

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of The Application
for Approval of a Contract for
Electric Service Between Columbus
Southern Power Company and Mill's
Pride.

Case No. 99-799-EL-AEC

FINDING AND ORDER

The Commission finds:

- (1) The Applicant, Columbus Southern Power Company, is a public utility as defined in Section 4905.02, Revised Code, and, as such, is subject to the jurisdiction of this Commission.
- (2) On July 2, 1999, the Applicant petitioned this Commission for approval of a contract for electric service with Mill's Pride (Customer). The Customer shall be served according to the Applicant's GS-3 Primary rate schedule and the terms of this contract.
- (3) The Customer is building a new facility in Seaman, Ohio. The new facility will be approximately 80,000 square feet, requiring 2000 kVA, and will create seventy-five new jobs.
- (4) The Agreement provides that all demand charges for on-peak demand in excess of 500 kW shall be discounted on declining basis as follows:

<u>YEAR</u>	<u>DISCOUNT</u>
1	30%
2	20%
3	10%

- (5) The approval of this contract is subject to the determinations and constraints of S.B. 3.
- (6) The Applicant states the approval of this contract will not increase any rate or charge of the Applicant, nor adversely impact other customers.
- (7) Subject to the terms of this Finding and Order, the application should be approved as filed pursuant to Section 4905.31, Revised Code.

- (8) Our approval of this contract does not constitute state action for the purpose of the antitrust laws. It is not our intent to insulate the Applicant or any party to a contract approved by this Finding and Order from the provisions of any state or federal law which prohibit the restraint of trade.

It is, therefore,

ORDERED, That subject to the terms of this Finding and Order, the Agreement attached to the application is approved and shall become effective pursuant to its terms. It is, further,

ORDERED, That the Applicant report to the Electricity Division of the Commission's Utilities Department semiannually, in January and July, the results of the Agreement including the increase in load and sales, the total dollar increase in revenue due to the Agreement, and the total dollar difference in the billing at the GS-4 rates and the billing at the contract rates. It is, further,

ORDERED, That the Commission's approval of this contract does not constitute state action for the purpose of the antitrust laws. It is, further,

ORDERED, That nothing in this Finding and Order shall be binding upon this Commission in any future proceeding or investigation involving the justness or reasonableness of any rate, charge, rule or regulation. It is, further,

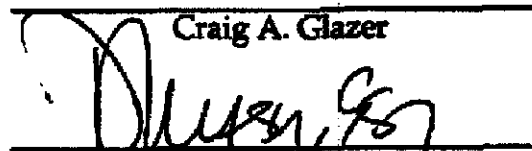

ORDERED, That a copy of this Finding and Order be served upon the Applicant, the Customer and all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO


Alan R. Schriber, Chairman


Ronda Hartman Fergus


Judith A. Jones



Craig A. Glazer

Donald L. Mason

DLH:ct

Entered in the Journal

MAY 04 2000

A True Copy


Gary E. Vigorito
Secretary

SERVICE NOTICE

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CASE NUMBER 99-799-EL-AEC
CASE DESCRIPTION COLUMBUS SOUTHERN POWER/MILLS PRIDE
DOCUMENT SIGNED ON May 4, 2000
DATE OF SERVICE 5-5-2000

PERSONS SERVED

PARTIES OF RECORD

ATTORNEYS

APPLICANT

COLUMBUS SOUTHERN POWER COMPANY
WILLIAM R. FORRESTER
1 RIVERSIDE PLAZA-29
COLUMBUS, OH 43215-2373

MARVIN I. RESNIK
AMERICAN ELECTRIC POWER SERVICE
1 RIVERSIDE PLAZA
COLUMBUS, OH 43215

APPLICANT

MILL'S PRIDE, INC.
423 HOPEWELL ROAD
WAVERLY, OH 45690

NONE