BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

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

ENTRY

The Attorney Examiner finds:

(1) On March 18, 2009, the Commission issued its Opinion and Order in Columbus Southern Power Company's (CSP) and Ohio Power Company's (OP) (jointly, AEP-Ohio or the Companies) electric security plan (ESP) cases (ESP 1 Order).[1] By entries on rehearing issued July 23, 2009 (First ESP 1 EOR), and November 4, 2009 (Second ESP EOR), the Commission affirmed and clarified certain issues raised in AEP-Ohio's ESP Order. As ultimately adopted by the Commission, AEP-Ohio's ESP directed, among other things, that:

> AEP-Ohio customers under reasonable arrangements with AEP-Ohio, including, but not limited to, energy efficiency/peak demand reduction arrangements, economic development arrangements, unique arrangements, and other special tariff schedules that offer service discounts from the applicable tariff rates, are prohibited from also participating in a PJM [PJM Interconnection, LLC] demand response program (DRP), unless and until the Commission decides otherwise in a subsequent proceeding.

(First ESP 1 EOR at 41.) While it opined on the inability of customers in reasonable arrangements with AEP-Ohio to participate in PJM DRPs, the Commission did not, in the

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1 *In re AEP-Ohio ESP*, Case Nos. 08-917-EL-SSO and 08-918-EL-SSO.

context of the ESP, address the ability of AEP-Ohio's retail customers to participate in PJM DRPs.

(2) On March 19, 2010, AEP-Ohio filed an application to amend its emergency curtailment service riders.

(3) By entry issued May 10, 2010, motions to intervene were due by May 28, 2010. Interested persons were directed to file comments or objections to the application by May 28, 2010 with reply comments due by June 7, 2010.

(4) Pursuant to the entry issued May 10, 2010, timely motions to intervene were filed by the following parties: EnerNOC, Inc. (EnerNOC), Constellation New Energy, Inc. (Constellation), CPower, Inc., Viridity Energy, Inc., Energy Connect, Inc., Comverge, Inc., Enerwise Global Technologies, Inc., Energy Curtailment Specialists, Inc. (collectively, Demand Response Coalition), Industrial Energy Users - Ohio (IEU), Ormet Primary Aluminum Company (Ormet), Ohio Energy Group (OEG), Hess Corporation (Hess), KOREnergy, and the Office of the Ohio Consumers' Counsel (OCC). The aforementioned parties have set forth reasonable grounds to intervene. Therefore, their motions to intervene should be granted. Additionally, motions for admission *pro hac vice* were filed by Ormet, Constellation, and the Demand Response Coalition. These motions are well-taken; therefore, the Commission finds that the motions for admission *pro hac vice*, in accordance with the rules in effect prior to January 1, 2011, should be granted.

(5) The following parties timely filed comments and/or reply comments in these proceedings: AEP-Ohio, IEU, Constellation, OCC, and EnerNOC.

(6) Subsequently, AEP-Ohio amended its emergency curtailment application on February 2, 2011.

(7) On January 27, 2011, in Case Nos. 11-346-EL-SSO et al., the Companies filed an application for a standard service offer (SSO) pursuant to Section 4928.141, Revised Code. This application is for approval of an electric security plan (ESP 2) in accordance with Section 4928.143, Revised Code, to commence January 1, 2012, and continue through May 31, 2014.

(8) On September 7, 2011, the Companies, the Staff and numerous other parties to AEP-Ohio's pending ESP 2 cases filed a Stipulation and Recommendation (Consolidated Stipulation) in these cases and several other associated AEP-Ohio cases pending before the Commission, to resolve all the issues raised in the cases. By entry issued September 16, 2011, these cases were consolidated with several other AEP-Ohio proceedings and a hearing held on the Consolidated Stipulation October 4, 2011 through October 27, 2011.

It is, therefore,

ORDERED, That the motions to intervene, as discussed in Finding (4), are granted. It is, further,

ORDERED, That the motions for admission *pro hac vice* are granted, as discussed in Finding (4). It is, further,

ORDERED, That a copy of this Entry be served upon all parties and interested persons of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

By: Greta See
Attorney Examiner

/vrm

Entered in the Journal

DEC 13 2011

Betty McCauley
Secretary