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May 15, 2009

PUCO

Ms. Renee J. Jenkins
Secretary of the Commission
Public Utilities Commission of Ohio
180 East Broad Street
Columbus, Ohio 43215-3793

Re: PUCO Case No. 08-1299-EL-UNC

Dear Ms. Jenkins:

On May 1, 2009, the Ohio Consumers' Counsel ("OCC"), joined by some members¹ of the Consumers for Reliable Electricity in Ohio ("CREO"), filed a letter in this docket seeking workshops regarding electric utility reliability.

This workshop process would require the submission of extensive data, which in some cases goes back over five years, all in an extension of CREO's previous attempt in this docket to second guess the staff of the Public Utilities Commission of Ohio and the Commission itself. Columbus Southern Power Company and the Ohio Power Company (collectively "AEP Ohio"), refer the Commission back to their January 6, 2009, Memorandum Contra CREO's Request for an Investigation. In that filing AEP Ohio discussed the Commission's authority and its staff's ability to oversee reliability issues as opposed to other entities' attempts to act as the regulator.

The Commission's Entry on Rehearing in 06-653-EL-ORD bolstered AEP Ohio's and the other utilities' filings in this docket stressing the adequacy of the Commission oversight. In that Entry, the Commission rejected certain recommendations "which appear to require a case to be opened for every missed standard, thereby restricting enforcement flexibility." Entry on Rehearing at ¶16. The Commission also stated, "[I]f the daily activities of Staff required public input, or if each investigation required a hearing, Staff's performance would be hindered, limiting the monitoring and investigatory work that Staff could accomplish." Entry on Rehearing at ¶29.

AEP Ohio respectfully requests that the Commission reject this latest attempt by OCC to micromanage the Commission and its staff's reliability oversight.

Very truly yours,

Marvin I. Resnik

cc: Parties of Record

¹ Members of CREO not signing this request were Edgemont Neighborhood Coalition, Clevelanders United Against Poverty, Appalachian People's Action Coalition, AARP Ohio, Citizens Coalition, Citizens for Fair Utility Rates, Neighborhood Environmental Coalition, Cleveland Housing Network, and the Empowerment Center for Greater Cleveland.

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