

FILE

BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

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P.U.C.O

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) Case No. 10-343-EL-ATA
Company to Amend its Emergency)
Curtailement Service Riders)

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

In the Matter of the Commission Review of)
the Capacity Charges of Ohio Power) Case No. 11-2929-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) Case No. 11-4921-EL-RDR
of a Mechanism to Recover)
Deferred Fuel Costs Ordered Under)
Ohio Revised Code 4928.144)

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Per Andrian ASD Date Processed OCT 18 2011

AEP OHIO'S MEMORANDUM IN RESPONSE TO
MOTIONS FOR PROTECTIVE ORDERS

On October 17, 2011, Industrial Energy Users-Ohio (IEU) filed a motion for a protective order. IEU's motion requests that the Commission issue a protective order that maintains "the confidentiality of the Motion filed in these proceedings by IEU-Ohio on October 17, 2011. . . ." The memorandum in support of IEU's request for protective order notes that IEU, contemporaneous with its request for a protective order, has filed a motion seeking, among other things, a suspension of the Commission's procedural schedule in these proceedings and requesting an *in camera* hearing to consider the grounds on which that motion is being made. IEU does not provide any detail regarding the nature of its motion or why confidentiality is sought, other than to state it is "extremely sensitive" and that the motion seeks, among other things, to suspend the procedural schedule of this proceeding.

Also on October 17, counsel for the OMA Energy Group (OMAEG) filed a motion requesting that the Commission issue a protective order keeping confidential her reply to IEU's motion. OMAEG's counsel also filed her confidential reply under seal. In its request for a protective order OMAEG's counsel states that the information submitted in its reply are of such sensitive nature that they should be kept confidential unless and until the Commission orders otherwise.

All parties to this proceeding, other than IEU, OMAEG, and their counsel, have been excluded from the *in camera* discussions of that motion and its subject matter.

At this juncture, IEU's motion, as well as the dispute that underlies it, have not unduly delayed the schedule for this proceeding or materially interfered with the Commission's timely

consideration of the Stipulation and Recommendation that is the subject of this proceeding. Accordingly, Columbus Southern Power Company (CSP) and Ohio Power Company (OPCo) (together, "AEP Ohio"), to this point, have not objected to the highly unusual process applied to IEU's motion and its subject matter. AEP Ohio, however, does not acquiesce in a process conducted without an opportunity for it to be heard, which affects or might affect its procedural and substantive rights. Any impact from this series of in camera proceedings that might impair the schedule of this proceeding, might affect AEP Ohio's (or any Signatory Party's) ability to protect or advance its interests, or might adversely affect AEP Ohio's (or any Signatory Party's) substantive rights and should not be permitted to occur without including AEP Ohio (and other Signatory Parties) in the discussion. If, in order to participate in such a discussion, confidentiality is necessary, a suitable protective order may be issued, which is crafted in a manner that would allow participation by interested and affected parties while preserving confidentiality in the appropriate manner.

Respectfully submitted,

 (ALE)

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CERTIFICATE OF SERVICE

I hereby certify that a copy of AEP Ohio's Memorandum In Response to Motions for Protective Orders was served by electronic mail upon the individuals listed below this 18th day of October, 2011.

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