

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 ) Case No. 11-346-EL-SSO  
Establish a Standard Service Offer Pursuant ) Case No. 11-348-EL-SSO  
to Section 4928.143, Revised Code, in the )  
Form of an Electric Security Plan. )

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

ENTRY

The attorney examiner finds:

- (1) On March 30, 2012, Ohio Power Company (AEP-Ohio)<sup>1</sup> filed an application for a standard service offer pursuant to Section 4928.141, Revised Code. AEP-Ohio's application is for a modified electric security plan in accordance with Section 4928.143, Revised Code.
- (2) By entry issued April 2, 2012, as amended on April 11, 2012, the attorney examiner set a deadline of April 20, 2012, for filing motions to intervene in these matters, and scheduled the evidentiary hearing to commence on May 14, 2012.
- (3) Timely motions to intervene were filed by the following parties:
  - Interstate Gas Supply, Inc.
  - The Ohio Association of School Business Officials, The Ohio School Boards Association, The Buckeye Association of School Administrators, and The Ohio Schools Council

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<sup>1</sup> By entry issued on March 7, 2012, the Commission approved and confirmed the merger of Columbus Southern Power Company into Ohio Power Company, effective December 31, 2011. *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.

- The Ohio Farm Bureau Federation
- Ohio Restaurant Association
- Duke Energy Ohio, Inc.
- Duke Energy Commercial Asset Management, Inc.
- Direct Energy Services, LLC and Direct Energy Business, LLC
- The Ohio Automobile Dealers Association
- The Dayton Power and Light Company
- The Ohio Chapter of the National Federation of Independent Business
- Ohio Construction Materials Coalition
- Council of Smaller Enterprises
- Border Energy Electric Services, Inc.
- University of Toledo Innovation Enterprises Corporation
- Summit Ethanol, LLC d/b/a POET Biorefining-Leipsic and Fostoria Ethanol, LLC d/b/a POET Biorefining-Fostoria
- City of Upper Arlington, Ohio
- Ohio Business Council for a Clean Economy
- IBEW Local Union 1466
- City of Hillsboro, Ohio
- CPV Power Development, Inc.

- (4) All of the above listed motions to intervene assert a real and substantial interest that is not represented by another party in these matters. Further, each motion provides that the disposition of these proceedings may impair or impede the party's ability to protect that interest. No party filed a memorandum contra any of the motions to intervene. The attorney examiner finds that all of the motions to intervene are reasonable and should be granted.
- (5) Motions for admission *pro hac vice* were filed on behalf of Dan Barnowski, representing Ormet Primary Aluminum Corporation, Larry F. Eisenstat, Robert Burke, and Richard Lehfeldt, representing CPV Power Development. No memorandum contra the motions for admission *pro hac vice* were filed. The attorney examiner finds that the motions for admission *pro hac vice* are reasonable and should be granted.
- (6) In light of the fact that there are a significant number of parties in these proceedings and in order to ensure the evidentiary hearing proceeds in an orderly and expeditious manner, as set forth in Rule 4901-1-27(B)(7)(d), Ohio Administrative Code (O.A.C.), the attorney examiner finds that in the event any motion to strike witness testimony is made, all such motions should be made in writing and docketed. Accordingly, any motions to strike AEP-Ohio witness testimony shall be filed by May 4, 2012, and any memorandum contra should be filed by May 9, 2012. Any motions to strike Intervenor or Staff testimony shall be filed by May 11, 2012, and any memorandum contra should be filed by May 16, 2012. Further, no replies to memoranda contra will be permitted.
- (7) In addition, pursuant to Rule 4901-1-26(A)(3), O.A.C., parties attending the prehearing conference scheduled for May 7, 2012, shall be prepared to identify any witness that may testify in the evidentiary hearing, provide the subject matter of any witness testimony, and indicate dates on which the witness is unavailable to testify.

It is, therefore,

ORDERED, That the motions to intervene filed by various parties be granted in accordance with Findings (3) and (4). It is, further,

ORDERED, That the motions for admission *pro hac vice* filed by various individuals be granted in accordance with Finding (5). It is, further,

ORDERED, That the parties comply with the directives set forth in Findings (6) and (7). It is, further,

ORDERED, That a copy of this entry be served upon each party of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

  
By: Jonathan J. Tauber  
Attorney Examiner

M/sc

Entered in the Journal

**APR 26 2012**



Barcy F. McNeal  
Secretary