

## BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Fuel Adjustment	)	Case No. 09-872-EL-FAC	
Clauses for Columbus Southern Power	)		
Company and Ohio Power Company.	)	Case No. 09-873-EL-FAC	

## STIPULATION AND RECOMMENDATION

Ohio Administrative Code ("O.A.C.") Rule 4901-1-30 provides that any two or more parties to a proceeding may enter into a written or oral stipulation concerning the issues presented in such proceeding. Pursuant to O.A.C. Rule 4901-1-10(C), the Staff of the Public Utilities Commission of Ohio ("Staff") is considered a party for the purpose of entering into a stipulation. Accordingly, Columbus Southern Power Company and Ohio Power Company, the Office of the Ohio Consumers' Counsel, the Industrial Energy Users – Ohio, Ormet Primary Aluminum Corporation, and the Staff (hereinafter referred to individually as a "Party" and collectively as "Parties") hereby agree on August 23, 2010 as follows:

The Companies' (Columbus Southern Power Company and Ohio Power Company) collection of deferrals and carrying charges associated with the Ormet Interim Agreement (Case Nos. 08-1338-EL-AAM and 08-1339-EL-UNC) are the subject of a pending case before the Commission – In the Matter of the Application of Columbus Southern Power and the Ohio Power Company to Recover Commission-Authorized Deferrals Through each Company's fuel adjustment clause, Case No. 09-1094-EL-FAC. Therefore the Parties agree that a determination on the collection of deferrals and carrying charges that

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are associated with the Ormet Interim agreement will be addressed in the context of Case No. 09-1094-EL-FAC and any other cases affecting collection under the Ormet interim agreement. The Parties agree, pursuant to Ohio Adm. Code 4901-1-30, that no party to these proceedings shall be prejudiced regarding their positions on the Ormet Interim agreement and associated deferrals by the absence of developing a record or arguing these issues in Case Nos. 09-872-EL-FAC and 09-873-EL-FAC.

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