

FILE

BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

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In the Matter of the Application of :
Columbus Southern Power Company and :
Ohio Power Company for Administration :
of the Significantly Excessive Earnings : Case No. 10-1261-EL-UNC
Test Under Section 4928.143(F), Revised :
Code, and Rule 4928:1-35-10, Ohio :
Administrative Code. :

MEMORANDUM IN RESPONSE
TO STAFF'S MOTION FOR EXTENSION

On October 1, 2010, the Staff filed a motion requesting an extension of time to file its testimony in this proceeding. Staff has requested that the current deadline of October 12, 2010, be extended until October 21, 2010. The basis for the Staff's request for an extension is that the individual Staff members assigned to this case are involved in a number of other Significantly Excessive Earnings Test (SEET) proceedings that are currently pending before the Commission on a similar time frame as this case and, consequently, an extension is necessary.

Columbus Southern Power Company (CSP) and Ohio Power Company (OP) (collectively, "AEP Ohio") do not oppose an extension of the deadline for pre-filing the Staff's testimony, provided that the hearing date is also continued by an equal amount of time (i.e. starting on November 3, instead of October 25, 2010, in the event that the Staff's testimony pre-filing deadline is extended until October 21, 2010). The reason for this condition to AEP Ohio's support for the Staff's request is straightforward. If the hearing date is not extended by the same amount, and the Staff is permitted to file its testimony on October 21, one business day prior to the start of the hearing, AEP Ohio's ability to prepare adequately for the hearing could be

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prejudiced. While AEP Ohio acknowledges Staff's point that there are a number of other SEET proceedings pending before the Commission, it is AEP Ohio's belief that these other proceedings are likely to be resolved without hearings. Accordingly, as AEP Ohio previously informed counsel for the Staff regarding the request, if Staff would be willing (and the Commission consented) to continue the hearing date by the same amount as the Staff's testimony pre-filing due date is extended, AEP would not oppose the Staff's request.

AEP Ohio notes that the support for continuance of the hearing, in the event of an extension in the Staff's pre-filing deadline, is widespread among the intervenors in this case. Specifically, to date, the Office of the Ohio Consumers' Counsel (OCC), the Ohio Energy Group (OEG), Ohio Partners for Affordable Energy (OPAE), and the Appalachian Peace and Justice Network (APJN) have indicated that they support continuing the hearing date by the amount of any extension of the Staff's testimony pre-filing deadline.

In sum, AEP Ohio does not oppose the Staff's request for an extension as long as the starting date of the hearing is continued by the same amount of time.

Respectfully submitted,

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**Counsel for Columbus Southern Power
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CERTIFICATE OF SERVICE

I hereby certify that a copy of Columbus Southern Power Company's and Ohio Power Company's Memorandum in Response to Staff's Motion for Extension was served by E-mail upon the following counsel for all other parties of record in this case, on this 4th day of October, 2010:

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