

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of Columbus)
Southern Power Company for Approval of) Case No. 11-5568-EL-POR
its Program Portfolio Plan and Request for)
Expedited Consideration.)

In the Matter of the Application of Ohio)
Power Company for Approval of its Program) Case No. 11-5569-EL-POR
Portfolio Plan and Request for Expedited)
Consideration.)

ENTRY

The attorney examiner finds:

- (1) Columbus Southern Power Company (CSP) and Ohio Power Company (OP) (jointly, AEP-Ohio) are public utilities as defined in Section 4905.02, Revised Code, and, as such, are subject to the jurisdiction of this Commission.
- (2) On November 29, 2011, AEP-Ohio filed an application for approval of its energy efficiency and peak demand reduction program portfolio plan for 2012 through 2014 pursuant to Rule 4901:1-39-04, Ohio Administrative Code (O.A.C.). Contemporaneously, AEP-Ohio filed a stipulation and recommendation (stipulation) signed by Staff, Ohio Consumers' Counsel (OCC), Ohio Partners for Affordable Energy (OPAE), Appalachian Peace and Justice Network (APJN), Ohio Energy Group, Ohio Manufacturers Association (OMA), Ohio Farm Bureau Federation, Ohio Hospital Association (OHA), Sierra Club, Ohio Environmental Council (OEC), Natural Resources Defense Council (NRDC), Environmental Law and Policy Center, The Kroger Co., and AEP-Ohio, addressing all of the issues raised in the application.¹ The stipulation notes that Ormet Primary

¹ The stipulation notes that CSP and OP filed an application in Case No. 10-2376-EL-UNC, seeking approval to merge CSP into OP. AEP-Ohio states that it anticipates that the merger will be approved and consummated before the proposed plan would take effect. Accordingly, AEP-Ohio notes that it is treated as a single utility within the stipulation for purposes of the proposed plan.

Aluminum Corporation and Industrial Energy Users-Ohio (IEU-Ohio) take no position with regard to the stipulation. Additionally, AEP-Ohio filed testimony in support of its application and the stipulation on December 20, 2011.

- (3) The attorney examiner finds that, pursuant to Chapter 4901:1-39, O.A.C., the following procedural schedule should be established for these proceedings:
 - (a) Motions to intervene shall be filed by February 6, 2012. The attorney examiner notes that, while the stipulation was signed by various entities, if those entities wish to be considered signatory parties for purposes of these cases, they will need to file a motion for intervention, if they have not already done so.
 - (b) Any testimony on behalf of intervenors and Staff shall be filed by February 14, 2012.
 - (c) The evidentiary hearing shall commence on February 28, 2012, at 10:00 a.m., at the offices of the Commission, 180 East Broad Street, 11th Floor, Hearing Room 11-D, Columbus, Ohio 43215-3793.
- (4) Pursuant to Rule 4901:1-39-04(E), O.A.C., AEP-Ohio should publish legal notice of the scheduled hearing in a newspaper of general circulation in each county in its service territory. Publication of the notice should be completed by February 6, 2012. The hearing notice should not appear in the legal notices section of the newspaper. The notice should read as follows:

LEGAL NOTICE

The Public Utilities Commission of Ohio (PUCO) has scheduled a hearing in Case Nos. 11-5568-EL-POR and 11-5569-EL-POR, *In the Matter of the Application of Columbus Southern Power Company and Ohio Power Company for Approval of Their Program Portfolio Plans and Request for Expedited Consideration*. The application, submitted on behalf of Columbus Southern Power Company and Ohio Power

Company, was filed pursuant to Section 4928.66 of the Ohio Revised Code and Rules 4901:1-39-04 through 07 of the Ohio Administrative Code. The application seeks PUCO approval of a proposed plan to increase energy efficiency and reduce energy usage during times of peak demand. A related stipulation and recommendation was filed by various parties. The PUCO has scheduled a hearing to consider the matters raised in the application and the stipulation and recommendation. The hearing will commence on February 28, 2012, at 10:00 a.m., at the offices of the PUCO, 180 E. Broad Street, 11th Floor, Hearing Room 11-D, Columbus, Ohio 43215-3793.

Further information may be obtained by contacting the PUCO, 180 East Broad Street, Columbus, Ohio 43215-3793; by calling the PUCO hotline at 1-800-686-7826; or by going to the PUCO website at www.puco.ohio.gov, selecting DIS, and inserting the case numbers referenced above.

- (5) On various dates, OPAE, OMA, OHA, IEU-Ohio, OEC, OCC, EnerNOC, Inc., APJN, and NRDC filed motions to intervene in these cases. No memoranda contra were filed. The attorney examiner finds that the motions to intervene are reasonable and should be granted.
- (6) In light of the timeframe for these proceedings, the attorney examiner requires that, in the event that any motion is made in these proceedings, any memorandum contra shall be filed within three business days after the service of such motion, and a reply memorandum to any memorandum contra will not be accepted. Parties shall provide service of pleadings via hand delivery, facsimile, or e-mail.
- (7) In addition, the attorney examiner finds that response time for discovery shall be shortened to seven days. Unless otherwise agreed to by the parties, discovery requests and replies shall be served by hand delivery, facsimile, or e-mail. An attorney serving a discovery request shall attempt to contact the attorney upon whom the discovery request will be served in advance to advise him/her that a request will be forthcoming.

It is, therefore,

ORDERED, That the procedural schedule set forth in finding (3) be observed. It is, further,

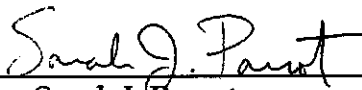
ORDERED, That AEP-Ohio comply with the legal notice requirements set forth in finding (4). It is, further,


ORDERED, That the motions to intervene filed in these proceedings be granted as set forth in finding (5). It is, further,

ORDERED, That the parties adhere to the processes established in findings (6) and (7). It is, further,

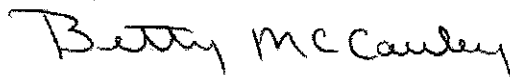
ORDERED, That a copy of this entry be served upon all parties of record in these cases and all parties of record in Case No. 09-1089-EL-POR, et al.

THE PUBLIC UTILITIES COMMISSION OF OHIO


By: Sarah J. Parrot
Attorney Examiner

 sc

Entered in the Journal
JAN 30 2012



Betty McCauley
Secretary