

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of)
Columbus Southern Power Company) Case No 11-178-EL-UNC
for Approval of a Change in Bill Format)

In the Matter of the Application of)
Columbus Southern Power Company to)
Establish New Experimental Rate) Case No. 10-424-EL-ATA
Schedule Classifications for Residential)
and Small General Service Time of Day)
Rates and Residential Experimental)
Direct Load Control Rider)

**MEMORANDUM OF COLUMBUS SOUTHERN POWER COMPANY IN OPPOSITION
TO APPLICATION FOR REHEARING**

On January 13, 2011, Columbus Southern Power Company (CSP or the Company) filed an application for approval of a change in bill format related to new “Time of Day” (TOD) service rate programs, in Case No 11-178-EL-UNC. The Commission considered the application on an expedited basis, found that the application’s “proposed language better and more clearly identifies the applicable TOD service rates on customer bills,” and approved the new format on January 27, 2011. (Entry at para 6). The Office of Consumers Counsel (OCC) now moves for a rehearing of that Entry, even though it did not seek to intervene in the case, and did not file comments or otherwise object to the new TOD bill format.¹

R.C. 4903.10 governs the rehearing process in the Commission. The statute, among other things, requires leave to file an application for rehearing to any person, firm, or corporation who

¹ The OCC did intervene and file comments in the 10-424-EL-ATA docket initially seeking approval of the new tariff schedules for the TOD and direct load control (“DLC”) services. Because of the companion case headers, OCC was served with the Entry in this case, 11-178-EL-UNC. OCC moved to intervene in Case No. 11-178-EL-UNC on February 7, 2011 – after the Commission had approved the TOD bill format -- and has filed comments objecting to the proposed bill format for the experimental DLC program.

did not enter an appearance in the proceeding. In order to grant leave to file the application for rehearing the Commission must find:

- (A) The applicant's failure to enter an appearance prior to the entry upon the journal of the commission or the order complained of was due to just cause;
- (B) The interests of the applicant were not adequately considered in the proceeding.

R.C. 4903.10(A) and (B) The statute also requires an applicant to give due notice of the filing for such application for leave and/or rehearing to all parties who have entered an appearance in the proceeding.

OCC did not move for leave to file this motion for rehearing of the Commission's Order in Case No. 11-178-EL-UNC, nor has it explained its failure to enter an appearance prior to the Commission's January 27, 2011 Order. Moreover, the Commission explicitly stated that the revised bill format was more clear and understandable to customers, which is the stated purpose of the OCC in seeking the rehearing; thus, the interests of the OCC were adequately considered in the proceeding.

Regardless of its standing to request any rehearing of the Commission's Order, substantively, the OCC's request for rehearing is misplaced. The changes in bill format approved in January simply updated the approved format of CSP's bill to match the revised tariffs filed in January. (Case No. 10-424-EL-ATA, 11-178-EL-UNC, January 13, 2011) A mark-up version of the new bill format was attached to CSP's original application, and shows that just six words were changed "On-" and "Off-Peak Generation" line items were changed to "High-" and "Low Cost Hours."

OCC's complaints, however, go beyond addressing these minimal changes. In fact, OCC's advocates a wholesale re-write of CSP's bill, including a detailed explanation of the TOD

program (OCC Memorandum at 2) OCC also criticizes plain language such as “Due date does not apply to Previous Balance Due” that has been approved by the Commission, and used on past CSP bills (*See, e.g.*, Case No 09-0279-EL-UNC, CSP bill format approved containing identical language) The OCC also recommends including more information about budget billing and explanations related to the Percentage of Income Payment Plan Program (PIPP)

With regard to the specifics of the experimental TOD rate service, the program is explained in great detail in the tariff filed by CSP on January 13, 2011. See Schedule TOD, Sheets 15-1, 15-2, 20-5, 20-6. Participants will learn, at the time of enrollment and through information on the Company’s website, how the program will work to reduce their energy usage and utility bills. Again, the customer’s bill is not the appropriate place for such an explanation. In fact, due to bill formatting and space restrictions, any further explanation would be cumbersome, and would certainly increase the complexity, length and even the weight of the bill

Last, the Percentage of Income Payment Plan language included in the exemplar bill attached to CSP’s application would not appear on a TOD customer’s bill. The changes to “High-” and “Low-Cost Hours” that were approved by the Commission and made to the standard CSP bill format are the only changes at issue in this proceeding, and only apply to customers who are eligible and choose to participate in the TOD program.

CSP submits that the revised bill format complies with all applicable Commission rules and regulations, and provides all pertinent information to TOD participants in a concise, clear and understandable manner. OCC’s application for rehearing raises issues well beyond the Commission’s limited decision in this matter.

For these reasons, OCC's Motion for Rehearing should be denied

Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing Reply Comments of Columbus Southern Power Company has been served upon the below-named counsel via First Class mail, postage prepaid, this 10th day of March, 2011

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Summary: Memorandum Memorandum in Opposition to Application for Rehearing
electronically filed by Anne M Vogel on behalf of American Electric Power Company, Inc.