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BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of Ohio)
Power Company and Columbus Southern) Case No. 10-2376-EL-UNC
Power Company for Authority to Merge)
and Related Approvals)

In the Matter of the Application of)
Columbus Southern Power Company and)
Ohio Power Company for Authority to) Case No. 11-346-EL-SSO
Establish a Standard Service Offer) Case No. 11-348-EL-SSO
Pursuant to §4928.143, Ohio Rev. Code,)
in the Form of an Electric Security Plan.)

In the Matter of the Application of)
Columbus Southern Power Company and) Case No. 11-349-EL-AAM
Ohio Power Company for Approval of) Case No. 11-350-EL-AAM
Certain Accounting Authority)

In the Matter of the Application of)
Columbus Southern Power Company) Case No. 10-343-EL-ATA
to Amend its Emergency Curtailment)
Service Riders)

In the Matter of the Application of)
Ohio Power Company) Case No. 10-344-EL-ATA
to Amend its Emergency Curtailment)
Service Riders)

In the Matter of the Commission Review of)
the Capacity Charges of Ohio Power) Case No. 10-2929-EL-UNC
Company and Columbus Southern Power)
Company.)

In the Matter of the Application of)
Columbus Southern Power Company) Case No. 11-4920-EL-RDR
for Approval of a Mechanism to Recover)
Deferred Fuel Costs Ordered Under)
Ohio Revised Code 4928.144)

In the Matter of the Application of)
Ohio Power Company for Approval)
of a Mechanism to Recover) Case No. 11-4921-EL-RDR
Deferred Fuel Costs Ordered Under)
Ohio Revised Code 4928.144)

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In the Matter of the Application of Ohio
Power Company for Approval of An
Amendment to Its Corporate Separation
Plan

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Case No. 11-5333-EL-UNC

**MEMORANDUM CONTRA MOTION TO CONSOLIDATE APPLICATION FOR
APPROVAL OF AN AMENDMENT TO OHIO POWER COMPANY'S CORPORATE
SEPARATION PLAN WITH OTHER MATTERS**

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October 4, 2011

Attorneys for Industrial Energy Users-Ohio

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Ohio Power Company and Columbus Southern Power Company for Authority to Merge and Related Approvals	))))	Case No. 10-2376-EL-UNC
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 §4928.143, Ohio Rev. 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
In the Matter of the Application of Columbus Southern Power Company to Amend its Emergency Curtailment Service Riders	))))	Case No. 10-343-EL-ATA
In the Matter of the Application of Ohio Power Company to Amend its Emergency Curtailment Service Riders	))))	Case No. 10-344-EL-ATA
In the Matter of the Commission Review of the Capacity Charges of Ohio Power Company and Columbus Southern Power Company.	))))	Case No. 10-2929-EL-UNC
In the Matter of the Application of Columbus Southern Power Company for Approval of a Mechanism to Recover Deferred Fuel Costs Ordered Under Ohio Revised Code 4928.144	)))))	Case No. 11-4920-EL-RDR
In the Matter of the Application of Ohio Power Company for Approval of a Mechanism to Recover Deferred Fuel Costs Ordered Under Ohio Revised Code 4928.144	)))))	Case No. 11-4921-EL-RDR

In the Matter of the Application of Ohio	)	
Power Company for Approval of An	)	Case No. 11-5333-EL-UNC
Amendment to Its Corporate Separation	)	
Plan	)	

**MEMORANDUM CONTRA MOTION TO CONSOLIDATE APPLICATION FOR
APPROVAL OF AN AMENDMENT TO OHIO POWER COMPANY'S CORPORATE
SEPARATION PLAN WITH OTHER MATTERS**

On September 30, 2011, Ohio Power Company ("OP") and several signatories filed a motion to consolidate Case No. 11-5333-EL-UNC with matters set for hearing on October 4, 2011 regarding a contested stipulation. On October 3, 2011, First Energy Solutions ("FES") filed a memorandum contra the motion. The Industrial Energy Users-Ohio ("IEU-Ohio") agrees that the motion to consolidate should not be granted.

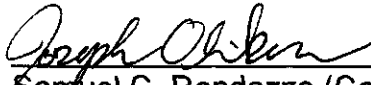
The rush to judgment concerning the application for the amendment implied by the motion to consolidate ignores the complexity of the issues and the need for careful consideration. Further, any attempt to properly investigate the application would be thwarted by consolidation.

Commission rules provide for a detailed filing and extensive review which will not be possible based on the current application. As set out in the application itself, additional approvals and steps are necessary before the application itself could be deemed complete. Application at 8-9. Given that the application has been available to parties for less than a week at the time this memorandum was prepared and while all parties are in the process of preparing for the hearing on the partial stipulation, it is impossible to say whether the application is complete or whether resolving open items are critical to approving the proposed amendment. Given the importance of the

separation plan to the future of retail electric generation service competition, careful review should not be stymied.

For the reasons set out above, the motion to consolidate should be denied.

Respectfully Submitted,



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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing *Memorandum Contra Motion to Consolidate Application for Approval of an Amendment to Ohio Power Company's Corporate Separation Plan with Other Matters* was served upon the following parties of record this 4th day of October 2011, *via* electronic transmission, hand-delivery or first class U.S. mail, postage prepaid.



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