

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application for)
Establishment of a Reasonable)
Arrangement Between Marathon Petro-) Case No. 10-2777-EL-AEC
leum Company LP and Ohio Power)
Company.)

ENTRY

The attorney examiner finds:

- (1) Pursuant to Section 4905.31, Revised Code, and Rule 4901:1-38-05(B), Ohio Administrative Code (O.A.C.), a mercantile customer of an electric utility may apply to the Commission for a unique arrangement with the electric utility.
- (2) On November 22, 2010, the Marathon Petroleum Company LP (Marathon) filed an application for approval of a unique arrangement with Ohio Power Company (Ohio Power) for electric service at Marathon's refinery in Canton, Ohio. In its application, Marathon explains that it is a mercantile customer as defined by Section 4928.01, Revised Code. Marathon explains that it is requesting that the Commission authorize an arrangement that will permit the Canton refinery to establish a structure that will enable higher utilization of the customer-sited capabilities of Marathon to facilitate compliance with the mandates of Amended Substitute Senate Bill 221, which advance the policy of the state. In addition, Marathon avers that the unique arrangement would permit Marathon to focus its energies on continuous improvement planning for longer term investments in Canton that will help the refinery operations remain competitive in the global marketplace.
- (3) The Ohio Environmental Council (OEC) and Ohio Power filed motions to intervene and comments on the application on November 24, 2010, and December 10, 2010, respectively. No party opposed OEC's or Ohio Power's motion to intervene and Marathon did not file any reply comments.
- (4) The attorney examiner finds that OEC and Ohio Power have set forth reasonable ground to intervene, and, accordingly, their motions to intervene should be granted.

- (5) Having reviewed Marathon's application and the comments filed by OEC and Ohio Power, the attorney examiner finds that this matter should be set for hearing. Accordingly, the parties should observe the following procedural schedule:
- (a) A prehearing conference will be held on March 25, 2011, at 10:00 a.m. Hearing Room 11-C, at the offices of the Commission, 180 East Broad Street, Columbus, Ohio 43215.
 - (b) All testimony should be filed by April 5, 2011.
 - (c) A hearing will be held on April 12, 2011, at 10:00 a.m. Hearing Room 11-C, at the offices of the Commission, 180 East Broad Street, Columbus, Ohio 43215.

It is, therefore,

ORDERED, That OEC's and Ohio Power's motions to intervene be granted. It is, further,

ORDERED, That the parties should observe the procedural schedule set forth in finding (5). It is, further,

ORDERED, That a copy of this entry be served upon all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

Katie L. Stenman
By: Katie L. Stenman
Attorney Examiner

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/dah

Entered in the Journal **FEB 25 2011**

Renee J. Jenkins
Renee J. Jenkins
Secretary