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Date of Hearing: 10/20/11

Case No. 10-2376-EL-UNC, et al.

PUCO Case Caption:

Columbus Southern Power Co.
and Ohio Power Co.

List of exhibits being filed:

AEP Exs. 12 through 18.
IEU Exs. 10, 13, 14.

Reporter's Signature: Maria DiPaolo Jones
Date Submitted: 10/20/11

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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

- - -

PROCEEDINGS

before Ms. Greta See and Mr. Jonathan Tauber, Attorney Examiners, at the Public Utilities Commission of Ohio, 180 East Broad Street, Room 11-A, Columbus, Ohio, called at 10:00 a.m. on Thursday, October 20, 2011.

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VOLUME XI

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AEP Ex. 12

INDUSTRIAL ENERGY USERS-OHIO'S RESPONSES TO COLUMBUS SOUTHERN POWER COMPANY AND OHIO POWER COMPANY'S SECOND SET OF INTERROGATORIES, REQUEST FOR PRODUCTION OF DOCUMENTS, AND REQUEST FOR ADMISSIONS (STIPULATION) SEPTEMBER 26, 2011

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September 21, 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

(44) Please identify any and all IEU-Ohio clients or members that will see a decrease in rates in 2012 if the Settlement is approved. On September 15, 2011 you responded in discovery to a similar question by incorporating a prior answer that stated that "IEU-Ohio is awaiting responses to discovery for analyzing the partial stipulation." Please update your response based upon the receipt of that discovery and the testimony filed. Specifically:

a. Will the Settlement produce a lower rate for Abbott Nutrition;

b. Will the Settlement produce a lower rate for Anheuser-Busch Companies, Inc.;

c. Will the Settlement produce a lower rate for Globe Metallurgical Inc.;

d. Will the Settlement produce a lower rate for Columbus Steel Castings;

e. Will the Settlement produce a lower rate for KRATON Polymers U.S. LLC;

f. Will the Settlement produce a lower rate for Marathon Oil Company;

g. Will the Settlement produce a lower rate for Nationwide Insurance;

h. Will the Settlement produce a lower rate for Eramet Marietta Inc.;

i. Will the Settlement produce a lower rate for The Cleveland Clinic; and

j. Will the Settlement produce a lower rate for IEU-Ohio members and or clients as a whole considered together.

RESPONSE:

IEU-Ohio has not performed the requested calculations for a response to this interrogatory or Interrogatories 46, 48, and 50. Based on information provided by the Companies which does not reflect the full cost of the Settlement ESP and the elements that survive the current ESP, it appears that all classes of customers will see rate increases over the term of the ESP. In addition to the indicated rate increases, the shopping rights of such customers will be negatively and unlawfully impaired.

45. In response to Interrogatory 44 above, please list the method you used or would use if responding to the interrogatory to determine if any IEU-Ohio clients or members will see a decrease in rates in 2012 if the Settlement is approved. Please include any formulas and spreadsheets in their native format including in excel.

RESPONSE:

See response to Interrogatory 44.

46. Please identify any and all IEU-Ohio clients that will see a decrease in rates in 2013 if the Settlement is approved. Specifically:

a. Will the Settlement produce a lower rate for Abbott Nutrition;

b. Will the Settlement produce a lower rate for Anheuser-Busch Companies, Inc.;

c. Will the Settlement produce a lower rate for Globe Metallurgical Inc.;

d. Will the Settlement produce a lower rate for Columbus Steel Castings;

e. Will the Settlement produce a lower rate for KRATON Polymers U.S. LLC;

f. Will the Settlement produce a lower rate for Marathon Oil Company;

g. Will the Settlement produce a lower rate for Nationwide Insurance;

h. Will the Settlement produce a lower rate for Eramet Marietta Inc.;

i. Will the Settlement produce a lower rate for The Cleveland Clinic; and

j. Will the Settlement produce a lower rate for IEU-Ohio members and or clients as a whole considered together.

RESPONSE:

See response to Interrogatory 44.

47. In response to Interrogatory 46 above, please list the method you used or would use if responding to the interrogatory to determine if any IEU-Ohio clients or members will see a decrease in rates in 2012 if the Settlement is approved. Please include any formulas and spreadsheets in their native format including in excel.

RESPONSE:

See response to Interrogatory 44.

48. Please identify any and all IEU-Ohio clients that will see a decrease in rates in 2014 if the Settlement is approved. Specifically:

a. Will the Settlement produce a lower rate for Abbott Nutrition;

b. Will the Settlement produce a lower rate for Anheuser-Busch Companies, Inc.;

c. Will the Settlement produce a lower rate for Globe Metallurgical Inc.;

d. Will the Settlement produce a lower rate for Columbus Steel Castings;

e. Will the Settlement produce a lower rate for KRATON Polymers U.S. LLC;

f. Will the Settlement produce a lower rate for Marathon Oil Company;

g. Will the Settlement produce a lower rate for Nationwide Insurance;

h. Will the Settlement produce a lower rate for Eramet Marietta Inc.;

i. Will the Settlement produce a lower rate for The Cleveland Clinic; and

j. Will the Settlement produce a lower rate for IEU-Ohio members and or clients as a whole considered together.

RESPONSE:

See response to Interrogatory 44.

49. In response to Interrogatory 48 above, please list the method you used or would use if responding to the interrogatory to determine if any IEU-Ohio clients or members will see a decrease in rates in 2012 if the Settlement is approved. Please include any formulas and spreadsheets in their native format including in excel.

RESPONSE:

See response to Interrogatory 44.

50. Please identify any and all IEU-Ohio clients that will see a decrease in rates in 2015 if the Settlement is approved. Specifically:

a. Will the Settlement produce a lower rate for Abbott Nutrition;

b. Will the Settlement produce a lower rate for Anheuser-Busch Companies, Inc.;

c. Will the Settlement produce a lower rate for Globe Metallurgical Inc.;

d. Will the Settlement produce a lower rate for Columbus Steel Castings;

e. Will the Settlement produce a lower rate for KRATON Polymers U.S. LLC;

f. Will the Settlement produce a lower rate for Marathon Oil Company;

g. Will the Settlement produce a lower rate for Nationwide Insurance;

h. Will the Settlement produce a lower rate for Eramet Marietta Inc.;

i. Will the Settlement produce a lower rate for The Cleveland Clinic; and

j. Will the Settlement produce a lower rate for IEU-Ohio members and or clients as a whole considered together.

RESPONSE:

See response to Interrogatory 44.

AEP Ex. 13

RESPONSES OF INDUSTRIAL ENERGY USERS-OHIO TO COLUMBUS SOUTHERN POWER COMPANY AND OHIO POWER COMPANY'S FOURTH SET OF INTERROGATORIES, REQUEST FOR PRODUCTION OF DOCUMENTS, AND REQUEST FOR ADMISSIONS TO INDUSTRIAL ENERGY USERS-OHIO (STIPULATON) OCTOBER 3, 2011

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October 3, 2011

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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
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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

RESPONSES OF INDUSTRIAL ENERGY USERS-OHIO TO COLUMBUS SOUTHERN POWER COMPANY AND OHIO POWER COMPANY'S FOURTH SET OF INTERROGATORIES, REQUEST FOR PRODUCTION OF DOCUMENTS, AND REQUEST FOR ADMISSIONS TO INDUSTRIAL ENERGY USERS-OHIO (STIPULATON) OCTOBER 3, 2011

INTERROGATORIES

66. Please indicate if IEU-Ohio or any affiliate is registered as a competitive retail electric service (CRES) provider in Ohio. If so:

a. List each entity that is registered as a CRES;

b. For each CRES indicated, list the date approved by the Public Utilities Commission of Ohio;

c. Indicate all docket numbers dealing with the certification or renewal of certification for each CRES indicated above;

d. Indicate for each CRES indicated above if it is registered as:

i. A Power Marketer;

ii. Power Broker;

iii. Governmental Aggregator;

iv. Aggregator; and/or

v. Generation Company.

RESPONSE:

a. **Industrial Energy Users-Ohio**

b. **The date of registration is a matter of public record.**

c. **The docket numbers dealing with certification or renewal of certification are matters of public record.**

d. **i. No**
ii. No
iii. No
iv. Yes
v. No

67. Indicate the number of customers receiving CRES service in Ohio from:

a) IEU-Ohio and/or

b) each affiliated CRES provider.

RESPONSE:

a. **None in Ohio**
b. **N/A**

69. Indicate the CRES services provided for customers in Ohio.

RESPONSE:

N/A

70. If IEU-Ohio or an affiliate provides competitive electric service as a CRES provider in Ohio please indicate the classes of customers for which that service is provided. Indicate if it is IEU-Ohio or an affiliate for each:

a. Residential?

b. Commercial?

c. Industrial?

d. Other? Please describe if there is another category.

RESPONSE:

See response to Interrogatory 68.

71. Indicate if IEU-Ohio is providing service as a CRES to customers outside of the IEU-Ohio members listed on its website.

RESPONSE:

See response to Interrogatory 68.

72. If IEU-Ohio or any affiliate operates as a CRES provider in Ohio please provide:

a. A list of the employees that do work on behalf of the CRES provider;

b. Duties of each and every employee that does work for the CRES provider;

c. A list of employees that do work on behalf of IEU-Ohio;

d. Of the employees indicated in INT-71(c) above explain the access that employees working on CRES functions have to confidential documents provided to IEU-Ohio in cases before the Commission. Also indicate the access that those employees/agents have to confidential information provided IEU-Ohio in the cases in the dockets contained in the Settlement.

RESPONSE:

a. Objection. The interrogatory requests information that is not relevant or likely to result in relevant information. Without waiving the objection, IEU-Ohio responds as follows: IEU-Ohio has no employees.

b. Objection. The interrogatory requests information that is not relevant or likely to result in relevant information. See response to a.

c. Objection. The interrogatory requests information that is not relevant or likely to result in relevant information. The interrogatory is vague. See response to a.

d. Objection. The interrogatory requests information that is not relevant or likely to result in relevant information. See response to a and c.

73. Please indicate if IEU-Ohio or any affiliate is registered as a competitive retail electric service provider or serves as a competitive supplier of electric generation outside of Ohio. If so:

a. List each entity and the state(s) of operation;

b. List any authorizations required in each of the jurisdictions the entity is operating;

c. Indicate all docket numbers in the respective jurisdictions containing any necessary certification or renewal of certification for each competitive generation supplier indicated above.

RESPONSE:

a. Objection. The interrogatory requests information that is not relevant or likely to result in relevant information. IEU-Ohio is not registered as a CRES outside Ohio.

b. Objection. The interrogatory requests information that is not relevant or likely to result in relevant information. The interrogatory is requested information that is the proper subject of an interrogatory. Without waiving the objection, IEU-Ohio provides the following response: See a.

c. Objection. The interrogatory requests information that is not relevant or likely to result in the production of relevant information. Without waiving the objection, IEU-Ohio provides the following response: See a.

74. Indicate if IEU-Ohio or any affiliate is authorized to act as a curtailment service provider (CSP). If so indicate the party registered as the CSP and when the entity registered.

RESPONSE:

IEU-Ohio is a CSP.

75. If the response to INT-73 above was in the affirmative provide a list of the end-use customers represented as a curtailment service provider.

RESPONSE:

Objection. The interrogatory seeks proprietary information. The interrogatory seeks information that i s not relevant or likely to result in the production of relevant information.

76. If the response to INT-73 above was affirmative provide:

a. A list of the employees that do work on behalf of the curtailment service provider (CSP);

b. Duties of each and every employee that does work for the CSP;

c. A list of employees that do work on behalf of IEU-Ohio;

d. Of the employees indicated in INT-75(c) above explain the access that employees working on CSP functions have to confidential documents provided to IEU-Ohio in cases before the Commission. Also indicate the access that those employees/agents have to confidential information provided IEU-Ohio in the cases in the dockets contained in the Settlement.

RESPONSE:

a. Objection. The interrogatory requests information that is not relevant or likely to result in the production of relevant information. Without waiving this objection, none.

b. Objection. The interrogatory requests information that is not relevant or likely to result in the production of relevant information. Without waiving this objection, see response to a.

c. Objection. The interrogatory requests information that is not relevant or likely to result in the production of relevant information. The interrogatory is vague. Without waiving this objection, see response to a.

d. Objection. The interrogatory requests information that is not relevant or likely to result in the production of relevant information. Without waiving this objection, see response to a and c.

REQUESTS FOR ADMISSIONS

16. Admit that IEU-Ohio is a competitive retail electric service provider in Ohio.

RESPONSE:

Admit

17. Admit that IEU-Ohio actively provides competitive electric service in Ohio.

RESPONSE:

Deny

18. Admit that IEU-Ohio acts as a curtailment service provider for Ohio customers.

RESPONSE:

Admit

REQUEST FOR PRODUCTION OF DOCUMENTS

69. Provide a copy of each document identified or referred to in your responses to Interrogatories 66-72.

None identified that are not available as public records.

70. Provide a copy of any and all documents relating to the answers provided in in your responses to Interrogatories 66-72.

Objection. The request for production seeks material that is not relevant or likely to result in the production of relevant evidence. The request is burdensome and vague.

71. Provide any and all documents concerning the structure of any CRES provider identified in responses to Interrogatories 66-72

Objection. The request for production seeks material that is not relevant or likely to result in the production of relevant evidence. The request is burdensome and vague.

72. Provide any and all documents providing the employees and list of duties identified in responses to Interrogatories 71 and 75.

Objection. The request for production seeks material that is not relevant or likely to result in the production of relevant evidence.

73. Provide any and all documents concerning the structure of any curtailment service provider identified in responses to Interrogatories 73-75.

Objection. The request for production seeks material that is not relevant or likely to result in the production of relevant evidence. The request is burdensome and vague.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing *Industrial Energy Users-Ohio's Responses to Columbus Southern Power Company and Ohio Power Company's Fourth Set of Interrogatories, Request for Production of Documents, and Request for Admissions (Stipulation)* was served upon the following parties of record this 3rd day of October 2011, *via* electronic transmission, hand-delivery or first class U.S. mail, postage prepaid.

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ATTORNEY EXAMINERS

AEP Ex. 14

Workpaper to calculate Stipulation cost

OPCO	26,029,500,007	3.35	$385,418,807		
CSP	17474000002	5.21	$402,394,767		
OPCO	26,029,500,007	0.71	$81,685,777		
CSP	17474000002	0.62	$47,885,750		
			129,571,527		
	17474000002	0.37	$6,465,380	6394088	0.000366
	17474000002	0.37	$22,111,600		
AEP Ohio	43,503,500,009	8.88	$1,707,494,974		
AEP Ohio	43,503,500,009	8.93	$1,717,109,247		
			$9,614,274		

AEP Ex. 15

COLUMBUS SOUTHERN POWER COMPANY'S
AND OHIO POWER COMPANY'S
RESPONSES TO THE OFFICE OF THE OHIO CONSUMERS' COUNSEL
IN PUCO CASE NOS. 11-346-EL-SSP AND 11-348-EL-SS0
SIXTEENTH SET

INTERROGATORIES

STIP-OCC-INT-352. Please admit or deny that the Companies believe the provision in the Stipulation related to set aside of RPM – priced capacity, and any and all shopping in excess of the RPM-priced set aside priced at $255/MW-Day capacity rate will constrain shopping.

RESPONSE

In a strict economic sense, any increased price input for providing service acts as a constraint on retail shopping - albeit an appropriate cost based constraint. While shopping might increase if AEP Ohio provided free capacity for use by CRES providers, that would be inappropriate. The stipulated capacity rate of $255/MW-Day is reasonable and supported by the filed testimony. See the testimony of Company witnesses Munczinski and Pearce.

Prepared By: Richard E. Munczinski

AEP Ex 16

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

FIRSTENERGY SOLUTIONS CORP.'S SUPPLEMENTAL RESPONSES TO COLUMBUS SOUTHERN POWER COMPANY AND OHIO POWER COMPANY'S FIRST SET OF INTERROGATORIES, REQUEST FOR PRODUCTION OF DOCUMENTS, AND REQUEST FOR ADMISSIONS

Pursuant to Rules 4901-1-16, 4901-1-19, 4901-1-20, and 4901-1-22 of the Ohio Administrative Code, FirstEnergy Solutions Corp. ("FES") hereby objects and responds to the First Set of Discovery Requests (the "Requests") issued by Columbus Southern Power Company and Ohio Power Company, as set forth below.

GENERAL OBJECTIONS

1. FES objects to the Requests to the extent they seek information not relevant to the subject matter of this action nor reasonably calculated to lead to the discovery of admissible evidence.

2. FES objects to the Requests to the extent they seek to impose obligations greater than, or otherwise inconsistent with, those imposed by the Commission's Rules.

3. FES objects to the Requests to the extent they seek confidential or proprietary information.

22. Produce any and all documents relied upon in responding to Interrogatory 24.

RESPONSE: ***See*** **response to Request for Production of Documents 1-014.**

REQUEST FOR ADMISSIONS

1. Admit that the document attached as Exhibit 1 is a true and accurate copy of the press release FES issued on September 7, 2011.

RESPONSE: Admit.

PREPARED BY: Tony Banks

2. Admit that you asserted to the Commission in an August 30, 2011 filing that, "[d]uring the previous two extensions, the parties invested significant time and effort in seeking a resolution of this matter. However, AEP Ohio's participation in those discussions has not been productive. AEP Ohio has had ample time to prepare a proposed stipulation, but no viable option has been presented. It is clear that a full settlement on an application that was filed over seven months ago is not likely...."

RESPONSE: Admit.

PREPARED BY: Counsel

3. Admit that you asserted to the Commission in an August 30, 2011 filing that, "[d]uring the previous two extensions, the parties invested significant time and effort in seeking a resolution of this matter."

RESPONSE: Admit.

PREPARED BY: Counsel

4. Admit that you did not participate in further negotiations with the group that ultimately agreed to the Settlement after the August 30, 2011 filing.

RESPONSE: FES objects to this Request because it is vague, ambiguous, and capable of inconsistent interpretation. Subject to the objections, FES denies the Request. FES states that FES was involved in settlement discussions and was in continuing contact with several parties, including parties who ultimately signed the Settlement, after August 30, 2011. However, FES was not informed of any settlement meetings after August 30, 2011, was not included in emails setting up such meetings, was not sent drafts of the proposed Settlement after August 30, 2011, and was asked to leave the hearing room while the Settlement was concluded.

PREPARED BY: Counsel/Tony Banks

5. Admit that you did not request to reenter into negotiations with the larger group after the August 30, 2011 filing.

RESPONSE: FES objects to this Request because it is vague, ambiguous, and capable of inconsistent interpretation. Subject to the objections, FES denies the request. FES states that it had never requested to stop negotiations, and so was unaware of any purported need

AEP Ex 17

THE OFFICE OF THE OHIO CONSUMERS' COUNSEL'S RESPONSES AND OBJECTIONS TO COLUMBUS SOUTHERN POWER COMPANY AND OHIO POWER COMPANY'S FIRST SET OF INTERROGATORIES, REQUEST FOR PRODUCTION OF DOCUMENTS AND REQUEST FOR ADMISSIONS

The Office of the Ohio Consumers' Counsel ("OCC"), by and through its counsel, hereby submits its Responses and Objections to the First Set of Interrogatories, Requests for Production of Documents and Request for Admissions submitted to OCC by Columbus Southern Power Company and Ohio Power Company ("the Companies") in the above-captioned cases. OCC's responses to these discovery requests are being provided subject to, and without waiver of, the general objections stated below and the specific objections posed in response to each interrogatory and request for production of documents. The general objections are hereby incorporated by reference into the individual response made to each discovery request. OCC's responses to these discovery requests are submitted without prejudice to, and without waiving any general objections not expressly set forth therein.

The provisions of any response below shall not waive OCC's objections. The responses below, while based on diligent investigation and reasonable inquiry by OCC and its counsel, reflect only the current state of OCC's knowledge and understanding and belief with respect to the matters about which the discovery requests seek information, based upon the information and discovery to date. OCC's investigation is not yet complete and is continuing as of the date of the responses below. OCC anticipates the possibility that it may discover additional information and/or documents, and without obligating itself to do so, OCC reserves the right to continue its investigation and to

Objection. The Companies' Request for Production No. 21 seeks information that was objected to in response to the Companies' Interrogatory No. 22 above, and those objections are incorporated herein. Without waiving any specific and/or general objection, see the stipulation.

Prepared by: Counsel

22. Produce any and all documents relied upon in responding to Interrogatory 23.

RESPONSE:

Objection. See OCC's response and objections to Interrogatory 23. Without waiving any specific and/or general objection, OCC refers the Companies to, e.g., OCEA's post-hearing reply brief in 08-917-EL-SSO et al. (December 30, 2008) at 64-66; OCC's post-hearing brief on remand in 08-917-EL-SSO et al. (August 5, 2011) at 44-47.

Prepared by: Counsel

REQUEST FOR ADMISSIONS

1. Admit that the document attached as Exhibit 1 is a true and accurate copy of the press release that OCC issued on September 7, 2011.

RESPONSE:

Except for the Exhibit stamp, Exhibit 1 appears to be an accurate copy of the press release.

Prepared by: Counsel

2. Admit that OCC chose not to participate in the settlement discussions regarding the Settlement.

RESPONSE:

Deny. OCC participated in the discussions that resulted in the stipulation from on or about August 2, 2011 until on or about August 31, 2011.

Prepared by: Counsel

3. Admit that on August 31, 2011, Steve Nourse sent an email to counsel for OCC, Maureen Grady and stated, "[o]f course, it was our hope that OCC would continue to participate in settlement discussions and we have, thus, continued to include you in the settlement process. If you are saying OCC no longer wishes to participate in the settlement discussions, that is your choice."

RESPONSE:

Admit.

Prepared by: Counsel

4. Admit that after receiving the August 31, 2011 email, OCC did not seek to be involved in the settlement process as a negotiating party.

RESPONSE:

Admit, although OCC informed Mr. Nourse of its intentions to no longer be involved in the negotiations prior to receiving the e-mail.

Prepared by: Counsel

AEPEx 18

**THE APPALACHIAN PEACE AND JUSTICE NETWORK'S (APJN's)
RESPONSES AND OBJECTIONS
TO COLUMBUS SOUTHERN POWER AND OHIO POWER'S
SECOND SET OF INTERROGATORIES,
REQUESTS FOR PRODUCTION OF DOCUMENTS,
AND REQUESTS FOR ADMISSIONS**

The Appalachian Peace & Justice Network ("APJN") herein responds to Columbus Southern Power Company ("CSP") and Ohio Power Company's ("OP") (collectively, "the Companies" or "AEP Ohio") second set of discovery requests as provided by the rules of the Public Utilities Commission of Ohio ("PUCO"), Ohio Admin. Code 4901-1-19 and 20. All responses herein are made by APJN's counsel Michael R. Smalz.

APJN's responses to these discovery requests are being provided subject to, and without waiver of, the general objections stated below and the specific objections posed in response to each interrogatory and request for production of documents. The general objections are hereby incorporated by reference into the individual response made to each discovery request. APJN's responses to these discovery requests are submitted without prejudice to, and without waiving any general objections not expressly set forth therein.

The provisions of any response below shall not waive APJN's objections. The responses below, while based on diligent investigation and reasonable inquiry by OCC and its counsel, reflect only the current state of APJN's knowledge and understanding and belief with respect to the matters about which the discovery request see information, based upon the information and discovery to date. APJN's investigation is not yet complete and is continuing as of the date of the responses below. APJN anticipates the possibility that it may discover additional information and/or documents, and without obligating itself to do so, APJN reserves the right to continue its investigation and to modify or supplement the responses below, as required by the

objections, APJN understands that OCC has already provided copies of all joint defense agreements involving APJN to AEP Ohio.

REQUESTS FOR ADMISSIONS

1. Admit that the funding for the Partnership with Ohio (PWO) initiative on page 17 of the Settlement is beneficial for residential customers.

RESPONSE:

APJN is unable to admit or deny this request for lack of sufficient information or knowledge because it is not known how the money will be spent or what proportion of the funds will be used for bill payment assistance for low-income or payment-troubled residential customers, and any "benefits" may be offset by higher residential utility rates. In addition, the $3 million "benefit" provided in the stipulation represents only one-half of the commitment ($6 million) AEP made in its ESP application.

2. Admit that the Phase-in recovery rider (PIRR) rate is reduced to debt rate (from previously authorized rate reflecting WACC), and implementation is delayed one year for residential customers.

RESPONSE:

Admit.

3. Admit that the fact that the Phase-in recovery rider (PIRR) rate reduced to debt rate (from previously authorized rate reflecting WACC), and implementation delayed one year for residential customers is beneficial for residential customers.

IEU-Ohio Ex. 10

Exhibit KMM- 11

Ohio Power Company

ESP

Prices are $ per MWH

	Generation Service Price	2012	2013	Jan 2014- May 2014	June 2014- May 2015	June 2015- May 2016	Wtd Average
1	Standard Offer Generation Service Rider (2012 Rates) (A)	23.30	24.50	26.00	26.00	72.32	
2	Fuel Adjustment Clause Rider (2012 Estimate) (A)	33.00	33.00	33.00	33.00	0.00	
3	Transmission Adjustment (B)	2.10	2.10	2.10	2.10	0.00	
4	Provider of Last Resort Charge (A)	0.00	0.00	0.00	0.00	0.00	
5	Enhanced Service Reliability Rider (C)	0.71	0.71	0.71	0.71	0.71	
6	gridSMART® Rider (C)	0.00	0.00	0.00	0.00	0.00	
7	Environmental Investment Carrying Cost Rider (A)	0.00	0.00	0.00	0.00	0.00	
8	Generation Resource Rider (D)	0.00	0.18	0.26	0.26	0.26	
9	Alternative Energy Rider	Unknown	Unknown	Unknown	Unknown	Unknown	
10	Distribution Investment Rider	1.80	2.18	2.60	2.60	0.00	
11	Generation NERC Compliance Cost Recovery Rider	0.00	0.00	0.00	0.00	0.00	
12	Facility Closure Cost Recovery Rider	0.00	0.00	0.00	0.00	0.00	
13	Carbon Capture and Sequestration Rider	0.00	0.00	0.00	0.00	0.00	
14	Plug-In Electric Vehicle Tariff / Costs	0.00	0.00	0.00	0.00	0.00	
15	Storm Damage Recovery Mechanism	Unknown	Unknown	Unknown	Unknown	Unknown	
16	Pool Termination or Modification Provision	Unknown	Unknown	Unknown	Unknown	Unknown	
17	360 MW Customer-sited CHP, WHP, DG	Unknown	Unknown	Unknown	Unknown	Unknown	
18		60.91	62.67	64.67	64.67	73.29	65.32

MRO

	Current ESP Full Fuel						
19	Standard Offer Generation Service (2011 Rate) (B)	21.56	21.56	21.56	21.56	21.56	
20	2001-2008 Environmental Carrying Costs	0.00	0.00	0.00	0.00	0.00	
21	Fuel Adjustment Clause Rider (2012 Rate) (A)	33.00	33.00	33.00	33.00	33.00	
22	Transmission Adjustment (A)	2.10	2.10	2.10	2.10	2.10	
23	2011 Provider Last Resort Charge (F)	0.00	0.00	0.00	0.00	0.00	
24	Environmental Investment Carrying Cost Rider (F)	0.96	0.96	0.96	0.96	0.96	
25		57.62	57.62	57.62	57.62	57.62	
26		90%	80%	70%	66%	56%	
27		51.86	46.10	40.33	37.91	32.15	
28	Market Rate Offer	57.47	57.47	57.47	72.32	72.32	
29	Alternative Energy Requirement (E)	0.54	0.79	0.79	1.03	1.28	
30		58.01	58.26	58.26	73.35	73.60	
31		10%	20%	30%	34%	44%	
32		5.80	11.65	17.48	25.09	32.53	
33	Weighted MRO	57.66	57.75	57.81	63.00	64.68	60.49
34	**ESP Benefit**	-3.25	-4.92	-6.86	-1.67	-8.61	-4.83

Source
(A) Exhibit DMR-1
(B) David M. Roush Work Papers
(B) Exhibit AEM-2
(D) Exhibit DMR-8, Exhibit PJN-4 7/1/11 Supplemental Testimony
(E) Exhibit LJT-1
(F) Exhibit DMR-1 Application Testimony

Exhibit KMM- 11

Columbus Southern Power Company

ESP

Prices are $ per MWH

	Generation Service Price	2012	2013	Jan 2014- May 2014	June 2014- May 2015	June 2015- May 2016	Wtd Average
1	Standard Offer Generation Service Rider (2012 Rates) (A)	26.30	27.60	29.20	29.20	72.32	
2	Fuel Adjustment Clause Rider (2012 Estimate) (A)	33.30	33.30	33.30	33.30	0.00	
3	Transmission Adjustment (B)	2.24	2.24	2.24	2.24	0.00	
4	Provider of Last Resort Charge (A)	0.00	0.00	0.00	0.00	0.00	
5	Enhanced Service Reliability Rider (C)	0.62	0.62	0.62	0.62	0.62	
6	gridSMART® Rider (C)	0.37	0.37	0.37	0.37	0.37	
7	Environmental Investment Carrying Cost Rider (A)	0.00	0.00	0.00	0.00	0.00	
8	Generation Resource Rider (D)	0.00	0.18	0.26	0.26	0.26	
9	Alternative Energy Rider	Unknown	Unknown	Unknown	Unknown	Unknown	
10	Distribution Investment Rider	1.80	2.18	2.60	2.60	0.00	
11	Generation NERC Compliance Cost Recovery Rider	0.00	0.00	0.00	0.00	0.00	
12	Facility Closure Cost Recovery Rider	0.00	0.00	0.00	0.00	0.00	
13	Carbon Capture and Sequestration Rider	0.00	0.00	0.00	0.00	0.00	
14	Plug-In Electric Vehicle Tariff / Costs	0.00	0.00	0.00	0.00	0.00	
15	Storm Damage Recovery Mechanism	Unknown	Unknown	Unknown	Unknown	Unknown	
16	Pool Termination or Modification Provision	Unknown	Unknown	Unknown	Unknown	Unknown	
17	350 MW Customer-sited CHP, WHP, DG	Unknown	Unknown	Unknown	Unknown	Unknown	
18		64.63	66.49	68.59	68.59	73.57	68.35

MRO

	Current ESP Full Fuel						
19	Standard Offer Generation Service (2011 Rate) (B)	20.21	20.21	20.21	20.21	20.21	
20	2001-2008 Environmental Carrying Costs	0.00	0.00	0.00	0.00	0.00	
21	Fuel Adjustment Clause Rider (2012 Rate) (A)	33.30	33.30	33.30	33.30	33.30	
22	Transmission Adjustment (A)	2.24	2.24	2.24	2.24	2.20	
23	2011 Provider Last Resort Charge (F)	0.00	0.00	0.00	0.00	0.00	
24	Environmental Investment Carrying Cost Rider (F)	0.92	0.92	0.92	0.92	0.92	
25		56.67	56.67	56.67	56.67	56.63	
26		90%	80%	70%	66%	56%	
27		51.00	45.34	39.67	37.29	31.60	
28	Market Rate Offer	57.47	57.47	57.47	72.32	72.32	
29	Alternative Energy Requirement (E)	0.54	0.79	0.79	1.03	1.28	
30		58.01	58.26	58.26	73.35	73.60	
31		10%	20%	30%	34%	44%	
32		5.80	11.65	17.48	25.09	32.53	
33	Weighted MRO	56.80	56.99	57.15	62.37	64.13	59.80
34	**ESP Benefit**	-7.83	-9.50	-11.45	-6.22	-9.44	-8.55

Source
(A) Exhibit DMR-1
(B) David M. Roush Work Papers
(B) Exhibit AEM-2
(D) Exhibit DMR-8, Exhibit PJN-4 7/1/11 Supplemental Testimony
(E) Exhibit LJT-1
(F) Exhibit DMR-1 Application Testimony

IEU Ex. 13

COLUMBUS SOUTHERN POWER COMPANY'S
AND OHIO POWER COMPANY'S
RESPONSE TO
FIRST ENERGY SOLUTIONS' DISCOVERY REQUEST
IN PUCO CASE NOS. 11-346-EL-SSO AND 11-348-EL-SSO
TWENTY-FIRST SET

INTERROGATORY

STIP-FES-RFA-21-002

Admit that, during the conference call on September 7, 2011 regarding the Stipulation, Richard Munczinski stated: "What happens is those customers that get the discount as Brian mention are allowed – are priced out at the RPM prices. So the $100, the $16, and I think the $26 going forward. Over those percentages, if you want to shop, you pay the full cost of $255 per megawatt day. So the thought and the theory is that the shopping will be constrained to the discounted RPM price."

RESPONSE

Admit

Prepared By: Richard E. Munczinski

IEU Ex. 14

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

FACTUAL ADMISSIONS MADE IN RESPONSE TO IEU-OHIO'S DISCOVERY REQUESTS UPON VARIOUS PARTIES

Pursuant to Rule 4901-1-22, Ohio Administrative Code, the following two statements have been conclusively established against the parties listed after each statement below.[1]

1. The parties listed in this section have admitted[2] the following statement: "Admit that on September 7, 2011, You did not have information from AEP-Ohio that the RPM-priced capacity set aside allocation described in Appendix C of the Stipulation had been fully awarded for any customer class."

- Natural Resources Defense Council (Attachment 1),
- Ohio Environmental Council (Attachment 2),
- Environmental Law and Policy Center (Attachment 3),
- AEP Retail Energy Partners LLC (Attachment 4),
- Paulding Wind Farm II LLC (Attachment 5),
- The Association of Independent Colleges and Universities of Ohio (Attachment 6),
- Duke Energy Retail Sales, LLC (Attachment 7),
- The City of Hilliard, Ohio (Attachment 8),
- The City of Grove City, Ohio (Attachment 9),
- The Kroger Co. (Attachment 10),
- The OMA Energy Group (Attachment 11),
- The Ohio Hospital Association (Attachment 12),
- The Retail Energy Supply Association (Attachment 13),
- EnerNOC, Inc. (Attachment 14),
- Exelon Generation Company, LLC (Attachment 15),
- Constellation NewEnergy, Inc. and Constellation Energy Commodities Group, Inc. (Attachment 16), and
- PJM Power Providers Group (Attachment 17)

[1] Copies of the parties' responses to IEU-Ohio's Request for Admissions are attached.
[2] Duke Energy Retail Sales, LLC and the Kroger Co. provided admissions subject to objections.

Respectfully Submitted,

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On Behalf of Industrial Energy Users-Ohio

CERTIFICATE OF SERVICE

I hereby certify that a copy of the *Factual Admissions Made in Response to IEU-Ohio's Discovery Requests Upon Various Parties* was served upon the following parties of record this 17th day of October 2011, *via* electronic transmission, hand-delivery or first class U.S. mail, postage prepaid.



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ATTORNEY EXAMINERS

ATTACHMENT 1

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

NATURAL RESOURCES DEFENSE COUNCIL RESPONSES
TO
INDUSTRIAL ENERGY USERS - OHIO 3rd SET OF INTERROGATORIES,
REQUESTS FOR PRODUCTION OF DOCUMENTS AND
REQUESTS FOR ADMISSION UPON
NATURAL RESOURCES DEFENSE COUNCIL

October 4, 2011

Natural Resources Defense Council ("NRDC") submits its responses and objections to the Third Set of Interrogatories, Requests for Production of Documents and Requests for Admission propounded by the Industrial Energy Users – Ohio ("IEU") upon NRDC as a signatory party to a Stipulation affecting the above-captioned cases.

NRDC expressly reserves the right to supplement these responses, as required under Ohio law and Public Utilities Commission of Ohio ("PUCO" or "Commission") rule. NRDC further expressly reserves the right to object, on appropriate grounds, to the use of any or all of its responses for purposes of discovery or as evidence in the hearing or other proceeding in the above-captioned cases.

The responses of NRDC to the Interrogatories, Requests for Production of Documents and Requests for Admission shall not be interpreted or construed as a waiver of the attorney-client privilege, trial preparation and/or work product doctrine, or any other applicable privilege or doctrine, or any other applicable privilege or doctrine. NRDC reserves the right to seek protective treatment in respect of discovery, as permitted under the Ohio Rules of Civil Procedure and PUCO Administrative Rules.

GENERAL OBJECTION

As a general matter, NRDC objects to the discovery served by the Industrial Energy Users ("IEU") regarding the stipulation in this proceeding as such requests appear designed more to lead to "annoyance, embarrassment, oppression, or undue burden or expense," O.A.C. 4901-1-24(A), of the signatories than to discover potentially relevant

information that is not already available to IEU. To date, IEU has served on NRDC 76 interrogatories, 22 document requests, and 22 requests for admission seeking interpretations of specific provisions of the stipulation. IEU has apparently served virtually identical requests on every other signatory.

Such numerous requests are unreasonable here for a number of reasons. First, the Stipulation at issue was discussed at length at numerous meetings that all parties, including IEU, were free to attend. Second, a technical conference was held on September 14, 2011, to provide non-signatory parties better insight into the elements of the agreement in the most efficient manner. Third, a number of signatories are expected to submit testimony supporting the stipulation, and the case management schedule provides IEU or any other party with time to conduct discovery regarding such testimony after it is filed. In short, to the extent the information sought by IEU is discoverable, that information is readily available to IEU through far less burdensome means than serving more than 100 largely identical requests on each signatory party.

Subject to, and without waiving this general objection, NRDC responds to IEU's first set of requests as follows:

REQUESTS FOR ADMISSION

3-1. Admit that the email attached as Exhibit 1 is a true and accurate copy of an email You received on September 6, 2011.

RESPONSE: Admit.

3-2. Admit that the email attached as Exhibit 2 is a true and accurate copy of an email You received on September 6, 2011.

RESPONSE: Admit.

3-3. Admit that You did not view Appendix A of the Stipulation prior to September 7, 2011.

RESPONSE: Objection: The question is vague and overbroad. Previous versions of the information contained in this Appendix were received prior to September 7.

Without waiving the above objections: Admit.

3-4. Admit that You did not view Appendix B of the Stipulation prior to September 7, 2011.

RESPONSE: Objection: The question is vague and overbroad. Previous versions of the information contained in this Appendix were received prior to September 7.

Without waiving the above objections: Admit.

3-5. Admit that You did not view Appendix C of the Stipulation prior to September 7, 2011.

RESPONSE: Objection: The question is vague and overbroad. Previous versions of the information contained in this Appendix were received prior to September 7.

Without waiving the above objections: Admit.

3-6. Admit that on September 7, 2011, You did not have information from AEP-Ohio that the RPM-priced capacity set aside allocation described in Appendix C of the Stipulation had been fully awarded for any customer class.

RESPONSE: Admit.

3-7. Admit that on September 7, 2011, You did not have information that the megawatt hours awarded for the commercial class as described under Appendix C of the Stipulation exceeded the pro rata allocation of the RPM set aside of 3,3033,579 megawatt hours.

RESPONSE: Admit.

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing *Natural Resources Defense Council Responses to Industrial Energy Users – Ohio 3rd Set of Interrogatories, Requests for Production of Documents and Requests for Admission* has been served upon the following parties via electronic mail on October 4, 2011.

Christopher J. Allwein /s/
Christopher J. Allwein

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ATTACHMENT 2

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

RESPONSES TO INDUSTRIAL ENERGY USERS-OHIO'S REQUESTS FOR ADMISSION UPON OHIO ENVIRONMENTAL COUNCIL (STIPULATION) THIRD SET

Pursuant to Rules 4901-1-16 and 4901-1-22, Ohio Administrative Code ("O.A.C."), Ohio Environmental Council ("OEC") responds to Industrial Energy Users-Ohio ("IEU-Ohio) Third Set of Requests for Admissions.

The OEC incorporates the following general objections by reference into the individual responses to each discovery request. While the individual discovery request responses may not mention the general objections, none of the individual responses are intended to waive or prejudice any of the issues mentioned in the general objections or in this introductory note. The OEC has supplied information in the individual responses while at the same time preserving its right to object to the use or discovery of such information.

The OEC reserves the right to investigate matters further and possibly supplement the responses below with pertinent information or documents. Along those lines, the OEC might eventually rely upon documents or information that are not yet available, or that may have been inadvertently omitted from the individual responses by mistake. The individual responses below should not be construed to prejudice the OEC's right to use information that is not included in the responses, whether because of mistake or because the information is not yet known to the OEC.

Finally, the individual responses shall not be construed as a waiver of the attorney-client privilege, the trial preparation doctrine, or any other applicable privilege or doctrine. The OEC reserves the right to file a motion for protective order under Ohio Adm. Code 4901-1-24 in order to protect itself from annoyance, embarrassment, oppression, undue burden, or for any other reason.

GENERAL OBJECTIONS

1. The OEC objects to these discovery requests and to the accompanying Instructions and Definitions to the extent that they seek documents and information that are not in the OEC's possession, custody or control. Such requests are best directed to a party with access to the requested information.

2. The OEC objects to all discovery requests that seek the production of documents or information that is publicly available or otherwise accessible to IEU-Ohio.

3. The OEC objects to overly broad and unduly burdensome requests to recite technical information, analysis, and/or arguments that will be made available at the

technical conference or that have been made available in testimony and documents already filed with the Commission. The targets of such requests are either presently available to IEU-Ohio, or they will be made available shortly.

4. The OEC objects to these discovery requests to the extent they seek the production of documents or information which is not relevant to the subject matter of the Stipulation Hearing. Such requests are not reasonably calculated to lead to the discovery of admissible evidence.

5. The OEC objects to these discovery requests and the accompanying Instructions and Definitions to the extent that they request information that is protected by the attorney-client privilege, the work-product doctrine, the trial preparation doctrine, the settlement discussions privilege, the common interest privilege, or any other applicable privilege or doctrine. The responses given below shall not include any information protected by such privileges or doctrines, and the inadvertent disclosure of such information does not waive any such privilege or doctrine.

6. These objections and responses, and any documents produced by request, should not be construed to waive the OEC's right to object to requests, responses or documents produced, or the subject matter contained there in, as to their competency, relevancy, materiality, privilege and admissibility as evidence for any purpose, in or at any hearing of this or any other proceeding.

7. These objections and responses are not intended nor should they be construed to waive the OEC's right to object to other discovery involving or relating to the subject matter of these requests, responses or documents produced in response.

Subject to, and without waiving this general objection, OEC responds to IEU's third set of requests as follows:

REQUESTS FOR ADMISSION

3-1. Admit that the email attached as Exhibit 1 is a true and accurate copy of an email You received on September 6, 2011.

RESPONSE: Admit

3-2. Admit that the email attached as Exhibit 2 is a true and accurate copy of an email You received on September 6, 2011.

RESPONSE: Admit

3-3. Admit that You did not view Appendix A of the Stipulation prior to September 7, 2011.

RESPONSE: Admit

3-4. Admit that You did not view Appendix B of the Stipulation prior to September 7, 2011.

RESPONSE: Admit

3-5. Admit that You did not view Appendix C of the Stipulation prior to September 7, 2011.

RESPONSE: Admit

3-6. Admit that on September 7, 2011, You did not have information from AEP-Ohio that the RPM-priced capacity set aside allocation described in Appendix C of the Stipulation had been fully awarded for any customer class.

RESPONSE: Admit

3-7. Admit that on September 7, 2011, You did not have information that the megawatt hours awarded for the commercial class as described under Appendix C of the Stipulation exceeded the pro rata allocation of the RPM set aside of 33,033,579 megawatt hours.

RESPONSE: Admit

To all answers and objections, above:

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Certificate of Service

I hereby certify that a copy of the foregoing Responses to *Industrial Energy Users-Ohio's Interrogatories, Requests for Production of Documents and Requests for Admission Upon Ohio Environmental Council, Stipulation, Third Set* was served upon the following parties of record this 3rd day of October, 2011, *via* electronic mail.

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ATTORNEY EXAMINERS

ATTACHMENT 3

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

ENVIRONMENTAL LAW & POLICY CENTER'S ANSWERS TO INDUSTRIAL ENERGY USERS-OHIO'S REQUESTS FOR ADMISSION
THIRD SET
OCTOBER 3, 2011

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OCTOBER 3, 2011

Attorney for the Environmental Law & Policy Center

REQUESTS FOR ADMISSION

3-1. Admit that the email attached as Exhibit 1 is a true and accurate copy of an email You received on September 6, 2011.

RESPONSE: Admit.

3-2. Admit that the email attached as Exhibit 2 is a true and accurate copy of an email You received on September 6, 2011.

RESPONSE: Admit.

3-3. Admit that You did not view Appendix A of the Stipulation prior to September 7, 2011.

RESPONSE: Admit.

3-4. Admit that You did not view Appendix B of the Stipulation prior to September 7, 2011.

RESPONSE: Admit.

3-5. Admit that You did not view Appendix C of the Stipulation prior to September 7, 2011.

RESPONSE: Admit.

3-6. Admit that on September 7, 2011, You did not have information from AEP-Ohio that the RPM-priced capacity set aside allocation described in Appendix C of the Stipulation had been fully awarded for any customer class.

RESPONSE: Admit.

3-7. Admit that on September 7, 2011, You did not have information that the megawatt hours awarded for the commercial class as described under Appendix C of the Stipulation exceeded the pro rata allocation of the RPM set aside of 3,3033,579 megawatt hours.

RESPONSE: Admit.

CERTIFICATE OF SERVICE

I certify that a true and accurate copy of the Environmental Law & Policy Center's Answers to Industrial Energy Users-Ohio's Requests For Admission Upon Environmental Law And Policy Center, Stipulation, Third Set has been served upon the following parties, via email, this 3rd day of October, 2011.

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ON BEHALF OF THE PUBLIC UTILITIES COMMISSION OF OHIO

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ATTORNEY EXAMINERS

ATTACHMENT 4

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

AEP RETAIL ENERGY PARTNERS LLC'S RESPONSES TO INDUSTRIAL ENERGY USERS-OHIO'S REQUESTS FOR ADMISSION (STIPULATION) THIRD SET

AEP Retail Energy Partners LLC ("AEP Retail"), hereby submits its Objections and its responses to Industrial Energy Users-Ohio's (IEU-Ohio) Requests for Admission ("Discovery Requests"), as follows:

AEP Retail's responses to these Discovery Requests are being provided subject to, and without waiver of, the general objections stated below and any specific objections posed in response to an individual interrogatory or data request. The general objections are hereby incorporated by reference, as if fully set forth, into the individual responses made to each data request. AEP Retail's responses to these Discovery Requests are submitted without prejudice to, and without in any respect waiving, any general objections not expressly set forth herein.

GENERAL OBJECTIONS

1. AEP Retail objects to IEU-Ohio's Discovery Requests to the extent that they improperly seek or purport to require access to competitively sensitive and proprietary business information belonging to AEP Retail.
2. AEP Retail objects to IEU-Ohio's Discovery Requests to the extent that they purport to require AEP Retail to provide documents that are subject to any obligation of confidentiality owed to a third party by AEP Retail, and also to the extent that they seek or purport to require the disclosure of information protected by the attorney-client privilege, attorney work-product doctrine or any other applicable privilege or doctrine.

3. AEP Retail objects to each and every data request that seeks to obtain "all" "each," or "any" document to the extent that such requests are overbroad and unduly burdensome and seek information that is neither relevant nor material to the subject matter of this proceeding, nor reasonably calculated to lead to the discovery of admissible evidence.

4. AEP Retail participated in the general settlement discussions and relied upon the expertise of the PUCO Staff, the AEP Ohio Staff, and the other participants in evaluating and signing the Stipulation and based on the foregoing, did not undertake separate investigations/make assumptions of individual matters referenced in the Stipulation.

5. AEP Retail reserves the right to supplement or amend its answers and objections to these discovery requests.

6. AEP Retail objects to these discovery requests to the extent that they seek a legal conclusion.

REQUEST FOR ADMISSIONS

3-1. Admit that the email attached as Exhibit 1 is a true and accurate copy of an email You received on September 6, 2011.

RESPONSE:

Objection, the email attached is a print out of an email from someone else's computer, so formatting is not the same, and we did not receive the third party's email. However, notwithstanding the foregoing objection, Admit.

Prepared by: Counsel

3-2. Admit that the email attached as Exhibit 2 is a true and accurate copy of an email You received on September 6, 2011.

RESPONSE:

Objection, the email attached is a print out of an email from someone else's computer, so formatting is not the same, and we did not receive the third party's email. However, notwithstanding the foregoing objection, Admit.

Prepared by: Counsel

3-3. Admit that You did not view Appendix A of the Stipulation prior to September 7, 2011.

RESPONSE:

Deny.

Prepared by: Counsel

3-4. Admit that You did not view Appendix B of the Stipulation prior to September 7, 2011.

RESPONSE:

Deny.

Prepared by: Counsel

3-5. Admit that You did not view Appendix C of the Stipulation prior to September 7, 2011.

RESPONSE:

Deny.

Prepared by: Counsel

3-6. Admit that on September 7, 2011, You did not have information from AEP-Ohio that the RPM-priced capacity set aside allocation described in Appendix C of the Stipulation had been fully awarded for any customer class.

RESPONSE:

Admit.

Prepared by: Counsel

3-7. Admit that on September 7, 2011, you did not have information that the megawatt hours awarded for the commercial class as described under Appendix C of the Stipulation exceeded the pro rata allocation of the RPM set aside of 3,3033,579 megawatt hours.

RESPONSE:

Admit.

Prepared by: Counsel

3-8. Admit that the document attached as Exhibit 3 is a true and accurate copy of an offer from AEP Retail Energy.

RESPONSE:

Objection, the attached marketing material does not include the name of the recipient and generally this information is included in AEP Retail's marketing material, so it unclear whether the document has been redacted, in part, prior to being attached to the request for admission. Nothwithstanding the foregoing objection, AEP Retail admits that Exhibit 3 appears to otherwise be a copy of an offer from AEP Retail Energy.

Prepared by: Counsel

/s/ Jay E. Jadwin
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing responses to the First Set of Interrogatories and Requests for Production of Documents Propounded upon AEP Retail Energy Partners LLC by Industrial Energy Users-Ohio was provided to the persons listed below via electronic transmission or first class U.S. mail, postage prepaid, this 3rd day of October, 2011.

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ATTORNEY EXAMINERS

ATTACHMENT 5

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

PAULDING WIND FARM II LLC'S RESPONSES TO
INDUSTRIAL ENERGY USERS-OHIO'S REQUESTS FOR ADMISSION
(FOURTH SET)

Pursuant to Ohio Administrative Code Rules 4901-1-19 and 4901-1-20, Paulding Wind Farm II LLC ("Paulding Wind"), by and through its counsel, hereby responds to Industrial Energy Users-Ohio's Requests for Admission (Fourth Set) to Paulding Wind (the "Discovery Requests") in the above-captioned proceedings.

GENERAL OBJECTIONS

Paulding Wind's responses to the Discovery Requests are being provided subject to, and without waiver of, the general objections stated below, any specific objections posed in response to an individual interrogatory or document request, and any general objections not expressly set forth herein. The general objections listed below are hereby incorporated by reference into the individual response to each discovery request. Paulding Wind hereby fully preserves all of its objections as well as the use of its responses to the Discovery Requests for any purpose whatsoever.

1. Paulding Wind objects to any and all Discovery Requests seeking information that is not relevant to the subject matter of this proceeding and the production of which would not lead to the discovery of admissible evidence.

2. Paulding Wind objects to any and all Discovery Requests that are vague, ambiguous, overly broad and otherwise not susceptible to meaningful response.

3. Paulding Wind objects to any and all Discovery Requests to the extent that such requests purport to or impose upon Paulding Wind any obligations broader than those set forth in the rules of the Public Utilities Commission of Ohio ("PUCO") or otherwise permitted by law.

4. Paulding Wind objects to any and all Discovery Requests to the extent that such requests seek or purport to require the disclosure of information or documents protected by the attorney-client privilege, attorney work product doctrine, or any other applicable privilege or doctrine. Such responses as may hereafter be given shall not include any information protected by such privileges

or doctrines, and the inadvertent disclosure of such information shall not be deemed to be a waiver of any such privilege or doctrine.

5. Paulding Wind objects to any and all Discovery Requests to the extent that they improperly seek or purport to require access to confidential, competitively sensitive and/or proprietary business information and trade secrets belonging to Paulding Wind. The furnishing of responses to these Discovery Requests is not intended, nor should it be construed, to waive Paulding Wind's right to protect from disclosure certain documents and information containing confidential or proprietary trade secrets or business information. Paulding Wind reserves the right to redact from the documents it produces or information it provides any confidential or proprietary business information or trade secrets not relevant to the subject matter of this proceeding.

6. Paulding Wind objects to any and all Discovery Requests to the extent that they improperly seek or purport to require Paulding Wind to provide documents and information not in Paulding Wind's possession, custody or control.

7. Paulding Wind objects to any and all Discovery Requests that either individually or collectively are oppressive, or would require an undue burden or expense to respond.

8. Paulding Wind reserves its right to challenge the relevancy, materiality, and admissibility at trial, or in any subsequent proceeding, of any information it produces in response to the Discovery Requests.

9. Paulding Wind's responses will be based on information known to it at the time it responds. Paulding Wind reserves its right to amend and/or supplement its responses if it learns of new documents or information relevant hereto, through discovery or otherwise.

REQUESTS FOR ADMISSION

4-1 Admit that the email attached as Exhibit 1 is a true and accurate copy of an email You received on September 6, 2011.

RESPONSE: Admit.

4-2 Admit that the email attached as Exhibit 2 is a true and accurate copy of an email You received on September 6, 2011.

RESPONSE: Admit.

4-3 Admit that you did not view Appendix A of the Stipulation prior to September 7, 2011.

RESPONSE: Admit.

4-4 Admit that you did not view Appendix B of the Stipulation prior to September 7, 2011.

RESPONSE: Admit.

4-5 Admit that you did not view Appendix C of the Stipulation prior to September 7, 2011.

RESPONSE: Admit.

4-6 Admit that on September 7, 2011, You did not have information from AEP-Ohio that the RPM-priced capacity set aside allocation described in Appendix C of the Stipulation had been fully awarded for any customer class.

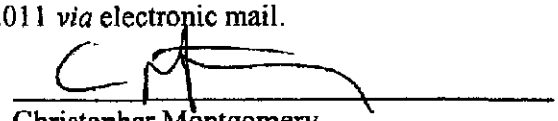
RESPONSE: Admit.

4-7 Admit that on September 7, 2011, You did not have information that the megawatt hours awarded for the commercial class as described under Appendix C of the Stipulation exceeded the pro rata allocation of the RPM set aside of the 3,3033,579 megawatt hours.

RESPONSE: Admit.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was served upon the parties of record listed below this 3rd day of October 2011 *via* electronic mail.



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ATTACHMENT 6

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 § 4928.153, 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

ASSOCIATION OF INDEPENDENT COLLEGES AND UNIVERSITIES OF OHIO'S RESPONSES TO THE INDUSTRIAL ENERGY USERS-OHIO'S FOURTH SET OF INTERROGATORIES

Pursuant to Rules Ohio Administrative Code Rules 4901-1-16 and 4901-1-19 of the Ohio Administrative Code, the Association of Independent Colleges and Universities of Ohio ("AICUO") hereby submits these responses to the Industrial Energy Users-Ohio's ("IEU") Fourth Set of Interrogatories in the above captioned proceedings.

GENERAL OBJECTIONS

AICUO's responses are being provided subject to, and without waiver of, the general objections stated below, any specific objections posed in response to an individual interrogatory, and any general objections not expressly set forth herein. The general objections listed below are hereby incorporated by reference into the individual response to these requests. AICUO hereby fully preserves all of its objections as well as the use of its responses to the requests for any purpose whatsoever.

1. AICUO objects to any and all requests seeking information that is not relevant to the subject matter of this proceeding and the production of which would not lead to the discovery of admissible evidence.

2. AICUO objects to any and all requests that are vague, ambiguous, overly broad and otherwise not susceptible to meaningful responses.

3. AICUO objects to any and all requests to the extent that the requests are impose on AICUO any obligations broader than those set forth in the rules of the Public Utilities Commission of Ohio ("PUCO") or otherwise permitted by law.

4. AICUO objects to any and all requests to the extent that such requests seek or purport to require the disclosure of information or documents protected by the attorney-client privilege, attorney work product doctrine, joint defense privilege, or any other applicable privilege or doctrine. Such responses as may hereafter be given shall not include any information protected by such privileges or doctrines, and the inadvertent disclosure of such information shall not be deemed to be a waiver of any such privilege or doctrine.

5. AICUO objects to any and all requests to the extent that they improperly seek or purport to require AICUO to provide documents and information not in AICUO's possession, custody or control.

6. AICUO objects to any and all requests that either individually or collectively are oppressive, or would require an undue burden or expense to respond.

7. AICUO objects to any and all requests to the extent that such requests are not limited to any stated time period, or such requests identify a stated period of time that is no longer than is relevant for purposes of this docket, as such discovery is unduly broad and overly burdensome.

8. AICUO objects to any interrogatories which are duplicative of others, or overlapping, the result of which is that information covered by one interrogatory is also covered by another interrogatory, thereby causing an oppressive and undue burden on AICUO to respond.

9. AICUO reserves its right to challenge the relevancy, materiality, and admissibility at trial, or in any subsequent proceeding, of any information it produces in response to the Discovery Requests.

10. AICUO's responses will be based on information known to it at the time it responds. AICUO reserves its right to amend and/or supplement its responses if it learns of new documents or information relevant thereto, through discovery or otherwise.

INTERROGATORIES

4-1. Admit that the email attached as Exhibit 1 is a true and accurate copy of an email You received on September 6, 2011.

RESPONSE: Admit.

Prepared By: Counsel

4-2. Admit that the email attached as Exhibit 2 is a true and accurate copy of an email You received on September 6, 2011.

RESPONSE: Admit.

Prepared By: Counsel

4-3. Admit that You did not view Appendix A of the Stipulation prior to September 7, 2011.

RESPONSE: Admit.

Prepared By: Counsel

4-4. Admit that You did not view Appendix B of the Stipulation prior to September 7, 2011.

RESPONSE: Admit.

Prepared By: Counsel

4-5. Admit that You did not view Appendix C of the Stipulation prior to September 7, 2011.

RESPONSE: Admit.

Prepared By: Counsel

4-6. Admit that on September 7, 2011, You did not have information from AEP-Ohio that the RPM-priced capacity set aside allocation described in Appendix C of the Stipulation had been fully awarded for any customer class.

RESPONSE: Admit.

Prepared By: Counsel

4-7. Admit that on September 7, 2011, You did not have information that the megawatt hours awarded for the commercial class as described under Appendix C of the Stipulation exceeded the pro rata allocation of the RPM set aside of 3,3033,479 megawatt hours.

RESPONSE: Admit.

Prepared By: Counsel

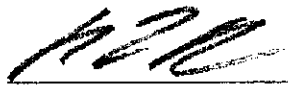
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Responses to Fourth Set of Interrogatories was served upon the parties of record listed below this 3rd day of October, 2011 via electronic mail.



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ATTACHMENT 7

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

DUKE ENERGY RETAIL SALES, LLC'S RESPONSES AND OBJECTIONS TO INDUSTRIAL ENERGY USERS-OHIO'S THIRD SET OF REQUESTS FOR ADMISSIONS

Duke Energy Retail Sales, LLC ("Duke Energy Retail") responds as follows to Industrial Energy Users-Ohio's Third Set of Requests for Admissions:

GENERAL OBJECTIONS

1. Duke Energy Retail objects to these discovery requests to the extent they seek to impose burdens or obligations that are different from, or exceed, those required by the Ohio Administrative Code.

2. Duke Energy Retail objects to these discovery requests to the extent they call for the disclosure of information protected by the attorney-client privilege and/or work product doctrine. No such information will be produced.

3. Duke Energy Retail objects to these discovery requests to the extent they seek information and documentation beyond Duke Energy Retail's possession, custody, and/or control.

4. Duke Energy Retail objects to these discovery requests to the extent they seek information and documentation that is just as easily obtained by Industrial Energy Users-Ohio as they are by Duke Energy Retail.

5. Duke Energy Retail objects to these discovery requests to the extent they call for the disclosure of information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence at trial.

6. Duke Energy Retail reserves the right to supplement or amend its answers and objections to these discovery requests.

7. Duke Energy Retail objects to these discovery requests to the extent that they seek a legal conclusion.

Subject to and without waiving these general objections, Duke Energy Retail responds as follows:

REQUESTS FOR ADMISSIONS

3-1. Admit that the email attached as Exhibit 1 is a true and accurate copy of an email You received on September 6, 2011.

RESPONSE: Admit.

3-2. Admit that the email attached as Exhibit 2 is a true and accurate copy of an email You received on September 6, 2011.

RESPONSE: Admit.

3-3. Admit that You did not view Appendix A of the Stipulation prior to September 7, 2011.

RESPONSE: Objection. Request for Admission 3-3 seeks information that is protected from disclosure by the attorney-client privilege. Request for Admission 3-3 also seeks information that is confidential and privileged in connection with trial preparation, settlement discussions and/or the common interest privilege. Subject to and without waiving the foregoing objections, Duke Energy Retail admits that it did not view the final version of Appendix A of the Stipulation prior to September 7, 2011, but that the substance and content of Appendix A was discussed among the signatories to the Stipulation prior to September 7, 2011.

3-4. Admit that You did not view Appendix B of the Stipulation prior to September 7, 2011.

RESPONSE: Objection. Request for Admission 3-4 seeks information that is protected from disclosure by the attorney-client privilege. Request for Admission 3-4 also seeks information that is confidential and privileged in connection with trial preparation, settlement discussions and/or the common interest privilege. Subject to and without waiving the foregoing objections, Duke Energy Retail admits that it did not view the final version of Appendix B of the Stipulation prior to September 7, 2011, but that the substance and content of Appendix B was discussed among the signatories to the Stipulation prior to September 7, 2011.

3-5. Admit that You did not view Appendix C of the Stipulation prior to September 7, 2011.

RESPONSE: Objection. Request for Admission 3-5 seeks information that is protected from disclosure by the attorney-client privilege. Request for Admission 3-5 also seeks information that is confidential and privileged in connection with trial preparation, settlement discussions and/or the common interest privilege. Subject to and without waiving the foregoing objections, Duke Energy Retail admits that it did not view the final version of Appendix C of the Stipulation prior to September 7, 2011, but that the substance and content of Appendix C was discussed among the signatories to the Stipulation prior to September 7, 2011.

3-6. Admit that on September 7, 2011, You did not have information from AEP-Ohio that the RPM-priced capacity set aside allocation described in Appendix C of the Stipulation had been fully awarded for any customer class.

RESPONSE: Objection. Request for Admission 3-6 also seeks information that is confidential and privileged in connection with trial preparation, settlement discussions and/or the common interest privilege. Subject to and without waiving the foregoing objection, Duke Energy Retail admits Request for Admission 3-6, but states that it did not need, nor was it required to know, whether the RPM-priced capacity set aside allocation had been fully awarded for any customer class in order to execute the Stipulation.

3-7. Admit that on September 7, 2011, You did not have information that the megawatt hours awarded for the commercial class as described under Appendix C of the Stipulation exceeded the pro rata allocation of the RPM set aside of 3.3033,579 megawatt hours.

RESPONSE: Objection. Request for Admission 3-7 also seeks information that is confidential and privileged in connection with trial preparation, settlement discussions and/or the common interest privilege. Subject to and without waiving the foregoing objection, Duke Energy Retail admits Request for Admission 3-7, but states that it did not need, nor was it required to know, whether megawatt hours awarded for the commercial class exceeded the pro rata allocation of

the RPM set aside of 3,3033,579 megawatt hours, in order to execute the Stipulation.

As to responses,

Matthew Walz
Vice-President, Duke Energy Retail ~~Sales, LLC~~

As to objections,

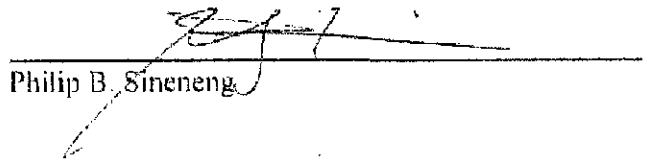
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing *Duke Energy Retails Sales, LLC's Responses and Objections to Industrial Energy Users-Ohio's Third Set of Requests for Admission* was served this 3rd day of October, 2011, via e-mail upon the parties below.



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687639.1

ATTACHMENT 8

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 § 4928.153, 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

THE CITY OF HILLIARD, OHIO'S RESPONSES TO THE INDUSTRIAL ENERGY USERS-OHIO'S FOURTH SET OF INTERROGATORIES

Pursuant to Rules Ohio Administrative Code Rules 4901-1-16 and 4901-1-19 of the Ohio Administrative Code, the City of Hilliard, Ohio ("Hilliard") hereby submits these responses to the Industrial Energy Users-Ohio's ("IEU") Fourth Set of Interrogatories in the above captioned proceedings.

GENERAL OBJECTIONS

Hilliard's responses are being provided subject to, and without waiver of, the general objections stated below, any specific objections posed in response to an individual interrogatory, and any general objections not expressly set forth herein. The general objections listed below are hereby incorporated by reference into the individual response to these requests. Hilliard hereby fully preserves all of its objections as well as the use of its responses to the requests for any purpose whatsoever.

1. Hilliard objects to any and all requests seeking information that is not relevant to the subject matter of this proceeding and the production of which would not lead to the discovery of admissible evidence.

2. Hilliard objects to any and all requests that are vague, ambiguous, overly broad and otherwise not susceptible to meaningful responses.

3. Hilliard objects to any and all requests to the extent that the requests are impose on Hilliard any obligations broader than those set forth in the rules of the Public Utilities Commission of Ohio ("PUCO") or otherwise permitted by law.

4. Hilliard objects to any and all requests to the extent that such requests seek or purport to require the disclosure of information or documents protected by the attorney-client privilege, attorney work product doctrine, joint defense privilege, or any other applicable privilege or doctrine. Such responses as may hereafter be given shall not include any information protected by such privileges or doctrines, and the inadvertent disclosure of such information shall not be deemed to be a waiver of any such privilege or doctrine.

5. Hilliard objects to any and all requests to the extent that they improperly seek or purport to require Hilliard to provide documents and information not in Hilliard's possession, custody or control.

6. Hilliard objects to any and all requests that either individually or collectively are oppressive, or would require an undue burden or expense to respond.

7. Hilliard objects to any and all requests to the extent that such requests are not limited to any stated time period, or such requests identify a stated period of time that is no longer than is relevant for purposes of this docket, as such discovery is unduly broad and overly burdensome.

8. Hilliard objects to any interrogatories which are duplicative of others, or overlapping, the result of which is that information covered by one interrogatory is also covered by another interrogatory, thereby causing an oppressive and undue burden on Hilliard to respond.

9. Hilliard reserves its right to challenge the relevancy, materiality, and admissibility at trial, or in any subsequent proceeding, of any information it produces in response to the Discovery Requests.

10. Hilliard's responses will be based on information known to it at the time it responds. Hilliard reserves its right to amend and/or supplement its responses if it learns of new documents or information relevant thereto, through discovery or otherwise.

INTERROGATORIES

4-1. Admit that the email attached as Exhibit 1 is a true and accurate copy of an email You received on September 6, 2011.

RESPONSE: Admit.

Prepared By: Counsel

4-2. Admit that the email attached as Exhibit 2 is a true and accurate copy of an email You received on September 6, 2011.

RESPONSE: Admit.

Prepared By: Counsel

4-3. Admit that You did not view Appendix A of the Stipulation prior to September 7, 2011.

RESPONSE: Admit.

Prepared By: Counsel

4-4. Admit that You did not view Appendix B of the Stipulation prior to September 7, 2011.

RESPONSE: Admit.

Prepared By: Counsel

4-5. Admit that You did not view Appendix C of the Stipulation prior to September 7, 2011.

RESPONSE: Admit.

Prepared By: Counsel

4-6. Admit that on September 7, 2011, You did not have information from AEP-Ohio that the RPM-priced capacity set aside allocation described in Appendix C of the Stipulation had been fully awarded for any customer class.

RESPONSE: Admit.

Prepared By: Counsel

4-7. Admit that on September 7, 2011, You did not have information that the megawatt hours awarded for the commercial class as described under Appendix C of the Stipulation exceeded the pro rata allocation of the RPM set aside of 3,3033,479 megawatt hours.

RESPONSE: Admit.

Prepared By: Counsel

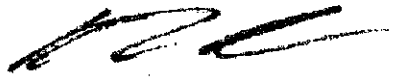
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Responses to Fourth Set of Interrogatories was served upon the parties of record listed below this 3rd day of October, 2011 via electronic mail.



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ATTACHMENT 9

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 § 4928.153, 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

CITY OF GROVE CITY, OHIO'S RESPONSES TO THE INDUSTRIAL ENERGY USERS-OHIO'S FOURTH SET OF INTERROGATORIES

Pursuant to Rules Ohio Administrative Code Rules 4901-1-16 and 4901-1-19 of the Ohio Administrative Code, the City of Grove City, Ohio ("Grove City") hereby submits these responses to the Industrial Energy Users-Ohio's ("IEU") Fourth Set of Interrogatories in the above captioned proceedings.

GENERAL OBJECTIONS

Grove City's responses are being provided subject to, and without waiver of, the general objections stated below, any specific objections posed in response to an individual interrogatory, and any general objections not expressly set forth herein. The general objections listed below are hereby incorporated by reference into the individual response to these requests. Grove City hereby fully preserves all of its objections as well as the use of its responses to the requests for any purpose whatsoever.

1. Grove City objects to any and all requests seeking information that is not relevant to the subject matter of this proceeding and the production of which would not lead to the discovery of admissible evidence.

2. Grove City objects to any and all requests that are vague, ambiguous, overly broad and otherwise not susceptible to meaningful responses.

3. Grove City objects to any and all requests to the extent that the requests are impose on Grove City any obligations broader than those set forth in the rules of the Public Utilities Commission of Ohio ("PUCO") or otherwise permitted by law.

4. Grove City objects to any and all requests to the extent that such requests seek or purport to require the disclosure of information or documents protected by the attorney-client privilege, attorney work product doctrine, joint defense privilege, or any other applicable privilege or doctrine. Such responses as may hereafter be given shall not include any information protected by such privileges or doctrines, and the inadvertent disclosure of such information shall not be deemed to be a waiver of any such privilege or doctrine.

5. Grove City objects to any and all requests to the extent that they improperly seek or purport to require Grove City to provide documents and information not in Grove City's possession, custody or control.

6. Grove City objects to any and all requests that either individually or collectively are oppressive, or would require an undue burden or expense to respond.

7. Grove City objects to any and all requests to the extent that such requests are not limited to any stated time period, or such requests identify a stated period of time that is no longer than is relevant for purposes of this docket, as such discovery is unduly broad and overly burdensome.

8. Grove City objects to any interrogatories which are duplicative of others, or overlapping, the result of which is that information covered by one interrogatory is also covered by another interrogatory, thereby causing an oppressive and undue burden on Grove City to respond.

9. Grove City reserves its right to challenge the relevancy, materiality, and admissibility at trial, or in any subsequent proceeding, of any information it produces in response to the Discovery Requests.

10. Grove City's responses will be based on information known to it at the time it responds. Grove City reserves its right to amend and/or supplement its responses if it learns of new documents or information relevant thereto, through discovery or otherwise.

INTERROGATORIES

4-1. Admit that the email attached as Exhibit 1 is a true and accurate copy of an email You received on September 6, 2011.

RESPONSE: Admit.

Prepared By: Counsel

4-2. Admit that the email attached as Exhibit 2 is a true and accurate copy of an email You received on September 6, 2011.

RESPONSE: Admit.

Prepared By: Counsel

4-3. Admit that You did not view Appendix A of the Stipulation prior to September 7, 2011.

RESPONSE: Admit.

Prepared By: Counsel

4-4. Admit that You did not view Appendix B of the Stipulation prior to September 7, 2011.

RESPONSE: Admit.

Prepared By: Counsel

4-5. Admit that You did not view Appendix C of the Stipulation prior to September 7, 2011.

RESPONSE: Admit.

Prepared By: Counsel

4-6. Admit that on September 7, 2011, You did not have information from AEP-Ohio that the RPM-priced capacity set aside allocation described in Appendix C of the Stipulation had been fully awarded for any customer class.

RESPONSE: Admit.

Prepared By: Counsel

4-7. Admit that on September 7, 2011, You did not have information that the megawatt hours awarded for the commercial class as described under Appendix C of the Stipulation exceeded the pro rata allocation of the RPM set aside of 3,3033,479 megawatt hours.

RESPONSE: Admit.

Prepared By: Counsel

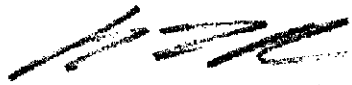
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Responses to Fourth Set of Interrogatories was served upon the parties of record listed below this 3rd day of October, 2011 via electronic mail.



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ATTACHMENT 10

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

THE KROGER CO.'S RESPONSES TO INDUSTRIAL ENERGY USERS-OHIO'S FOURTH REQUESTS FOR ADMISSION

INTRODUCTION

The Kroger Co. ("Kroger") by and through counsel hereby submits its Objections and Responses to the Fourth Requests for Admission ("Discovery Requests") of The Industrial Energy Users-Ohio's ("IEU-Ohio") in the above-captioned proceeding.

Kroger's responses to these Discovery Requests are being provided subject to, and without waiver of, the general objections stated below and any specific objections posed in response to an individual interrogatory or data request. The general objections are hereby incorporated by reference, as if fully set forth, into the individual responses made to each data request. Kroger's responses to these Discovery Requests are submitted without prejudice to, and without in any respect waiving, any general objections not expressly set forth herein.

The provision of any response below shall not waive Kroger's objections. The responses below, while based on diligent investigation and reasonable inquiry by Kroger and its counsel, reflect only the current state of Kroger's knowledge, understanding and belief with respect to the matters about which the Discovery Requests seek information, based upon the investigation and discovery to date. Kroger's discovery and investigation are not yet complete and are continuing as of the date of the responses below. Kroger anticipates the possibility that it may discover additional information and/or documents, and without obligating itself to do so, Kroger reserves the right to continue its discovery and to modify or supplement the responses below with such pertinent information or documents as it may reasonably discover. The responses below are made without prejudice to Kroger's right to rely upon or use

subsequently discovered information or documents, or documents or information inadvertently omitted from the responses below as a result of mistake, error, or oversight. Kroger reserves the right to object on appropriate grounds to the use of such information and documents. The fact that Kroger, in the spirit of cooperation, has elected to provide information below in response to IEU-Ohio's Discovery Requests shall not constitute or be deemed to be a waiver of Kroger's objections. Kroger hereby fully preserves all of its objections to the Discovery Requests or the use of its responses to the Discovery Requests for any purpose whatsoever.

GENERAL OBJECTIONS

1. Kroger objects to any Discovery Requests as improper, overbroad, and unduly burdensome to the extent that such requests purport to impose upon Kroger any obligations broader than those set forth in the Commission's rules or otherwise permitted by law.

2. Kroger objects to IEU-Ohio's Discovery Requests and to IEU-Ohio's Definitions as improper, overbroad, and unduly burdensome to the extent that such requests improperly seek or purport to require the disclosure of information protected by the attorney-client privilege, joint defense privilege, attorney work-product doctrine or any other applicable privilege or doctrine. Such responses as may hereafter be given shall not include any information protected by such privileges or doctrines, and the inadvertent disclosure of such information shall not be deemed as a waiver of any such privilege or doctrine.

3. Kroger objects to IEU-Ohio's Discovery Requests and to IEU-Ohio's Definitions to the extent that they improperly seek or purport to require access to confidential, competitively sensitive and/or proprietary business information and trade secrets belonging to Kroger. Kroger has made reasonable efforts to maintain the secrecy of this information and such information has an independent economic value from not being generally known to, nor being readily ascertainable through, proper means by others who can unfairly and anti-competitively obtain economic and strategic value from its disclosure or use. The furnishing of responses to these Discovery Requests is not intended, nor should it be construed, to waive Kroger's right to protect from disclosure documents and information containing confidential or proprietary trade secrets or business information. Kroger reserves the right to redact from the documents

it produces or information it provides any confidential or proprietary business information or trade secrets not relevant to the subject matter of this proceeding. Kroger also reserves the right to disclose documents requested in this data request only in accordance with the terms of protective agreement(s) mutually agreed upon by both Kroger and IEU-Ohio.

4. Kroger objects to the Discovery Requests to the extent that each request seeks the disclosure of information or documents that are subject to any obligation of confidentiality owed by Kroger to any third party.

5. Kroger objects to these Discovery Requests and to IEU-Ohio's Definitions to the extent that they improperly seek or purport to require Kroger to provide documents and information not in Kroger's possession, custody or control.

6. The objections and responses set forth herein and documents produced in response hereto are not intended nor should they be construed to waive Kroger's right to object to these requests, responses or documents produced in response hereto, or the subject matter of such requests, responses or documents, as to their competency, relevancy, materiality, privilege and admissibility as evidence for any purpose, in or at any hearing of this or any other proceeding.

7. Kroger objects to these Discovery Requests to the extent they improperly seek or purport to require the production of documents or information which is neither relevant nor material to the subject matter of this proceeding nor reasonably calculated to lead to the discovery of admissible evidence.

8. Kroger objects to these Discovery Requests and to IEU-Ohio's Definitions to the extent they improperly seek or purport to require an analysis, calculation, or

compilation which has not previously been performed and which Kroger objects to performing.

9. Kroger objects to these Discovery Requests and to IEU-Ohio's Definitions to the extent they improperly seek or purport to require production of documents in a form other than the form in which such documents are maintained in the regular course of business.

10. Kroger objects to these Discovery Requests insofar as they request the production of documents or information that are publicly available or already in IEU-Ohio's possession, custody or control.

11. Kroger objects to these Discovery Requests to the extent that such requests are overbroad and unduly burdensome and seek information that is neither relevant nor material to the subject matter of this proceeding, nor reasonably calculated to lead to the discovery of admissible evidence.

12. Kroger objects to these Discovery Requests to the extent that such requests are not limited to any stated time period, or such requests identify a stated period of time that is longer than is relevant for purposes of this docket, as such discovery is unduly broad and overly burdensome.

13. Kroger objects to these Discovery Requests to the extent they are vague, ambiguous, use terms that are subject to multiple interpretations but are not properly defined for purposes of these Discovery Requests, or otherwise provide no basis from which Kroger can determine what information is sought.

14. The objections and responses set forth herein are not intended nor should they be construed to waive Kroger's right to object to other discovery involving or

relating to the subject matter of these requests, responses or documents produced in response hereto.

15. Kroger's agreement to respond to a particular request should not be construed to mean that any documents or information responsive to the request exists.

16. Kroger objects to each and every data request that seeks to obtain "all," "each," or "any" document to the extent that such requests are overbroad and unduly burdensome and seek information that is neither relevant nor material to the subject matter of this proceeding, nor reasonably calculated to lead to the discovery of admissible evidence.

REQUESTS FOR ADMISSION

4-1. Admit that the email attached as Exhibit 1 is a true and accurate copy of an email You received on September 6, 2011.

RESPONSE:

Objection, in addition to its General Objections, Kroger objects to the Interrogatory because it requests information that is irrelevant and is not reasonably calculated to lead to the discovery of admissible evidence. Without waiving its objections, Kroger states: admitted.

4-2. Admit that the email attached as Exhibit 2 is a true and accurate copy of an email You received on September 6, 2011.

RESPONSE:

Objection, in addition to its General Objections, Kroger objects to the Interrogatory because it requests information that is irrelevant and is not reasonably calculated to lead to the discovery of admissible evidence. Without waiving its objections, Kroger states: admitted.

4-3. Admit that You did not view Appendix A of the Stipulation prior to September 7, 2011.

RESPONSE:

Objection, in addition to its General Objections, Kroger objects to the Interrogatory because it requests information that is irrelevant and is not reasonably calculated to lead to the discovery of admissible evidence. Without waiving its objections, Kroger states: admitted. Further, Kroger states that it has specific interests, objectives, and goals in supporting the Stipulation, and Kroger had sufficient information to support the Stipulation with respect to its interests, objectives, and goals.

4-4. Admit that You did not view Appendix B of the Stipulation prior to September 7, 2011.

RESPONSE:

Objection, in addition to its General Objections, Kroger objects to the Interrogatory because it requests information that is irrelevant and is not reasonably calculated to lead to the discovery of admissible evidence. Without waiving its objections, Kroger states: admitted. Further, Kroger states that it has

specific interests, objectives, and goals in supporting the Stipulation, and Kroger had sufficient information to support the Stipulation with respect to its interests, objectives, and goals.

4-5. Admit that You did not view Appendix C of the Stipulation prior to September 7, 2011.

RESPONSE:

Objection, in addition to its General Objections, Kroger objects to the Interrogatory because it requests information that is irrelevant and is not reasonably calculated to lead to the discovery of admissible evidence. Without waiving its objections, Kroger states: admitted. Further, Kroger states that it has specific interests, objectives, and goals in supporting the Stipulation, and Kroger had sufficient information to support the Stipulation with respect to its interests, objectives, and goals.

4-6. Admit that on September 7, 2011, You did not have information from AEP-Ohio that the RPM-priced capacity set aside allocation described in Appendix C of the Stipulation had been fully awarded for any customer class.

RESPONSE:

Objection, in addition to its General Objections, Kroger objects to the Interrogatory because it requests information that is irrelevant and is not reasonably calculated to lead to the discovery of admissible evidence. Without waiving its objections, Kroger states: admitted. Further, Kroger states that it has specific interests, objectives, and goals in supporting the Stipulation, and Kroger had sufficient information to support the Stipulation with respect to its interests, objectives, and goals.

4-7. Admit that on September 7, 2011, You did not have information that the megawatt hours awarded for the commercial class as described under Appendix C of the Stipulation exceeded the pro rata allocation of the RPM set aside of 3,3033,579 megawatt hours.

RESPONSE:

Objection, in addition to its General Objections, Kroger objects to the Interrogatory because it requests information that is irrelevant and is not reasonably calculated to lead to the discovery of admissible evidence. Without waiving its objections, Kroger states: admitted. Further, Kroger states that it has specific interests, objectives, and goals in supporting the Stipulation, and Kroger had sufficient information to support the Stipulation with respect to its interests, objectives, and goals.

CERTIFICATE OF SERVICE

I hereby certify that a copy of The Kroger Co.'s Responses IEU-Ohio's Fourth Requests for Admission were served via electronic mail this 3rd day of October 2011 upon the following:

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4833-2866-1771, v. 1

ATTACHMENT II

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

THE OMA ENERGY GROUP'S RESPONSES TO INDUSTRIAL ENERGY USERS-OHIO'S REQUESTS FOR ADMISSION, THIRD SET

Pursuant to Ohio Administrative Code Rules 4901-1-19 and 4901-1-20, the OMA Energy Group ("OMAEG"), by and through its counsel, hereby responds to Industrial Energy Users-Ohio's Third Set of Requests for Admission to OMAEG (the "Discovery Requests") in the above-captioned proceedings.

GENERAL OBJECTIONS

OMAEG's responses to the Discovery Requests are being provided subject to, and without waiver of, the general objections stated below, any specific objections posed in response to an individual interrogatory, document request or request for admission, and any general objections not expressly set forth herein. The general objections listed below are hereby incorporated by reference into the individual response to the Discovery Requests. OMAEG hereby fully preserves all of its objections as well as the use of its responses to the Discovery Requests for any purpose whatsoever.

1. OMAEG objects to any and all Discovery Requests seeking information that is not relevant to the subject matter of this proceeding and the production of which would not lead to the discovery of admissible evidence.

2. OMAEG objects to any and all Discovery Requests that are vague, ambiguous, overly broad and otherwise not susceptible to meaningful response.

3. OMAEG objects to any and all Discovery Requests to the extent that such requests purport to or impose upon OMAEG any obligations broader than those set forth in the rules of the Public Utilities Commission of Ohio ("PUCO") or otherwise permitted by law.

4. OMAEG objects to any and all Discovery Requests to the extent that such requests seek or purport to require the disclosure of information or documents protected by the attorney-client privilege, attorney work product doctrine, joint defense privilege, or any other applicable privilege or doctrine. Such responses as may hereafter be given shall not include any information protected by such privileges or doctrines, and the inadvertent disclosure of such information shall not be deemed to be a waiver of any such privilege or doctrine.

5. OMAEG objects to any and all Discovery Requests to the extent that they improperly seek or purport to require access to confidential, competitively sensitive and/or proprietary business information and trade secrets belonging to OMAEG. The furnishing of responses to these Discovery Requests is not intended, nor should it be construed, to waive OMAEG's right to protect from disclosure certain documents and information containing confidential or proprietary trade secrets or business information. OMAEG reserves the right to redact from the documents it produces or information it provides any confidential or proprietary business information or trade secrets not relevant to the subject matter of this proceeding.

6. OMAEG objects to any and all Discovery Requests to the extent that they improperly seek or purport to require OMAEG to provide documents and information not in OMAEG's possession, custody or control.

7. OMAEG objects to any and all Discovery Requests that either individually or collectively are oppressive, or would require an undue burden or expense to respond.

8. OMAEG objects to any and all Discovery Requests to the extent that such requests are not limited to any stated time period, or such requests identify a stated

period of time that is longer than is relevant for purposes of this docket, as such discovery is unduly broad and overly burdensome.

9. OMAEG objects to any interrogatories which are duplicative of others, or overlapping, the result of which is that information covered by one interrogatory is also covered by another interrogatory, thereby causing an oppressive and undue burden on OMAEG to respond.

10. OMAEG reserves its right to challenge the relevancy, materiality, and admissibility at trial, or in any subsequent proceeding, of any information it produces in response to the Discovery Requests.

11. OMAEG's responses will be based on information known to it at the time it responds. OMAEG reserves its right to amend and/or supplement its responses if it learns of new documents or information relevant hereto, through discovery or otherwise.

REQUESTS FOR ADMISSIONS

3-1 Admit that the email attached as Exhibit 1 is a true and accurate copy of an email You received on September 6, 2011.

RESPONSE: Admit. Exhibit 1 is a true and accurate copy of an email OMAEG received on September 6, 2011.

Prepared by: Counsel

3-2 Admit that the email attached as Exhibit 2 is a true and accurate copy of an email You received on September 6, 2011.

RESPONSE: Admit. Exhibit 2 is a true and accurate copy of an email OMAEG received on September 6, 2011.

Prepared by: Counsel

3-3 Admit that You did not view Appendix A of the Stipulation prior to September 7, 2011.

RESPONSE: Admit that OMAEG did not view Appendix A. However, OMAEG reviewed a nearly identical version of Appendix A prior to September 7, 2011.

Prepared by: Counsel

3-4 Admit that You did not view Appendix B of the Stipulation prior to September 7, 2011.

RESPONSE: Admit that OMAEG did not view Appendix B. However, OMAEG reviewed a nearly identical version of Appendix B prior to September 7, 2011.

Prepared by: Counsel

3-5 Admit that You did not view Appendix C of the Stipulation prior to September 7, 2011.

RESPONSE: Admit that OMAEG did not view Appendix C. However, OMAEG reviewed a nearly identical version of Appendix C prior to September 7, 2011.

Prepared by: Counsel

3-6 Admit that on September 7, 2011, You did not have information from AEP-Ohio that the RPM capacity set aside allocation described in Appendix C of the Stipulation had been fully awarded for any customer class.

RESPONSE: Admit. OMAEG did not have information from AEP-Ohio that the RPM capacity set aside allocation had been fully awarded for any customer class.

Prepared by: Counsel

3-7 Admit that on September 7, 2011, You did not have information that the megawatt hours awarded for the commercial class as described under Appendix C of the Stipulation exceeded the pro rata allocation of the RPM set aside of 3,303,579 megawatt hours.

RESPONSE: Admit. OMAEG did not have information that the megawatt hours awarded for the commercial class exceeded the pro rata allocation of the RPM set aside.

Prepared by: Counsel

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Responses to Industrial Users-Ohio's Requests for Admission, Third Set was provided to the persons listed below via electronic means this 1st day of September 2011.

/s/ Lisa G. McAlister
Lisa G. McAlister

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ATTACHMENT 12

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

THE OHIO HOSPITAL ASSOCIATION'S RESPONSES TO INDUSTRIAL ENERGY USERS-OHIO'S REQUESTS FOR ADMISSION (STIPULATION) THIRD SET

Pursuant to Ohio Administrative Code Rules 4901-1-19 and 4901-1-20, the Ohio Hospital Association ("OHA"), by and through its counsel, hereby responds to Industrial Energy Users-Ohio's Requests for Admissions (Stipulation) Third Set to OHA (the "Discovery Requests") in the above-captioned proceedings.

GENERAL OBJECTIONS

OHA's responses to the Discovery Requests are being provided subject to, and without waiver of, the general objections stated below, any specific objections posed in response to an individual interrogatory, document request or request for admission, and any general objections not expressly set forth herein. The general objections listed below are hereby incorporated by reference into the individual response to the Discovery Requests. OHA hereby fully preserves all of its objections as well as the use of its responses to the Discovery Requests for any purpose whatsoever.

1. OHA objects to any and all Discovery Requests seeking information that is not relevant to the subject matter of this proceeding and the production of which would not lead to the discovery of admissible evidence.

2. OHA objects to any and all Discovery Requests that are vague, ambiguous, overly broad and otherwise not susceptible to meaningful response.

3. OHA objects to any and all Discovery Requests to the extent that such requests purport to or impose upon OHA any obligations broader than those set forth in the rules of the Public Utilities Commission of Ohio ("PUCO") or otherwise permitted by law.

4. OHA objects to any and all Discovery Requests to the extent that such requests seek or purport to require the disclosure of information or documents protected by the attorney-client privilege, attorney work product doctrine, joint defense privilege, or any other applicable

privilege or doctrine. Such responses as may hereafter be given shall not include any information protected by such privileges or doctrines, and the inadvertent disclosure of such information shall not be deemed to be a waiver of any such privilege or doctrine.

5. OHA objects to any and all Discovery Requests to the extent that they improperly seek or purport to require access to confidential, competitively sensitive and/or proprietary business information and trade secrets belonging to OHA. The furnishing of responses to these Discovery Requests is not intended, nor should it be construed, to waive OHA's right to protect from disclosure certain documents and information containing confidential or proprietary trade secrets or business information. OHA reserves the right to redact from the documents it produces or information it provides any confidential or proprietary business information or trade secrets not relevant to the subject matter of this proceeding.

6. OHA objects to any and all Discovery Requests to the extent that they improperly seek or purport to require OHA to provide documents and information not in OHA's possession, custody or control.

7. OHA objects to any and all Discovery Requests that either individually or collectively are oppressive, or would require an undue burden or expense to respond.

8. OHA objects to any and all Discovery Requests to the extent that such requests are not limited to any stated time period, or such requests identify a stated period of time that is longer than is relevant for purposes of this docket, as such discovery is unduly broad and overly burdensome.

9. OHA objects to any interrogatories which are duplicative of others, or overlapping, the result of which is that information covered by one interrogatory is also covered by another interrogatory, thereby causing an oppressive and undue burden on OHA to respond.

10. OHA reserves its right to challenge the relevancy, materiality, and admissibility at trial, or in any subsequent proceeding, of any information it produces in response to the Discovery Requests.

11. OHA's responses will be based on information known to it at the time it responds. OHA reserves its right to amend and/or supplement its responses if it learns of new documents or information relevant hereto, through discovery or otherwise.

REQUEST FOR ADMISSIONS

3-1. Admit that the email attached as Exhibit 1 is a true and accurate copy of an email You received on September 6, 2011.

RESPONSE:

Admit.

3-2. Admit that the email attached as Exhibit 2 is a true and accurate copy of an email You received on September 6, 2011.

RESPONSE:

Admit.

3-3. Admit that You did not view Appendix A of the Stipulation prior to September 7, 2011.

RESPONSE:

Admit.

3-4. Admit that You did not view Appendix B of the Stipulation prior to September 7, 2011.

RESPONSE:

Admit.

3-5. Admit that You did not view Appendix C of the Stipulation prior to September 7, 2011.

RESPONSE:

Admit.

3-6. Admit that on September 7, 2011, You did not have information from AEP-Ohio that the RPM-priced capacity set aside allocation described in Appendix C of the Stipulation had been fully awarded for any customer class.

RESPONSE:

Admit.

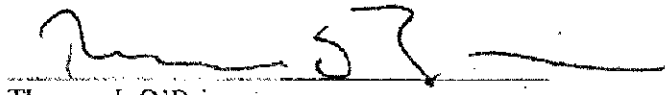
3-7. Admit that on September 7, 2011, You did not have information that the megawatt hours awarded for the commercial class as described under Appendix C of the Stipulation exceeded the pro rata allocation of the RPM set aside of 3,3033,579 megawatt hours.

RESPONSE:

Admit.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing RESPONSES were served via electronic mail upon the following, this 30th day of September 2011.



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ATTACHMENT 13

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

RETAIL ENERGY SUPPLY ASSOCIATION RESPONSES TO THE INDUSTRIAL ENERGY USERS-OHIO'S REQUESTS FOR ADMISSION (STIPULATION) FIFTH SET SEPTEMBER 27, 2011

Pursuant to Rule 4901-1-22 of the Ohio Administrative Code, the Retail Energy Supply Association ("RESA") provides responses to the Fifth Set of Requests for Admissions to the Industrial Energy Users-Ohio ("IEU-Ohio").

GENERAL OBJECTIONS

1. RESA objects to each of IEU-Ohio's Requests for Admission to the extent they seek information that is protected by the Attorney-Client Privilege or that constitutes an Attorney Work Product.
2. RESA reserves the right to supplement its responses and objections to these Requests for Admission.
3. RESA objects to each of the IEU-Ohio Requests for Admission which are not admissible as evidenced or would not be reasonably calculated to lead to the discovery of admissible evidence.
4. RESA objects to each of the IEU-Ohio Requests for Admission which attempts to elicit information that would be unduly burdensome to compile and produce.
5. RESA objects to each of the IEU-Ohio Requests for Admission that request a legal opinion such as the meaning of a statute or legal authority of the Commission.

REQUESTS FOR ADMISSION

5-1. Admit that the email attached as Exhibit 1 is a true and accurate copy of an email You received on September 6, 2011.

RESPONSE:

Admit.

5-2. Admit that the email attached as Exhibit 2 is a true and accurate copy of an email You received on September 6, 2011.

RESPONSE:

Admit.

5-3. Admit that You did not view Appendix A of the Stipulation prior to September 7, 2011.

RESPONSE:

Admit, but indicate that a very similar version was reviewed prior to September 7th and the final version was reviewed on September 7th.

5-4. Admit that You did not view Appendix B of the Stipulation prior to September 7, 2011.

RESPONSE:

Admit, but indicate that a very similar version was reviewed prior to September 7th and the final version was reviewed on September 7th.

5-5. Admit that You did not view Appendix C of the Stipulation prior to September 7, 2011.

RESPONSE:

Admit, but indicate that a very similar version was reviewed prior to September 7th and the final version was reviewed on September 7th.

5-6. Admit that on September 7, 2011, You did not have information from AEP-Ohio that the RPM-priced capacity set aside allocation described in Appendix C of the Stipulation had been fully awarded for any customer class.

RESPONSE:

Admit.

5-7. Admit that on September 7, 2011, You did not have information that the megawatt hours awarded for the commercial class as described under Appendix C of the Stipulation exceeded the pro rata allocation of the RPM set aside of 3,3033,579 megawatt hours.

RESPONSE:

Admit.

As to Objections,

/s/

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing document was served via electronic mail and/or U.S. mail, postage prepaid, this 5th day of October, 2011.

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ATTACHMENT 14

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
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

ENERNOC'S RESPONSES TO INDUSTRIAL ENERGY USERS-OHIO'S REQUESTS FOR ADMISSIONS UPON ENERNOC, INC.
(STIPULATION)
THIRD SET

EnerNOC, Inc. ("EnerNOC") submits its Responses to the Third Set of Discovery submitted by Industrial Energy Users-Ohio ("IEU-Ohio"). EnerNOC's responses to these discovery requests are being provided subject to, and without waiver of, the general objections stated below and the specific objections posed in response to the interrogatories and request for production of documents. The general objections are hereby incorporated by reference into the individual response made to each discovery request. EnerNOC's responses to these discovery requests are submitted without prejudice to, and without in respect waiving, any general objections not expressly set forth therein.

The response below, while based on diligent investigation and reasonable inquiry by EnerNOC, reflect only the current state of EnerNOC's knowledge and understanding and belief with respect to the matters about which the discovery requests seek information, based upon the information and discovery to date. The responses below are made without prejudice to EnerNOC's right to rely upon or use subsequently discovered information or documents, or documents of information inadvertently omitted from the responses below as a result of mistake, error, or oversight. EnerNOC reserves the right to object on appropriate grounds to the use of such information and documents. The fact that EnerNOC, in the spirit of cooperation, has elected to provide relevant information

below in response to EnerNOC's discovery requests shall not constitute or be deemed a waiver of EnerNOC's objections.

GENERAL OBJECTIONS

1. EnerNOC objects to these discovery requests as overbroad, and unduly burdensome to the extent that they improperly seek or purport to require the disclosure of information protected by the attorney-client privilege, attorney work-product doctrine or any other applicable privilege or doctrine. Such responses as may hereafter be given shall not include any information protected by such privileges or doctrines, and the inadvertent disclosure of such information shall not be deemed as a waiver of any such privilege or doctrine.
2. The objections and responses contained herein and in response hereto are not intended nor should they be construed to waive EnerNOC's right to object to these requests, or the subject matter of such requests, responses, as to their competency, relevancy, materiality, privilege and admissibility as evidence for any purpose, in or at any hearing of this or any other proceeding.
3. EnerNOC objects to each and every request that seeks to obtain information about "all," "each" or "any" document to the extent that such requests are overbroad and unduly burdensome and seek information that is neither relevant nor material to the subject matter of this proceeding nor reasonably calculated to lead to the discovery of admissible evidence.
4. EnerNOC objects to these discovery requests to the extent that such requests are not limited to any stated time period or identify a stated period of time that is

longer than is relevant for purposes of this docket, as such discovery is unduly broad and overly burdensome.

5. EnerNOC objects to these discovery requests to the extent they are vague, ambiguous, use terms that are subject to multiple interpretations but are not properly defined for purposes of these discovery requests, or otherwise provide no basis from which EnerNOC can determine what information is sought.

REQUESTS FOR ADMISSIONS

3-1. Admit that the email attached as Exhibit 1 is a true and accurate copy of an email You received on September 6, 2011.

RESPONSE: Admit

3-2. Admit that the email attached as Exhibit 2 is a true and accurate copy of an email You received on September 6, 2011.

RESPONSE: Admit

3-3. Admit that You did not view Appendix A of the Stipulation prior to September 7, 2011.

RESPONSE: Admit

3-4. Admit that You did not view Appendix B of the Stipulation prior to September 7, 2011.

RESPONSE: Admit

3-5. Admit that You did not view Appendix C of the Stipulation prior to September 7, 2011.

RESPONSE: Admit

3-6. Admit that on September 7, 2011, You did not have information from AEP-Ohio that the RPM-priced capacity set aside allocation described in Appendix C of the Stipulation had been fully awarded for any customer class.

RESPONSE: Admit

3-7. Admit that on September 7, 2011, You did not have information that the megawatt hours awarded for the commercial class as described under Appendix C of the Stipulation exceeded the pro rata allocation of the RPM set aside of 3,3033,529 megawatt hours.

RESPONSE: Admit

CERTIFICATE OF SERVICE

I hereby certify that a copy of EnerNOC Inc.'s Responses to Industrial Energy Users-Ohio's Requests for Admissions Upon EnerNOC, Inc. (Stipulation) Third Set was served by E-mail upon counsel for all parties of record in this case, on this 3rd day of October, 2011.

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ATTACHMENT 15

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

RESPONSE OF EXELON GENERATION COMPANY, LLC TO THE FOURTH SET (STIPULATION) OF REQUESTS FOR ADMISSION OF INDUSTRIAL ENERGY USERS-OHIO

Pursuant to Rule 4901-1-22 of the Ohio Administrative Code, Exelon Generation Company, LLC ("Exelon") provides its responses to the Fourth Set (Stipulation) of Requests for Admission of Industrial Energy Users-Ohio ("IEU").

GENERAL OBJECTIONS

1. Exelon objects to each of IEU's Requests for Admission to the extent they seek information that is protected by the attorney-client privilege or that constitutes an attorney work product.

2. Given that discovery in this case is ongoing, Exelon reserves the right to supplement its responses and objections to these Requests for Admission.

3. Exelon objects to discovery that violates rules or orders of the Public Utilities Commission of Ohio.

4. Exelon objects to discovery of information that is confidential, proprietary or constitutes a trade secret under the laws of the State of Ohio.

RESPONSES TO SPECIFIC REQUESTS FOR ADMISSIONS

4-1. Admit that the email attached as Exhibit 1 is a true and accurate copy of an email You received on September 6, 2011.

RESPONSE: Admitted.

4-2. Admit that the email attached as Exhibit 2 is a true and accurate copy of an email You received on September 6, 2011.

RESPONSE: Admitted.

4-3. Admit that You did not view Appendix A of the Stipulation prior to September 7, 2011.

RESPONSE: Exelon admits that a substantially similar version of Appendix A was reviewed prior to September 7 and the final version was reviewed on September 7.

4-4. Admit that You did not view Appendix B of the Stipulation prior to September 7, 2011.

RESPONSE: Exelon admits that a substantially similar version of Appendix B was reviewed prior to September 7 and the final version was reviewed on September 7.

4-5. Admit that You did not view Appendix C of the Stipulation prior to September 7, 2011.

RESPONSE: Exelon admits that a substantially similar version of Appendix C was reviewed prior to September 7 and the final version was reviewed on September 7.

4-6. Admit that on September 7, 2011, You did not have information from AEP-Ohio that the RPM-priced capacity set aside allocation described in Appendix C of the Stipulation had been fully awarded for any customer class.

RESPONSE: Admitted.

4-7. Admit that on September 7, 2011, You did not have information that the megawatt hours awarded for the commercial class as described under Appendix C of the Stipulation exceeded the pro rata allocation of the RPM set aside of 3,3033,579 megawatt hours.

RESPONSE: Admitted.

Dated: October 5, 2011

As to objections,

s/ David M. Stahl

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Attorneys for Exelon Generation Company, LLC

CERTIFICATE OF SERVICE

I hereby certify that on October 5, 2011 a true and correct copy of the foregoing **RESPONSE OF EXELON GENERATION COMPANY, LLC TO THE FOURTH SET (STIPULATION) OF REQUESTS FOR ADMISSION OF INDUSTRIAL ENERGY USERS-OHIO** was served upon the parties listed below via email.

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ATTACHMENT 16

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

CONSTELLATION NEWENERGY, INC. AND
CONSTELLATION ENERGY COMMODITIES GROUP, INC.
RESPONSES TO THE INDUSTRIAL ENERGY USERS-OHIO'S REQUESTS FOR ADMISSION
(STIPULATION)
FIFTH SET
October 5, 2011

Pursuant to Rule 4901-1-22 of the Ohio Administrative Code, Constellation NewEnergy, Inc. ("CNE") and Constellation Energy Commodities Group, Inc. ("CECG") jointly ("Constellation") provide responses to the Fifth Set of Requests for Admissions to the Industrial Energy Users-Ohio ("IEU-Ohio").

GENERAL OBJECTIONS

1. CNE and CECG object to each of IEU-Ohio's Requests for Admission to the extent they seek information that is protected by the Attorney-Client Privilege or that constitutes an Attorney Work Product.
2. CNE and CECG reserve the right to supplement their responses and objections to these Requests for Admission.
3. CNE and CECG object to each of the IEU-Ohio Request for Admission which are not admissible as evidenced or would not be reasonably calculated to lead to the discovery of admissible evidence.
4. CNE and CECG object to each of the IEU-Ohio Requests for Admission which attempt to elicit information that would be unduly burdensome to compile and produce.
5. CNE and CECG object to each of the IEU-Ohio Requests for Admission that

request a legal opinion such as the meaning of a statute or legal authority of the Commission.

REQUESTS FOR ADMISSION

5-1. Admit that the email attached as Exhibit 1 is a true and accurate copy of an email You received on September 6, 2011.

RESPONSE:

Admit

5-2. Admit that the email attached as Exhibit 2 is a true and accurate copy of an email You received on September 6, 2011.

RESPONSE:

Admit

5-3. Admit that You did not view Appendix A of the Stipulation prior to September 7, 2011.

RESPONSE:

Admit, but indicate that a very similar version was reviewed prior to September 7th and the final version was reviewed on September 7th.

5-4. Admit that You did not view Appendix B of the Stipulation prior to September 7, 2011.

RESPONSE:

Admit, but indicate that a very similar version was reviewed prior to September 7th and the final version was reviewed on September 7th.

5-5. Admit that You did not view Appendix C of the Stipulation prior to September 7, 2011.

RESPONSE:

Admit, but indicate that a very similar version was reviewed prior to September 7th and the final version was reviewed on September 7th.

5-6. Admit that on September 7, 2011, You did not have information from AEP-Ohio that the RPM-priced capacity set aside allocation described in Appendix C of the Stipulation had been fully awarded for any customer class.

RESPONSE:

Admit

5-7. Admit that on September 7, 2011, You did not have information that the megawatt hours awarded for the commercial class as described under Appendix C of the Stipulation exceeded the pro rata allocation of the RPM set aside of 3,3033,579 megawatt hours.

RESPONSE:

Admit

As to the Factual Statement

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David I. Fein
Vice President Energy Policy - Midwest
Constellation Energy Commodities Group

As to objections

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Certificate of Service

The undersigned hereby certifies that a true and accurate copy of the foregoing document was served this 5th day of October, 2011 by electronic mail, upon the persons listed below.

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ATTACHMENT 14

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

PJM POWER PROVIDERS GROUP RESPONSES TO THE INDUSTRIAL ENERGY USERS-OHIO'S REQUESTS FOR ADMISSION (STIPULATION) FOURTH SET SEPTEMBER 27, 2011

Pursuant to Rule 4901-1-22 of the Ohio Administrative Code, the PJM Power Providers Group ("P3") provides responses to the Fourth Set of Requests for Admission to the Industrial Energy Users-Ohio ("IEU-Ohio").

GENERAL OBJECTIONS

1. P3 objects to each of IEU-Ohio's Requests for Admission to the extent they seek information that is protected by the Attorney-Client Privilege or that constitutes an Attorney Work Product.
2. P3 reserves the right to supplement its responses and objections to these Requests for Admission.
3. P3 objects to each of the IEU-Ohio Requests for Admission which are not admissible as evidenced or would not be reasonably calculated to lead to the discovery of admissible evidence.
4. P3 objects to each of the IEU-Ohio Requests for Admission which attempts to elicit information that would be unduly burdensome to compile and produce.
5. P3 objects to each of the IEU-Ohio Requests for Admission that request a legal opinion such as the meaning of a statute or legal authority of the Commission.

REQUESTS FOR ADMISSION

4-1. Admit that the email attached as Exhibit 1 is a true and accurate copy of an email You received on September 6, 2011.

RESPONSE:

Admit.

4-2. Admit that the email attached as Exhibit 2 is a true and accurate copy of an email You received on September 6, 2011.

RESPONSE:

Admit.

4-3. Admit that You did not view Appendix A of the Stipulation prior to September 7, 2011.

RESPONSE:

Admit, but indicate that a very similar version was reviewed prior to September 7th and the final version was reviewed on September 7th.

4-4. Admit that You did not view Appendix B of the Stipulation prior to September 7, 2011.

RESPONSE:

Admit, but indicate that a very similar version was reviewed prior to September 7th and the final version was reviewed on September 7th.

4-5. Admit that You did not view Appendix C of the Stipulation prior to September 7, 2011.

RESPONSE:

Admit, but indicate that a very similar version was reviewed prior to September 7th and the final version was reviewed on September 7th.

4-6. Admit that on September 7, 2011, You did not have information from AEP-Ohio that the RPM-priced capacity set aside allocation described in Appendix C of the Stipulation had been fully awarded for any customer class.

RESPONSE:

Admit.

4-7. Admit that on September 7, 2011, You did not have information that the megawatt hours awarded for the commercial class as described under Appendix C of the Stipulation exceeded the pro rata allocation of the RPM set aside of 3,3033,579 megawatt hours.

RESPONSE:

Admit.

As to Objections,

/s/

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing document was served via electronic mail and/or U.S. mail, postage prepaid, this 11th day of October, 2011.

/s/
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