-0451-EL-ESS (March 30, 2012). [↑](#footnote-ref-41)
41. Ohio Admin. Code 4901:1-10-10(B)(4)(a). [↑](#footnote-ref-42)
42. Ohio Admin. Code 4928.11. [↑](#footnote-ref-43)
43. *In the Matter of Columbus Southern Power Company and Ohio Power Company for Authority to Establish a Standard Service Offer Pursuant to 4928.143 Ohio Rev. Code in the Form of an Electric Security Plan,* Case No. 11-346-EL-SSO, Direct Testimony of Thomas Kirkpatrick at 8 (March 30, 2012). [↑](#footnote-ref-44)
44. Case No. 11-346-EL-SSO, Opinion and Order at 61-63 (August 8, 2012) [↑](#footnote-ref-45)
45. Id. at 42-44. [↑](#footnote-ref-46)
46. Case No. 11-351-EL-AIR, Opinion and Order at 8 (December 14, 2011). [↑](#footnote-ref-47)
47. Id. at 8. [↑](#footnote-ref-48)
48. PUCO No. 20, Sheet 310-1D. [↑](#footnote-ref-49)
49. PUCO No. 20, Sheet 210-1D. [↑](#footnote-ref-50)
50. Ohio Admin. Code 4901:1-10-26(B). [↑](#footnote-ref-51)
51. Ohio Admin. Code 4901:1-10-26(B)(3)(d). [↑](#footnote-ref-52)
52. *In the Matter of the Annual Report of Ohio Power Company and Columbus Southern Power Company Pursuant to Rule 26 of the Electric Service and Safety Standards, Ohio Administrative Code 4901:1-10-26,* Case No. 10-996-EL-ESS (March 30, 2010). [↑](#footnote-ref-53)
53. *In the Matter of the Annual Report of Ohio Power Company and Columbus Southern Power Company Pursuant to Rule 26 of the Electric Service and Safety Standards, Ohio Administrative Code 4901:1-10-26,* Case No. 11-996-EL-ESS (March 30, 2011). [↑](#footnote-ref-54)
54. *In the Matter of the Annual Report of Ohio Power Company and Columbus Southern Power Company Pursuant to Rule 26 of the Electric Service and Safety Standards, Ohio Administrative Code 4901:1-10-26,* Case No. 12-996-EL-ESS (March 30, 2012). [↑](#footnote-ref-55)
55. Case No. 12-996-EL-ESS, Annual Report of Columbus Southern Power Company at 34 (March 30, 2012). [↑](#footnote-ref-56)
56. Id. [↑](#footnote-ref-57)
57. Case No. 10-2376-EL-UNC, Application at 4 (October 18, 2010). [↑](#footnote-ref-58)
58. Ohio Admin. Code 4901:1-10-26. [↑](#footnote-ref-59)
59. <http://www.puco.ohio.gov/puco/index.cfm/rules/pending-rules/rule-49011-10-10b-guidelines-for-reliability-standards-applications/> [↑](#footnote-ref-60)
60. Case No. 11-346-EL-SSO, Opinion and Order at 61 (August 8, 2012). [↑](#footnote-ref-61)
61. *In the Matter of the Application of Columbus Southern Power Company and Ohio Power Company for Approval of an Electric Security Plan; an Amendment to its Corporate Separation Plan; and the Sale or Transfer of Certain Generating Assets*, Case 08-917-EL-SSO and 08-918-EL-SSO, Opinion and Order at 34 (March 18, 2009). [↑](#footnote-ref-62)
62. Id. at 33. [↑](#footnote-ref-63)
63. Case No. 11-346-EL-SSO et al,Case No. 12-3129-EL-UNC, Work Plan (December 3, 2012)*.* [↑](#footnote-ref-64)
64. Case No. 11-346-EL-SSO, Opinion and Order at 46 (August 8, 2012). [↑](#footnote-ref-65)
65. Id. at 47. [↑](#footnote-ref-66)
66. Case No. 11-351-EL-AIR, Opinion and Order at 7 (December 14, 2011). [↑](#footnote-ref-67)
67. Case No. 08-917-EL-SSO, Opinion and Order at 32 (March 18, 2009). [↑](#footnote-ref-68)
68. <http://www.puco.ohio.gov/puco/index.cfm/rules/pending-rules/rule-49011-10-10b-guidelines-for-reliability-standards-applications/> [↑](#footnote-ref-69)
69. Staff Guidelines at paragraph 2. [↑](#footnote-ref-70)
70. *In the Matter of the Annual Report of Columbus Southern Power Pursuant to Rule 10 of the Electric Service and Safety Standards, Ohio Administrative Code 4901:1-10-10,* Case 12-1132-EL-ESS, at 2 (April 9, 2012). [↑](#footnote-ref-71)
71. *In the Matter of the Annual Report of Columbus Southern Power Pursuant to Rule 10 of the Electric Service and Safety Standards, Ohio Administrative Code 4901:1-10-10,* Case 11-1914-EL-ESS, at 2 (August 31, 2011). [↑](#footnote-ref-72)
72. *In the Matter of the Annual Report of Columbus Southern Power Pursuant to Rule 10 of the Electric Service and Safety Standards, Ohio Administrative Code 4901:1-10-10,* Case 10-439-EL-ESS, at 1 (April 5, 2010). [↑](#footnote-ref-73)
73. Case No. 09-756-EL-ESS, Application, at page 18 (August 27, 2009). [↑](#footnote-ref-74)
74. Id. [↑](#footnote-ref-75)
75. *In the Matter of the Annual Report of The Ohio Power Company Pursuant to Rule 10 of the Electric Service and Safety Standards, Ohio Administrative Code 4901:1-10-10,* Case No. 12-1132-EL-ESS, at 12 (March 30, 2012). [↑](#footnote-ref-76)
76. *In the Matter of the Annual Report of The Ohio Power Company Pursuant to Rule 10 of the Electric Service and Safety Standards, Ohio Administrative Code 4901:1-10-10,* Case 11-1914-EL-ESS, at 2 (September 1, 2011). [↑](#footnote-ref-77)
77. *In the Matter of the Annual Report of The Ohio Power Company Pursuant to Rule 10 of the Electric Service and Safety Standards, Ohio Administrative Code 4901:1-10-10,* Case 10-439-EL-ESS, at 1 (April 5, 2010). [↑](#footnote-ref-78)
78. Case No. 09-756-EL-ESS, Application at 18 (August 27, 2009). [↑](#footnote-ref-79)
79. Id. [↑](#footnote-ref-80)
80. Case No. 09-756-EL-ESS, Stipulation at 6 (July 22, 2010), Opinion and Order at 7 (September 4, 2010). [↑](#footnote-ref-81)