FILE

BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of Columbus Southern Power Company and Ohio Power Company for Authority to Establish a Standard Service Offer Pursuant to Section 4928.143, Revised Code, in the Form of an Electric Security Plan.	)))))))	Case No. 11-346-EL-SSO Case No. 11-348-EL-SSO
In the Matter of the Application of Columbus Southern Power Company and Ohio Power Company for Approval of Certain Accounting Authority.	)))))	Case No. 11-349-EL-AAM Case No. 11-350-EL-AAM

Direct Testimony of

Steve Elsea

Director of Energy Services
Leggett & Platt, Inc.

On Behalf of Intervenor
COMPETE Coalition

July 25, 2011

I. Introduction

Q. Please state your name and your business address.

A. My name is Steve Elsea. My business address is P.O. Box 757, No. 1 Leggett Road, Carthage, Missouri 64836.

Q. By whom are you employed?

A. I am employed by Leggett & Platt, Inc. My title is Director of Energy Services. Leggett & Platt is a diversified Fortune 500 manufacturer that conceives, designs and produces a broad variety of engineered components and products that can be found in virtually every home, office, retail store and automobile. Leggett & Platt operates 140 production plants in 18 countries and employs 19,000 workers. We operate one hundred manufacturing plants in the U.S. that employ approximately 9,000 American workers. We operate one manufacturing facility in Ohio, a specialty wire plant in Solon, for which we are directly responsible for the energy bills. Our Solon facility actively participates in Ohio's retail choice program and purchases electricity from a Competitive Retail Electric Supplier ("CRES").

Q. Please describe your responsibilities as Director of Energy Services.

A. I am responsible for maximizing the energy value from supplier to point of use for Leggett & Platt's manufacturing operations.

Q. Please describe your educational and business experience.

A. I hold an undergraduate degree in Architecture from Southern Illinois University and a Masters in Business Administration from The Ohio University. I began my career with an investor-owned dual-fuel utility in Illinois. I spent 22 years working for investor-owned utilities in Illinois, Kentucky and Ohio. The focus of my career was in marketing and customer services, and I have personally conducted hundreds of energy efficiency audits for residential, commercial, institutional and industrial customers. Before I left the utility industry in 2000, I managed residential and commercial customer programs for American Electric Power ("AEP"). Later, I founded an energy management company that focused on a demand response solution, and consulted for municipal electric utilities in Ohio before I joined Leggett & Platt in early 2007.

Q. On whose behalf are you testifying?

A. I am testifying on behalf of the COMPETE Coalition ("COMPETE"). Leggett & Platt is a member of the board of COMPETE. COMPETE is an organization of 579 electricity stakeholders, including customers, suppliers, generators, transmission owners, trade associations, environmental organizations and economic development corporations, all of whom support well-structured competitive electricity markets for the benefit of consumers. Currently, 150 COMPETE members -- about 26% -- are end use electricity customers. COMPETE favors market solutions and choice as the best way to drive electricity prices down to the lowest available level, place investment and operational risk on service providers rather than on customers, attract renewable and demand resources, and encourage new entry by innovators.

Twenty-one of COMPETE's members have headquarters located in Ohio, and 44 of COMPETE's large electricity customer members operate in Ohio with over 3,400 stores or other facilities providing hundreds of thousands of Ohio jobs. Altogether, 62

COMPETE members have a presence in Ohio. Attachment A to this testimony identifies the COMPETE members in Ohio.[1]

Q. What is the purpose of your testimony?

A. I will address the significant adverse impacts of the proposed Electric Security Plan ("ESP") filed in this proceeding by Columbus Southern Power Company and Ohio Power Company (collectively "AEP Ohio") from two (2) key respects. First, AEP Ohio's proposed ESP will frustrate and most likely deprive commercial and industrial customers of the ability to secure electricity at reasonable, competitive prices. The imposition of non-bypassable riders to recover generation-related costs inappropriately places the financial risks of AEP Ohio's generation-related business decisions squarely on the shoulders of its customers. Clearly, the "Security" in the proposed ESP is intended for AEP Ohio's shareholders, not its customers. Business risks for generation-related costs rightly belong with the shareholders of AEP Ohio. Second, the impacts of AEP Ohio's proposed ESP stands in stark contrast to the well-established benefits that can be derived from competition in Ohio's retail electricity market. My company's experience is that competitive electricity markets provide the lowest available costs, and that measures that restrict our choices, limit competition, or subsidize particular resources or providers, consequently raise our costs. For Leggett & Platt and the other COMPETE members that are commercial and industrial customers, electricity is a significant portion of our costs. Accordingly, we are very concerned with the cost impact of AEP Ohio's proposed ESP.

[1] The source of the information presented in Attachment A is the responses to Interrogatories 1, 2 and 3 in *Responses of the COMPETE Coalition to Columbus and Southern Power Company's and Ohio Power Company's Second Set of Interrogatories*, served in this proceeding on July 18, 2011.

Q. Please elaborate on why you believe that AEP Ohio's proposed ESP will have a negative effect on customer choice and competition?

A. The proposed ESP, and especially the litany of non-bypassable riders that AEP Ohio proposes for the recovery of certain alleged generation-related costs, is essentially a significant rate increase that customers cannot avoid and that cannot be quantified at this time. The proposed ESP will shift AEP Ohio's generation-related business risks to customers, reduce our choices regarding competitive retail electric service ("CRES") providers and service options, result in inefficient investment by AEP Ohio, and raise the electricity costs of commercial and industrial customers.

AEP Ohio has been rather open and honest that its intent is to eliminate customer choice and competition with this ESP proposal. It has been reported that during a January 28, 2011 call regarding 2010 fourth quarter earnings, AEP's CEO Mike Morris said the following about this proposal:

> "(I)f in fact, the rate design activities that are filed in the ESP when we get to 2012, I think you will see a real drop-off in the number of shopping customers. They'll still be there and still have the freedom to do that, but their economic advantage will be to stay on the AEP system as a retail customer" [2]

AEP Ohio's proposal will indeed deter, and likely eliminate, any migration from AEP-Ohio and will deter customers from choosing lower-cost suppliers.

Approval of the litany of non-bypassable riders for generation-related costs would establish a negative trend away from reliance upon competitive market principles and toward the failed policies of the past. COMPETE customer members believe that non-

[2] Energy Choice Matters, "Morris: Proposed Ohio ESP Designed to Combat Migration," January 31, 2011. http://www.energychoicematters.com/stories/20110131b.html

bypassable riders that recover generation-related costs limit or undercut well-functioning electricity markets and threaten customer benefits by eliminating choices, picking winners and losers, subsidizing select market participants and requiring double payment for products or services.

Q. Please identify the proposed non-bypassable riders that would recover AEP-Ohio's generation-related costs.

A. There are seven (7) proposed non-bypassable riders through which AEP Ohio would collect generation-related costs. They are:

- Rider GRR (Generation Resource Rider)
- Rider FCCRR (Facility Closure Cost Recovery Rider)
- Rider CCSR (Carbon Capture and Sequestration Rider)
- Rider EICCR (Environmental Investment Carry Cost Rider)
- Rider PIRR (Phase-in Recovery Rider)
- Rider MTR (Market Transition Rider)
- Rider NERCR (NERC Compliance Cost Recovery Rider)

Because AEP Ohio has designated these riders non-bypassable in the proposed ESP, the riders would not only apply to customers that purchase electricity from AEP Ohio but also to customers that purchase electricity from a CRES provider. Requiring customers that purchase electricity from a CRES provider to pay for AEP Ohio's generation-related costs is fundamentally unfair and anticompetitive. It will act as a tax on customers that purchase their electricity from CRES providers and (i) force them to pay twice for electricity, (ii) deter them from searching for and choosing the lowest cost source of electric generation, and (iii) force CRES providers and their competitive pricing and innovative products and services out of the AEP Ohio market. The anticompetitive impacts of the riders will mean higher costs for electricity customers and businesses that provide jobs in Ohio.

II. Summary of recommendations

Q. Please state your recommendations regarding the AEP Ohio's ESP proposal.

A. I have three (3) main proposals that are all designed to promote a properly functioning competitive retail and wholesale market in the AEP Ohio service territory.

First, the Public Utility Commission of Ohio (the "Commission") should reject AEP Ohio's proposal to recover generation-related costs through non-bypassable riders imposed upon all customers, including those that purchase electricity service from suppliers other than AEP Ohio. This ESP proposal is anti-customer and anti-competition.

If the riders are approved, customers that are currently purchasing electric supply from CRES providers, or those that may want to exercise their right to purchase from a CRES provider in the future, will have to pay twice for electricity; once for the power purchased through a voluntary contract with a CRES provider and then again for AEP Ohio's generation-related costs through the non-bypassable riders. Customers that would like to shop for a lower-cost CRES provider will be deterred from doing so because they have to pay for AEP Ohio's generation-related costs in addition to those of a CRES provider.

Additionally, if AEP Ohio is allowed to impose these non-bypassable generation-related charges, CRES providers will exit the AEP Ohio market, taking with them the competitive pressures that keep costs down and propel innovation. Costs are also likely to increase because AEP Ohio's customers will be forced to bear the financial risks of

AEP Ohio's generation-related business decisions, risks that should be borne by AEP Ohio's shareholders. For example, AEP has announced that it will face at least $2 billion in environmental costs for its Ohio generation fleet due to new environmental rules.[3] How will customers be assured that only the most economic choices are made and that all lower cost alternatives to AEP Ohio's generation-related investments are considered? Under the proposed ESP, there will be no such assurance.

Second, I recommend that the Commission reject any proposal that intends to destroy customer choice. Ohio customers and employers would be much better served if the Commission empowers customers with choices that allow them to manage their energy portfolios and procure the lowest available cost of generation under the terms and conditions to suit their individual needs. Importantly, such a policy would be consistent with Ohio law that clearly articulates the state's policy goal of effective competition in retail electric service while avoiding anticompetitive penalties. Customer choice lets the customer rather than AEP Ohio decide what generation solutions best fits the customer's business needs

Finally, I recommend that the supply of electricity for standard service offer ("SSO") customers be procured through a competitive process to assure that it is sourced from the lowest available cost resources. A robust transparent competitive bidding process is needed to assure maximum consumer benefit. Of course, AEP Ohio would be free to participate as a supplier in such a competitive process, just as it has participated in

[3] AEP's SEC Form 10-Q for the quarter ending March 31, 2011 at page 201. The table at the bottom of the page provides estimates of $1.65 billion to $2.93 billion between 2012 and 2020 for environmental investments to comply with proposed requirements for Columbus Southern Power Co. and Ohio Power Co. http://www.aep.com/investors/edgar/docs/AEP10-Q-1st-2011.pdf . In addition, Exelon INT- 2-030 Attachment 1 indicates $2.03 billion of such investments for the two companies from 2011 to 2020.

competitive procurements for generation services in other territories in Ohio and in other states.

Q. What is COMPETE's public position on non-bypassable riders for generation-related costs?

A. COMPETE vigorously opposes non-bypassable riders for generation-related costs.

Q. What is the basis of your knowledge of the proposed non-bypassable riders?

A. I reviewed the descriptions of the riders in AEP Ohio's ESP application and the testimony of AEP Ohio witnesses Joseph Hamrock and Philip J. Nelson.

Q. Does Leggett & Platt have experience with non-bypassable riders for generation-related costs at any of its facilities? If so, would you please share your experience?

A. Yes. Leggett & Platt has five manufacturing facilities in Ontario, Canada. In 2005, the Province of Ontario adopted a plan whereby certain generators were exempt from participating in the competitive electricity market. Today, all energy customers in the province, including my company, pay a "Global Adjustment" charge that has grown to 3 cents per kWh since implementation of this plan. That one line-item non-bypassable charge represents over 30% of our electricity cost in Ontario. Essentially, it is a large de facto energy tax. To further explain the reasons for my significant concerns about non-bypassable charges for generation-related costs, I am including as Attachment B a chart that graphically depicts the growth of this Global Adjustment charge over time.

Q. Do you have a recent invoice for electricity service to your Ontario facility that sets out this Global Adjustment charge as a part of your monthly statement?

A. Yes, I do. It is Attachment C to this testimony.

Q. As you refer to Attachment C, would you please describe its content?

A. Attachment C is an invoice from Waterloo North Hydro Inc., one of our local distribution companies in Ontario, received on May 19, 2011. It provides our account number, service address, a chart showing our electricity usage on a month by month basis for the past year, and an itemization of our electricity charges for the period from April 1 to May 1, 2011. On the invoice, I have drawn an arrow marking the line item for the "Global Adjustment" charge. As you can see, the Global Adjustment charge, a non-bypassable rider, is $28,652.21 out of a total monthly bill of $91,343.45. This non-bypassable generation rider represents over 30% of our total electricity cost.

I will now provide some background information regarding Leggett & Platt's experience with competitive electricity markets.

III. <u>Experience in Competitive Electricity Markets</u>

Q. Please identify the competitive retail electricity markets where Leggett & Platt has facilities.

A. Leggett & Platt operates facilities in competitive retail electricity markets in Texas, Illinois, Ohio, Pennsylvania, New Jersey, Maryland, Michigan and California as well as in Ontario, the UK, Switzerland, Belgium, Austria, Italy, Denmark, Germany and Croatia.

Q. What is Leggett & Platt's overall experience in competitive retail electricity markets?

A. Our experience is that competitive electricity markets have allowed the company to lower its energy costs. A prime example is right here in Ohio. Leggett & Platt buys electricity at our wire mill in Solon, Ohio from a CRES provider. We recently completed an RFP and executed a new contract with our incumbent CRES provider. We were able to structure the block and index products according to our own risk tolerance and received competitive bids for those products. Leggett & Platt has reduced its total electricity costs by almost 15% in Ohio since we have been buying through the competitive market.

Another example involves a comparison of the electricity costs in two of our plants. Leggett & Platt has two similar carpet underlay plants that use about the same amount of electricity each year. One is located in Texas and the other in Mississippi. The cost per kWh of the plant in the competitive Texas ERCOT market is approximately 28% lower than the Mississippi plant, which is served by a TVA power distributor.

As a final example, I would observe that over 55% of our kWh purchases in the U.S. during 2010 was for plants in the PJM market, but the costs of those purchases account for less than 40% of our total electricity costs.

Competitive markets help Leggett & Platt lower costs because they allow us to choose from an array of competitive products and services and give us the flexibility needed to manage our energy portfolio. For example, competitive electricity markets offer supply-side options in renewable energy and demand-side options like advanced electricity storage. We are no longer tethered to a specific electric generation mix, and instead are able to shop for our desired generation mix. We can supplant peak demand utilizing solar technology or smooth those peaks through the use of advanced battery storage systems. And just as important, competitive electricity markets encourage increased energy efficiency. In addition, our experience is that competitive markets provide flexibility in contract length and other terms and conditions as well as a variety of attractive service options. The one-size-fits-all approach of monopoly protected services cannot compare with the advantages afforded Leggett & Platt by choice and competitive markets.

Q. Does market structure impact Leggett & Platt's decisions regarding locating new facilities or adjusting production at existing facilities?

A. Yes. We continually evaluate our cost of doing business in various locations, and have made adjustments ranging from closing operations where competitive choices were not available at one location and consolidating in another location where retail choice was available. We also routinely adjust daily operations during demand-response events in locations that offer that competitive market feature.

Q. Please describe some of the benefits of flexible contracts and service options offered in markets.

A. Our experience is that in a well-functioning competitive market, CRES providers can offer contracts of varying durations to customers. These contracts can be month-to-month up to three years or more, and everything in between, and tailored to meet the individual needs of the customers.

In addition, there are numerous service options and products available from CRES providers to meet customer's needs, resources, budget requirements, environmental or sustainability initiatives, and price hedging strategies. These products can be individually customized to meet the business goals, risk appetite, and needs of all types of electricity customers. For example, at our Solon plant we hedge our risks differently depending on the time of year. In the months from June through September, we have fixed prices for over 50% of our load that occurs during the peak 16 hours per day – Monday through Friday. The remainder of the year, our fixed price level drops to around 20% of our load during these peak periods. For the remaining 88 hours in the week, we will buy electricity at spot-market prices. These decisions were based on careful analyses of historic hourly prices in the PJM Interconnection's market in Ohio. By the way, during the bidding process for these customized services we received quotes from five different CRES providers.

Q. Please describe how flexibility in markets along with market-driven prices results in additional benefits.

A. Transparent market-driven prices and a choice of contracts and innovative services have allowed Leggett & Platt to look closely at how we use electricity and where we can implement new technologies and conservation measures to reduce our costs. For example, we are currently evaluating the costs and benefits of using behind-the-meter flywheel and battery storage technologies to provide regulation service in the competitive electricity markets that allow customers to provide such services . This additional revenue stream is precluded by market barriers in the monopoly service territories. We also establish risk management strategies to mitigate price volatility and reduce costs while also contributing to improved grid reliability by participating in demand-response programs. This approach has helped us in other competitive markets such as California, Illinois, New Jersey, Ohio, Pennsylvania and Texas. We cut costs by providing over 20 MW of demand resources in the California, Texas and PJM markets. All of our demand-response load is in competitive electricity markets. As a company that maximizes profits and has a focus on shareholder return, we are interested in minimizing every controllable cost.

Q. You referred to competitive electricity markets lowering customer financial risk. Please describe how competitive electricity markets lower financial risk for customers.

A. Restructured electricity markets have greatly diminished financial risk for customers. Monopoly-protected utility companies are guaranteed recovery of their costs from their captive customers, and this appears to be the purpose of the non-bypassable riders in the proposed ESP. In restructured electricity markets, customers can choose among service providers who have no guarantee of cost recovery. They must provide a superior service at a lower cost than their competitors. Thus the risk of poor investment decisions is borne by those providers and their respective shareholders, not by captive customers. Competition disciplines investment by shifting the risk of poor business decisions from consumers to investors, where it belongs.

IV. Impact of the Proposed ESP

Q. Given that Leggett & Platt does not have any facilities in the AEP Ohio service territory, why are you concerned with the impact of the proposed ESP?

A. First, I am testifying on behalf of COMPETE. COMPETE is concerned about the impacts of the ESP proposal on the ability of its customer members in AEP Ohio's service territory to secure electricity at reasonable prices and, more generally, on competition in Ohio's retail electricity market. Leggett & Platt has facilities in competitive retail electricity markets as well as markets served by monopoly providers. As Director of Energy Services for my company, I have a wealth of first hand experience from managing our electricity portfolio in both types of markets and, accordingly, I am able to assess which market features work best for electricity customers. Based on that experience, I am able to assess for COMPETE the impact of proposals like the ESP on customer costs and on competition in electricity markets.

Second, Leggett & Platt does have a facility located in Ohio that participates in the retail choice program, and we are concerned with any backward policy trends that the Commission may be asked to adopt that would have a potential negative impact on the broader electricity market in the area where our plant is located and, more generally, on the business climate in Ohio.

Q. AEP Ohio witness Hamrock testifies that by making this proposal AEP is helping to position its customers for sustained growth. Is the expected impact of the proposed ESP consistent with that statement?

A. No, not at all. The proposed ESP will have a negative rather than positive impact. Mr. Hamrock correctly states that safe, reliable and reasonably priced electricity is a critical component to the economic vitality of the nation and Ohio, and that manufacturing and industrial firms face global competition and volatile markets, which impact their short- and long-term strategies.[4] Manufacturing and industrial firms must sharpen their pencils, keep costs as low as possible and innovate to meet global competition. The proposed ESP, however, will limit the ability of manufacturing and industrial firms to do this. AEP Ohio's proposal creates barriers, through the establishment of non-bypassable riders, for AEP Ohio consumers to access available, lower cost market options. It will reduce the choices and flexibility we need to manage our energy requirements, and will chase from the Ohio market the CRES providers that bring about the impetus to lower energy costs and provide innovative products and services.

Q. What will be the immediate, or short-term, impacts of the proposed ESP?

A. There are two immediate impacts, both of which will mean higher costs for electricity customers. The first is that the non-bypassable riders will act as an unfair tax on customers that have already procured a supply of power from a CRES provider for all or part of the ESP term. Those customers will have to pay twice for some components of their electricity supply. They will pay for the power purchased through voluntary contracts with CRES providers, and they will also pay for AEP Ohio's power plants and other generation-related costs and services through the non-bypassable riders. Paying for AEP Ohio's generation-related costs when those customers are purchasing and receiving generation from a CRES provider unfairly raises customers' costs of doing business, perhaps significantly.

[4] Hamrock testimony at page 11, lines 18 - 23.

The second immediate impact is that the non-bypassable riders will bias power purchase decisions away from other sources. If customers are forced to pay for AEP Ohio's generation-related costs through non-bypassable riders, they will be less likely to choose a competitive electric provider. Customers will remain with AEP Ohio even when it would be cheaper to procure from a CRES provider but for the non-bypassable riders. As a result, the costs of commercial and industrial customers will be higher than they would be if competitive market forces were allowed to drive prices to the lowest available level. This result appears to be inconsistent with Ohio's policy of competitive choice for customers.[5]

Q. What will be the longer-term impacts of the proposed ESP?

A. As discussed above, the longer-term impact will be even higher costs for customers and the exit of competitive suppliers from the Ohio retail electricity market. With the ESP in place and CRES providers gone from the market, the risks of AEP Ohio's multi-billion dollar generation-related business decisions will be borne by Ohio customers (and employers) instead of by AEP Ohio shareholders. As a result, AEP Ohio will have even less incentive to lower costs and provide innovative services. With guaranteed cost recovery through the non-bypassable riders, AEP Ohio will be incented to build new facilities whether or not they are needed and with minimal accountability for cost

[5] By statute, it is the policy of the state of Ohio to, among other things, "(e)nsure the availability of unbundled and comparable retail electric service that provides consumers with the supplier, price, terms, conditions, and quality options they elect to meet their respective needs;" and "(e)nsure diversity of electricity supplies and suppliers, by giving consumers effective choices over the selection of those supplies and suppliers and by encouraging the development of distributed and small generation facilities;" Chapter 4928.02 of the Ohio Code. http://codes.ohio.gov/orc/4928

controls. With no assurance that investments and other procurement and operational decisions are the most economic, Ohio customers could potentially subsidize above-market solutions that do not meet Ohio's energy needs.

This would be bad for business and bad for Ohio. Leggett & Platt and other commercial and industrial firms compete daily to succeed, relying on our cost competitiveness and operational excellence. We can no more tolerate an anticompetitive subsidy for an electric service provider than we can a similar subsidy for one of our direct competitors.

Q. Are the expected impacts of the proposed ESP that you have described consistent with your experience?

A. Yes. Policies that subsidize certain resources or providers, or that limit customer choices, result in higher costs for electricity customers. This has been Leggett & Platt's experience.

Q. Are there any examples that illustrate this point?

A. Yes. As I have described earlier, a non-bypassable charge in Ontario has raised our costs and now constitute over 30% of our total electricity costs. As another example, at pages 7 and 8 of his testimony in this proceeding, AEP Ohio witness Hamrock mentions the efforts of New Jersey and Maryland to provide guaranteed cost recovery of generation costs. Maryland's initiative is still a work-in-progress, but New Jersey's has already been shown to be misguided and likely to raise customer costs. Driven by concerns with high market prices for generating capacity, New Jersey's program assures the owners of certain new generating plants a guaranteed capacity price for up to 2,000 MW of generating capacity, regardless of the price in the PJM capacity market base residual auction. Just a few days after the New Jersey Assembly passed the legislation establishing the program, PJM revised its demand forecast. The revised forecast showed that demand growth had decreased due to economic factors and cost-effective energy efficiency programs, and that the demand levels previously forecasted for 2014 would not be reached until at least 2020.[6]

Not surprisingly, PJM's most recent capacity auction held in early May 2011 for the 2014 - 2015 delivery year resulted in dramatically lower capacity prices. The capacity price in New Jersey, except for the transmission constrained area of northern New Jersey, fell to $136.50 per MW-day. Using this market price, we can begin to estimate the folly of the guaranteed price. The New Jersey legislation originally intended to guarantee a price of $232.75 per MW-day, but before final passage the bill was changed so that the guaranteed price would be negotiated with the New Jersey Board of Public Utilities. Contracts now have been negotiated but the contract prices are not public so it is not possible to precisely measure the cost-inflating impact of the New Jersey program. But we can use the parameters of the initial proposed legislation to make a back-of-the-envelope estimate of the cost of using a non-market tested means for acquiring capacity. Using the most recent PJM capacity auction price, the legislation's original $232.75 per MW-day price and the 2,000 MW amount of capacity to be

[6] *PJM 2011 Load Forecast Report*, January 2011. http://www.pjm.com/documents/~/media/documents/reports/2011-pjm-load-report.ashx

guaranteed, New Jersey customers would pay more than $70 million too much ("above market") for capacity in just one year because of the guaranteed price.[7]

Q. Based on your analysis and experience, what do you conclude about the impact of the non-bypassable riders in the proposed ESP?

A. The proposed non-bypassable riders to collect generation-related costs will result in the opportunity for uneconomic investment and procurement decisions by AEP Ohio. Ultimately, electricity costs for Ohio customers in the AEP Ohio service territory will be higher than they otherwise would be. This will negatively impact the business climate in Ohio and result in less investment and fewer jobs.

As a large electricity consumer in Ohio, I am disappointed that AEP Ohio seeks this financial guarantee, and proposes to place the generation-related financial risk on the backs of its customers. In addition, a May 19, 2011 news article in the Charleston Daily Mail covering a speech by Charles Patton, Appalachian Power's President and Chief Operating Officer, exacerbates my concern. The article notes that Appalachian Power is receiving a 5% return on equity but according to Mr. Patton at least one AEP subsidiary in Ohio is receiving a 16 to 17 percent return. Based on Mr. Patton's statements, I am greatly disturbed that AEP-Ohio may already be subsidizing its affiliates in other states, and the implementation of the proposed ESP's non-bypassable riders would make matters even worse for AEP Ohio customers. I am attaching the May 19, 2011 article in the Charleston Daily Mail as Attachment D.

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[7] ($232.75 - $136.50) x 2,000 MW x 365 days = $70,262,500.

Q. Are there any indications that AEP recognizes the opportunities presented by, and the value of, retail electricity competition in Ohio?

A. Yes. As retail competition began to develop in the past year within the AEP-Ohio footprint, AEP created a CRES provider to compete for electricity customers that were seeking competitive options. AEP clearly recognized the opportunities and value of retail competition not only within but also outside of AEP Ohio's service territory, as evidenced by its participation as a CRES provider in the FirstEnergy and Dayton Power & Light service territories.

V. Support for Competitive Electricity Markets

Q. Why do COMPETE and Leggett & Platt support competitive electricity markets?

A. We support consumer choice and competitive markets because they achieve the lowest available costs for customers. Markets provide a choice of suppliers and service options that best meet customer needs and empower customers with control over our energy costs. Markets also reduce the financial risk of customers and provide the pressure for providers to innovate and reduce costs. And the fair market rules and clear price signals attract renewable and other innovative providers that keep costs down and are essential to meeting clean energy goals.

Q. Has Leggett & Platt publicly supported competitive electricity markets in Ohio?

A. Yes. Along with a number of other Ohio commercial and industrial customers, on behalf of Leggett & Platt I recently signed a letter to Governor Kasich urging him and his administration to continue to support the emerging competitive electric market in Ohio, and to ensure that the benefits of competition that have been enjoyed over the past couple of years are not reversed. In that letter, we stated that our companies' collective experiences in Ohio and many other states reflect that competitive electricity markets allow our businesses to recognize substantial savings on electricity costs, which can in turn be passed on to customers through lower priced consumer goods and services, and that fostering policies in Ohio that allow commercial electricity users to manage their energy purchases in an efficient manner is critical to achieving such savings. I have attached a copy of the letter to Governor Kasich as Attachment E.

Q. **Are other commercial and industrial customers that have choice taking advantage of competitive options and realizing benefits from competitive electricity markets?**

A. Yes, that is my understanding. According to a recent study, in the 17 states that allow retail electricity competition, 57% of eligible non-residential demand is supplied by a competitive retail electric supplier.[8] In 10 of those states, more than 68% of large commercial and industrial customers have switched to alternative retail electric suppliers.[9] And in Illinois, 94% of large commercial and industrial customers have switched to retail electricity suppliers.[10] I find those numbers to be compelling evidence that customers find great value in having a choice of retail electric suppliers.

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[8] See Phillip R. O'Connor, *Customer Choice in Electricity Markets: From Novel to Normal,* November 15, 2010, at page 5. http://www.competecoalition.com/files/Customer-Choice-In-Electricity-Markets_0.pdf

[9] *See* Distributed Energy Financial Group LLC, *Annual Baseline Assessment of Choice in Canada and the United States,* December 2010, at page 10, table 2. http://www.competecoalition.com/files/ABACCUS%202010%20Study.pdf

[10] *Id.*

VI. Recommendations

Q. What is your recommendation to the Commission regarding AEP Ohio's proposed ESP?

A. The Commission should reject AEP Ohio's proposal to recover generation-related costs through non-bypassable riders imposed on all customers, including those that purchase electricity service from suppliers other than AEP Ohio. It is fundamentally unfair and anti-competitive.

The proposal will erect barriers to job creation. It will raise the energy costs of Ohio customers (and employers) by forcing some of them to pay twice for electricity and by driving out of AEP Ohio's service territory the competitive forces that assure the lowest available cost generation as well as product and service innovation. The artificial advantage that would be conferred on AEP Ohio by the non-bypassable riders will prevent customers from choosing CRES providers that offer more competitive services. The intent and the effect of AEP Ohio's proposal will be to impose protected monopoly service and to place the financial risks of AEP Ohio's generation-related business decisions on the backs of its customers. Clearly, the "security" in the ESP is intended for AEP's shareholders, not consumers.

Q. Do you have any additional recommendations?

A. Yes. The Commission should reject any proposal that intends to destroy customer choice. Ohio customers and employers would be much better served if the Commission empowers customers with choices that allow them to manage their energy portfolios and procure the lowest available cost of generation under the terms and conditions to suit their individual needs. Importantly, such a policy would be consistent with Ohio law that clearly articulates the state's policy goal of effective competition in retail electric service while avoiding anticompetitive penalties. Customer choice lets the customer rather than AEP Ohio decide what generation solutions best fits the customer's business needs.

I also recommend that the supply of electricity for SSO customers be procured through a competitive process to ensure that it is sourced from the lowest available cost resources. A robust transparent competitive bidding process is needed to assure that the lowest available cost resources are invested in or procured. Of course, AEP would be free to participate as a supplier in such a process, just as it has participated in competitive procurements for generation services in other territories in Ohio and in other states.

Q. Does this conclude your testimony?

A. Yes.

ATTACHMENT

A

COMPETE Members In Ohio

COMPETE Members That Have A Presence In Ohio

7-Eleven, Inc.
Accent Energy (Dublin)
Affinitas (Avon Lake)
Alliance for Real Energy Options (Columbus)
Ardmore Power Logistics, LLC. (Lakewood)
AT&T
Big Lots Stores, Inc. (Columbus)
BJ's Wholesale Club
Boston Market Corporation
Cargill, Incorporated
Carrols Corporation
City Gospel Mission (Cincinnati)
CKE Restaurants, Inc.
Constellation Energy
Costco Wholesale
Cushman & Wakefield
CVS/pharmacy
Direct Energy
Dollar General
Dollar Tree Stores, Inc.
DPL Energy (Dayton)
Einstein Noah Restaurant Group
Energy Choice Advantage LLC (Cleveland)
EvoEarth (Columbus)
Exelon Corporation
FirstEnergy Solutions (Akron)
H&R Block
IEU Ohio Administration Company (Columbus)
J.C. Penney Corporation
Johnson Controls
Kohl's Department Store
Kraft Foods
Leggett & Platt
Lighthouse Utility Solutions (Cincinnati)
Lowe's Home Centers, Inc.
Macy's Inc.
National Church Residences (Columbus)
Nationwide Energy Partners LTD (Columbus)
NBC Universal
North Shore Energy Consulting, LLC (Sagamore Hills)
Nova Machine Products Inc. (Middleburg Heights)
OfficeMax
Options Energy (Holland)
Owens Corning (Toledo)

Papa John's International
PETCO
PetSmart, Inc.
Polo Ralph Lauren Corp.
RadioShack Corporation
Red Robin Gourmet Burgers
Responsible Solutions for Energy Transition (Columbus)
Rite Aid Corporation
Save-a-Lot, A SUPERVALU Company
Shoe Carnival, Inc.
Staples Inc.
Target Corporation
The Andersons, Inc. (Maumee)
The Houston Company (Massilon)
TJX Companies
Wal-Mart Stores, Inc.
Wendy's / Arby's Group
Yum! Brands, Inc.

COMPETE Members That Have Headquarters In Ohio

Customer Members:

The Andersons, Inc. (Maumee)
Big Lots Stores, Inc. (Columbus)
City Gospel Mission (Cincinnati)
National Church Residences (Columbus)
Nova Machine Products Inc. (Middleburg Heights)
Owens Corning (Toledo)

Non-Customer Members:

Accent Energy
Affinitas
Alliance for Real Energy Options
Ardmore Power Logistics, LLC.
DPL Energy
Energy Choice Advantage LLC
EvoEarth
FirstEnergy Solutions
The Houston Company
IEU Ohio Administration Company
Lighthouse Utility Solutions
Nationwide Energy Partners LTD
North Shore Energy Consulting, LLC
Options Energy
Responsible Solutions for Energy Transition

COMPETE's Large Electricity Customer Members That Operate In Ohio

7-Eleven, Inc.
AT&T
Big Lots Stores, Inc. (Columbus)
BJ's Wholesale Club
Boston Market Corporation
Cargill, Incorporated
Carrols Corporation
City Gospel Mission (Cincinnati)
CKE Restaurants, Inc.
Costco Wholesale
Cushman & Wakefield
CVS/pharmacy
Dollar General
Dollar Tree Stores, Inc.
Einstein Noah Restaurant Group
H&R Block
J.C. Penney Corporation
Johnson Controls
Kohl's Department Store
Kraft Foods
Leggett & Platt
Lowe's Home Centers, Inc.
Macy's Inc.
National Church Residences (Columbus)
NBC Universal
Nova Machine Products Inc. (Middleburg Heights)
OfficeMax
Owens Corning (Toledo)
Papa John's International
PETCO
PetSmart, Inc.
Polo Ralph Lauren Corp.
RadioShack Corporation
Red Robin Gourmet Burgers
Rite Aid Corporation
Save-a-Lot, A SUPERVALU Company
Shoe Carnival, Inc.
Staples Inc.
Target Corporation
The Andersons, Inc. (Maumee)
TJX Companies
Wal-Mart Stores, Inc.
Wendy's / Arby's Group
Yum! Brands, Inc.

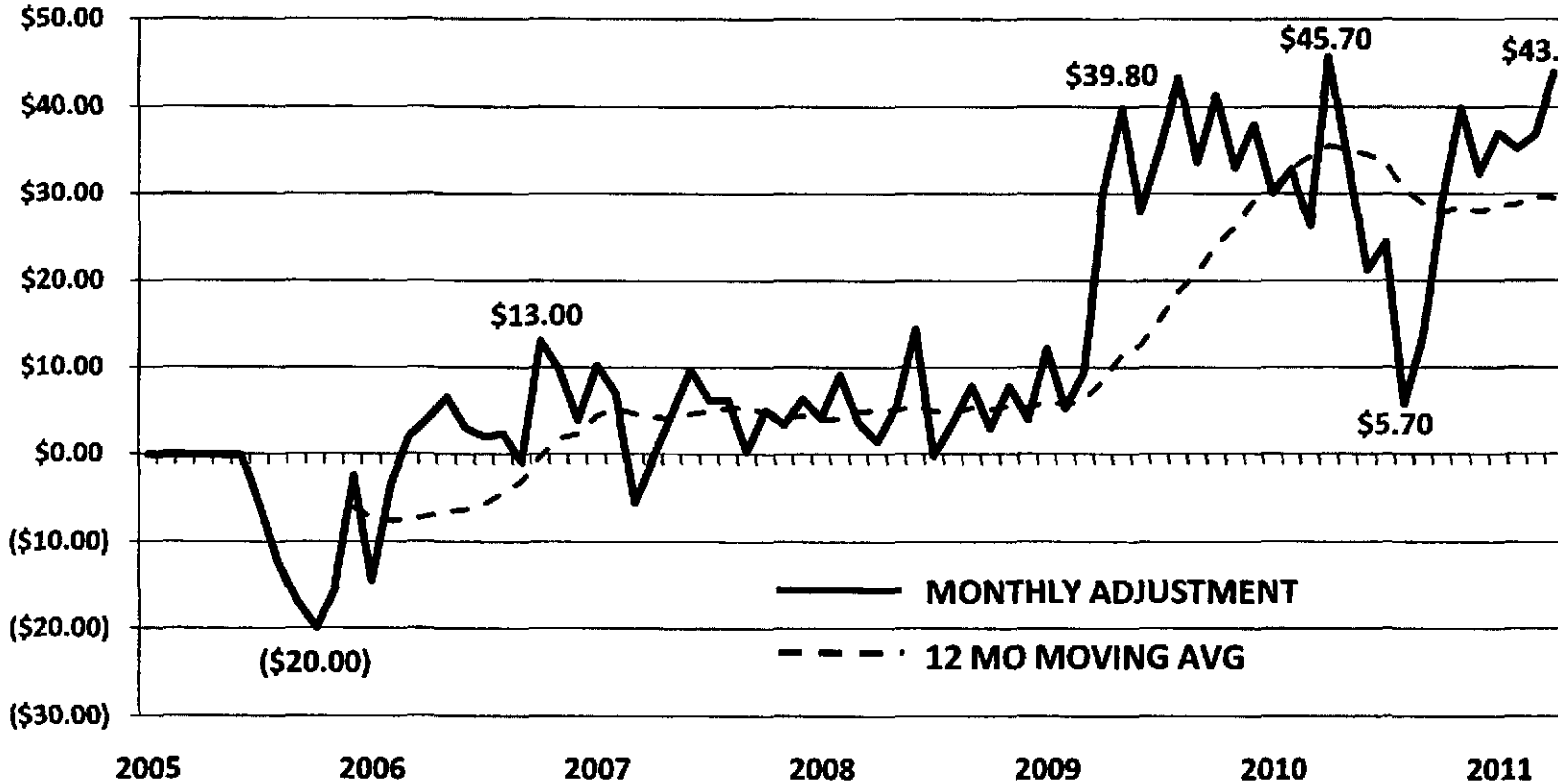
ATTACHMENT

B

Ontario Global Adjustment

(Non-Bypassable Generation Charge)

($/MWH)



Source http://www.ieso.ca

ATTACHMENT

C

Waterloo North Hydro Inc.
PO Box 640
300 Northfield Drive East
Waterloo, Ontario N2J 4A3

Tel: (519) 885-6840
Fax: (519) 746-0133
www.wnhydro.com

RECEIVED

MAY 19 2011

Previous Balance	$96,544.64
Adjustments	$0.00
Payments Received - Thank You	$96,544.64CR
Balance Forward	$0.00

NORTHFIELD METAL PRODUCTS

Account Number:
186190-001

Service Address:
195 BATHURST DR
WATERLOO, ON N2V 2B2

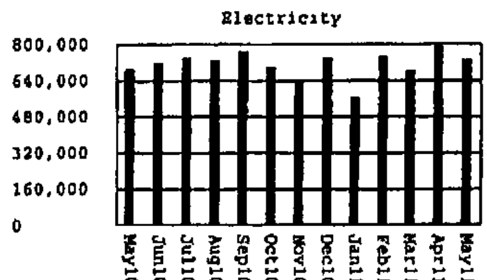
Bill Issue Date:
May 16, 2011

Your Electricity Charges for Apr 01, 2011 to May 01, 2011

Electricity	$31,550.37
Commodity Supplied by CONSTELLATION NEWENERGY* 888-635-0827	
Total Electricity Charges	**$31,550.37**

Your Other Charges for Apr 01, 2011 to May 01, 2011

Distribution Service Chrg	$188.01
GA Rate Rider 2010 to 2014	$265.04
DVAD Rate Rider 2010 to 2014	$2,260.68CR
Special Purpose Charge	$271.58
Line/Transformation Connection	$1,823.38
Network Service	$4,674.82
Wholesale Market Service	$4,738.91
Distribution Usage Chrg	$7,299.24
Transformer Allowance	$1,226.08CR
Global Adjustment	$28,652.21
Debt Retirement Charge	$4,858.11
Total Other Charges	**$49,284.54**



10508.54
× .6154
× 30%
1940.09

Applicable for consumption after January 1, 2011:
The Ontario Government has taken 10% off your electricity bill to help you with the costs of building a clean energy future. Learn about the new Ontario Clean Energy Benefit: ontario.ca/energyplan or 1-888-668-4636

Energy Tip:

Check for gaps in weather stripping around doors, attic hatches & air conditioners.

HST (86584 4575 RT0001)	$10,508.54
Total Amount Due Jun 05, 2011	**$91,343.45**

NORTHFIELD METAL PRODUCTS

55039 000 000	80834.91
55039 000 000	1940.09
26530 000 09T	(1940.09)
	10508.54

10514

Waterloo North Hydro is pleased to offer a credit card payment option using your Visa, MasterCard, or American Express. For details, please visit our website at www.wnhydro.com or call us at 519-885-6840. All payments made by credit card will be subject to a convenience Fee of $2.50 for every $100.00 or part thereof.

91 343.45 MW 5/19/11

Other payment options include Pre-Authorized Payment and our Pre-Authorized Equal Payment Plan. Our Customer Service Staff will be glad to help you with payment options. Please call us at 519-885-6840. Telephone Payments and Online Banking are also available through your Banking Institution.

ATTACHMENT

D

BUSINESS

Recommend

Thursday May 19, 2011

Appalachian Power chief has blunt message on energy

by George Hohmann
Daily Mail Business Editor

Recommend

CHARLESTON, W.Va. -- It isn't Appalachian Power Co.'s fault that electricity rates are going up, said Charles Patton, Appalachian Power's president and chief operating officer.

Patton said rates are increasing because:

- The company spent $2 billion since 2005 to comply with federal environmental mandates at its John Amos power plant near Winfield and its Mountaineer Plant in Mason County.
- The price of coal has gone from $30 a ton to nearly $90 a ton and "it's not coming back down."

Higher rates are, in part, a result of spending on environmental compliance and being dependent on coal when coal no longer offers a big cost advantage, he said.

Meanwhile, people are using more electricity to power computers, cell phones and other electronic devices.

"We have to come together to address why rates are going up," Patton said. "You let people off the hook when you tell them it's not your fault, it's Apco's fault. I believe in talking to the AARP, the environmentalists - our critics - and having a dialogue."

Appalachian Power has a rate hike pending that, if approved, would increase rates 8.9 percent on July 1. A 4.6 percent increase went into effect March 31. Numerous other increases have gone into effect in recent years.

West Virginia has the highest home-ownership rate in the United States "but we also have some of the crappiest houses, in terms of energy efficiency," Patton said. "Until we get to some of these problems, people of limited means will be struggling with energy costs just as they struggle with food and other costs."

Patton spoke Wednesday at an invitation-only breakfast hosted by the company at the Summit Conference Center in downtown Charleston. Mainly business and government leaders attended.

"We want to pursue our least-cost options," Patton said.

As new environmental rules kick in, one result is the company will have to retire its older power plants - the Kanawha River plant at Glasgow and the Clinch River and Glen Lyn plants in Virginia.

"It would cost $500 million to $600 million per plant to upgrade these plants, which are 50-plus years old," Patton said. "That isn't going to happen."

"For years, Apco had the cheapest rates in the nation except for the northwest, where the utilities bought hydro power from Bonneville," Patton said, referring to the Bonneville Power Administration.

"Folks, we've just been spoiled in this country with the cheapest energy since forever."

The national average cost of electricity is 11.04 cents per kilowatt-hour, he said. Appalachian Power currently charges 9.1 cents. That would increase to 9.8 cents if all of the company's pending rate increase request were granted.

Patton said the company has done its part to keep costs down by reducing its operating and capital budgets, trimming its workforce, implementing a no-travel policy and putting six power stations on extended-startup status.

Appalachian Power generates 99 percent of the electricity it sells by burning central Appalachian coal.

"There is a place for coal in our energy future, but it won't be 99 percent," Patton said.

There is an abundance of natural gas in the Marcellus shale and other shale formations, he said.

"Our guys say there will be cheap gas for 30 years. The new generating plants we build will be natural gas plants, make no mistake about it."

While many West Virginians believe increasingly stringent environmental regulations are unfair, there are many people in other states who want more restrictions on the use of coal, Patton said.

"Do we think we're going to make the EPA go stand in the corner? That isn't going to happen. We aren't going to put the genie back in the bottle.

"We do want to delay new rules a few years to allow our customers to catch their breath and allow us to come up with alternatives," he said. "We can't decommission the Kanawha River, Clinch River and Glen Lyn plants on Jan. 1, 2015, just like that."

Patton said Appalachian Power is receiving a 5 percent return on equity.

"We're the worst-performing utility in the AEP system," he said, referring to the company's corporate parent, American Electric Power. At least one AEP subsidiary in Ohio is receiving a 16 to 17 percent return, he said.

"Virginia regulators looked at 16 benchmark companies and Apco is the worst-performing."

Asked what he thinks of the state Public Service Commission, which regulates utilities in West Virginia, Patton said he believes it is effective and fair.

"A 5 percent return should prove they're not our lackeys," he said.

Appalachian Power serves about 500,000 customers across southern West Virginia. The company has 2,400 employees in the state, making it the fifth-largest employer. It pays about $73 million in state and local taxes annually, making it the largest taxpayer.

The company burns 12.8 million tons of coal annually and 7.2 million tons of that coal is mined in West Virginia, Patton said. The company spends about $52 million annually with West Virginia vendors.

Contact writer George Hohmann at busin...@dailymail.com or 304-348-4836.

ATTACHMENT

E

June 9, 2011

The Honorable John Kasich
Governor of Ohio
77 South High Street
30th Floor
Columbus, OH 43215

Dear Governor Kasich:

The electricity customers who have signed this letter believe that the best way to ensure reasonably priced and reliable electricity for consumers is through competitive electricity markets. Competitive electricity markets keep prices as low as possible, drive innovation, and produce other benefits for consumers, while ensuring a reliable supply of electricity. The competitive electricity market in Ohio is providing documented benefits to consumers and is important to Ohio's economic and job growth.

In Ohio, we collectively represent 737 facilities, with over 121,000 employees and $119 million in annual electricity costs as consumers of electricity.

Our companies' experience in Ohio and many other states is that well-designed, competitive electricity markets produce substantial savings on electricity costs, which allows us to maintain low prices for our customers and invest in our businesses. Fostering policies in Ohio and our region that allow commercial electricity users to manage their energy purchases in an efficient manner is critical to achieving such savings.

Electricity is one of our largest operating costs, and control of these costs enhances growth and profitability. Competitive electricity markets lower costs but they also give us the flexibility to choose a supplier that best meets our individual business goals with service offerings that provide choices on price, reliability, generation portfolio mix, risk management, and product and service features. Perhaps most important, in competitive markets investors not consumers bear the risk of bad business decisions.

Proven cost savings from electricity markets mean lower costs for consumers. Between 1997 and 2010, prices for retail customers in states with organized wholesale markets, like PJM, increased at a slower rate than those in states without such markets. And rates for commercial customers in organized market states actually decreased by 2% in real terms while rates in the other states increased by 3%. Wholesale prices in the organized competitive markets recently decreased sharply. Between 2008 and 2009, average wholesale prices in the PJM, MISO and the ISO-New England markets declined more than 40%, and wholesale costs decreased 28% in the California market.

One source of billions of dollars of cost savings for consumers is the operational efficiencies of the organized markets. The PJM market, which operates in Ohio and which FirstEnergy and Duke will be joining, estimates that its operations save the region $2.2 billion each year. Such savings result from the competitive pressures for operators, market participants and proactive customers to squeeze more from existing resources and create other significant efficiencies. Generating plants operate much more efficiently now than before the markets began.

Another source of significant cost savings in markets is demand response resources, which flourish in electricity markets. Almost 32,000 MW of demand resources are available in North American RTOs and ISOs. Demand response service providers offer products that allow consumers to reduce or modify their electricity consumption to gain better control of their electricity use and costs. This helps to keep prices down and avoids the need to build expensive new generating plants. For example, in PJM, 9,282 MW of demand resources cleared its last capacity auction, which is equivalent to the capacity of 10 to 12 baseload power plants.

Markets also attract the lion's share of renewable resources and other innovative technologies. This is because of the markets' fair rules, ease of entry, large regional scope and transparent locational prices that correctly value energy. Nearly 80% of installed wind capacity is now located in regions with organized competitive electricity markets, despite the fact that these areas represent only 44% of U.S. wind energy potential. And other innovators, such as cutting-edge storage resources using state-of-the-art battery or flywheel technologies, are choosing to install their advanced equipment in the RTO and ISO markets, increasing efficiency and reliability, and lowering costs.

Well structured markets also provide a superior platform for the emerging Smart Grid technologies. Sophisticated Smart Grid tools will give customers a greater ability to take advantage of the markets' transparent price signals that already give consumers information needed to make smart consumption and investment decisions. It is no accident that of the ten states that have been identified as "the laboratories for U.S. Smart Grid policy,"[1] seven participate in organized regional electricity markets.

Finally, the proof that competitive electricity markets benefit customers is demonstrated by the number of customers with choice who actually shop for alternative suppliers. In the 17 states that allow retail competition, competitive providers supply nearly 45% of eligible electricity demand, up from 20% in 2003. A majority (57%) of all eligible non-residential demand is supplied by a competitive provider. In ten states, more than 68% of large commercial and industrial customers have switched to alternative suppliers, and in nine states more than half of medium commercial and industrial customers have switched suppliers.

In summary, competitive electricity markets have a track record of bringing substantial benefits to consumers and to their states and regions. By keeping costs down, driving innovation, and empowering customers to make customized procurement decisions for one of their largest and most volatile operating costs, competitive electricity markets spur job creation

[1] GTM Research press release, *New Report Dissects Top Ten States Driving Smart Grid Development*, July 27, 2010. The states with organized markets are: California, Massachusetts, New Jersey, New York, Ohio, Pennsylvania and Texas.
http://www.smartgridnews.com/artman/uploads/1/New_Report_Dissects_Top_Ten_States_.pdf

and improve Ohio's competitiveness in the national and world economies. For these reasons, vibrant electricity markets are vitally important to the businesses that are signatories to this letter.

Accordingly, we respectfully urge your administration to continue to support the emerging competitive electricity market in Ohio and ensure that the benefits of competition enjoyed over the past couple years are not reversed. We also respectfully urge you to consider the continuing development of competitive markets in the AEP service territory. We participate in markets for virtually all goods and services, and believe that electricity competition is the path forward for Ohio.

Sincerely,

Dr. Mark B. Morgan
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7-Eleven, Inc.

Glenn Underwood
Director, Strategic Sourcing & Procurement
The Andersons, Inc.

W. Dustin Myrick
Senior Specialist, Environmental Sustainability
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Kevin Moran
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Senior Vice President
President Retail Services
Sears Holdings

Tom McIntyre
Director R&D, Energy and Environmental
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Kim Saylors-Laster
VP Energy
Wal-Mart Stores, Inc.

cc: Todd Snitchler, Chairman PUCO
Andre Porter, Commissioner PUCO
Steven Lesser, Commissioner PUCO
Cheryl Roberto, Commissioner PUCO
Paul Centolella, Commissioner PUCO

CERTIFICATE OF SERVICE

I hereby certify that the foregoing document was served this 25th day of July, 2011 by electronic mail, upon the persons listed below.

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