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FROM• Douglas G. Bonner **Direct** 202-408-3957

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MESSAGE •

RE: In the Matter of the Application of Ormet Primary Aluminum Corporation for Approval of a Unique Arrangement with Ohio Power Company and Columbus Southern Power Company, Case No. 09-119-EL-AEC

Enclosed for filing is Ormet Primary Aluminum Corporation's Status Report to Attorney Examiner Gregory Price

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May 15, 2009

VIA FACSIMILE & FEDERAL EXPRESS

Honorable Gregory Price
Attorney Examiner
Public Utilities Commission of Ohio
180 East Broad Street
Columbus, OH 43215

Re: In the Matter of the Application of Ormet Primary Aluminum Corporation for
Approval of a Unique Arrangement, et al., PUCO Case No. 09-119-EL-AEC

Dear Attorney Examiner Price:

On behalf of Ormet Primary Aluminum Corporation ("Ormet"), this is to provide you with a status report concerning anticipated timing for the filing of further Ormet direct testimony supporting Ormet's requested 2009 rate under the proposed Unique Arrangement.

As Your Honor recalls, at the conclusion of witness testimony on the second day of the hearing in this case on Friday, May 1, 2009, you granted Ormet's motion for a continuance of the hearing to allow Ormet additional time to present certain evidence supporting its proposed 2009 rate, in the interest of having a full and complete record. As Ormet argued, a continuance was necessary given the unusual constraints of the sealed record in the pending preliminary injunction litigation in *Ormet Primary Aluminum Corp. v. Glencore Ltd.*, Case No. 2:09-cv-00289 (S.D. Ohio)(J. Sargus). Since we were last before you, we have learned that the district court in the *Glencore* litigation has rescheduled the hearing date on the preliminary injunction motion from May 11, 2009 to May 18, 2009.

It is Ormet's intention to file supplemental prefiled direct testimony limited to one Ormet witness, Mr. James Burns Riley, shortly after a ruling on the merits of Ormet's motion for preliminary injunction, which will hopefully occur next week.



Honorable Gregory Price
May 15, 2009
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In the meantime, the parties have also been exploring possible settlement of the issues in this case. They will be further exploring that possibility in joint discussions scheduled next week.

Sincerely,

A handwritten signature in black ink, appearing to read "Douglas G. Bonner".

Clinton A. Vince
Douglas G. Bonner

Counsel for Ormet Primary Aluminum Corporation

Cc: Counsel of Record