

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of)
Columbus Southern Power Company to)
Amend its Emergency Curtailment) Case No. 10-343-EL-ATA
Service Riders.)

In the Matter of the Application of Ohio)
Power Company to Amend its) Case No. 10-344-EL-ATA
Emergency Curtailment Service Riders.)

ENTRY

The attorney examiner finds:

- (1) On March 18, 2009, the Commission issued its opinion and order in Columbus Southern Power Company's (CSP) and Ohio Power Company's (OP) (jointly, AEP-Ohio or the Companies) electric security plan (ESP) cases (ESP Order).¹ By entries on rehearing issued July 23, 2009 (First ESP EOR), and November 4, 2009 (Second ESP EOR), the Commission affirmed and clarified certain issues raised in AEP-Ohio's ESP Order. As ultimately adopted by the Commission, AEP-Ohio's ESP directed, among other things, that:

AEP-Ohio customers under reasonable arrangements with AEP-Ohio, including, but not limited to, energy efficiency/peak demand reduction arrangements, economic development arrangements, unique arrangements, and other special tariff schedules that offer service discounts from the applicable tariff rates, are prohibited from also participating in a PJM demand response program (DRP), unless and until the Commission decides otherwise in a subsequent proceeding.

(First ESP EOR at 41.) While it opined on the inability of customers in reasonable arrangements with AEP-Ohio to participate in PJM DRPs, the Commission did not, in the

¹ In re AEP-Ohio ESP cases, Case Nos. 08-917-EL-SSO and 08-918-EL-SSO, Opinion and Order (March 18, 2009).

context of the ESP, address the ability of AEP-Ohio's retail customers to participate in PJM DRPs.

- (2) On March 19, 2010, AEP-Ohio filed an application to amend its emergency curtailment service riders. In its application, AEP-Ohio contends that its retail customers should be eligible to either: (i) participate in demand response through AEP-Ohio sponsored, Commission-approved programs; or (ii) integrate their customer-sited resources toward the electric utility's compliance through commitment of such resources to AEP-Ohio. In order to facilitate its compliance with the statutory peak demand reduction mandates of Amended Substitute Senate Bill 221, AEP-Ohio proposes two demand response program options by means of its application. The first customer option is described by AEP-Ohio as an "enhanced tariff program equivalent to PJM DRPs." The second customer option proposed by AEP-Ohio is described as "permitting conditional retail participation in PJM DRPs based on direct commitment of registered demand response load."
- (3) In order that all interested persons may have the opportunity to comment upon the proposals set forth in AEP-Ohio's application, the attorney examiner finds that the procedural schedule for these cases shall be as follows:
 - (a) Motions to intervene should be filed by May 28, 2010.
 - (b) Interested persons, including Staff, who wish to file comments and objections to the application must do so by May 28, 2010.
 - (c) Reply comments are due by June 7, 2010.
- (4) After comments and reply comments are received and the issues raised therein are considered, a decision on whether a hearing is required will be made.

It is, therefore,

ORDERED, That motions to intervene be filed by May 28, 2010. It is, further,

ORDERED, That comments be filed with the Commission by May 28, 2010, and reply comments be filed by June 7, 2010. It is, further,

ORDERED, That a copy of this entry be served upon all persons of record in these cases.

THE PUBLIC UTILITIES COMMISSION OF OHIO

Rebecca L. Hussey

By: Rebecca L. Hussey
Attorney Examiner

JRG

RLH/sc

Entered in the Journal
MAY 10 2010

Renée J. Jenkins

Renée J. Jenkins
Secretary