

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of)	
Ohio Power Company for Approval)	Case No. 12-1126-EL-UNC
of Full Legal Corporate Separation)	
and Amendment to Its Corporate)	
Separation Plan)	

REPLY OF INDUSTRIAL ENERGY USERS-OHIO

Samuel C. Randazzo (Counsel of Record)
Frank P. Darr
Joseph E. Olikier
Matthew R. Pritchard
MCNEES WALLACE & NURICK LLC
21 East State Street, 17TH Floor
Columbus, OH 43215
Telephone: (614) 469-8000
Telecopier: (614) 469-4653
sam@mwncmh.com
fdarr@mwncmh.com
joliker@mwncmh.com
mpritchard@mwncmh.com

August 3, 2012

Attorneys for Industrial Energy Users-Ohio

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of)	
Ohio Power Company for Approval)	Case No. 12-1126-EL-UNC
of Full Legal Corporate Separation)	
and Amendment to Its Corporate)	
Separation Plan)	

REPLY OF INDUSTRIAL ENERGY USERS-OHIO

On March 30, 2012, Ohio Power Company (“OP”)¹ filed with the Public Utilities Commission of Ohio (“Commission”) an Application for Approval of Full Legal Corporate Separation and Amendment to Its Corporate Separation Plan (“Application”). On July 9, 2012, the Commission issued an Entry requesting that Intervenors submit Objections to the Application.

On July 27, 2012, the Office of the Ohio Consumers’ Counsel (“OCC”), FirstEnergy Solutions Corp. (“FES”), Ohio Manufacturers Association Energy Group (“OMAEG”), the Kroger Company (“Kroger”), Commission Staff, and Industrial Energy Users of Ohio (“IEU-Ohio”) submitted Objections. The Objections hold a common theme: The Application fails to provide the information required by the Commission’s rules, where information is provided it conflicts with the statutory and rule requirements, and the Application fails to satisfy the burden of demonstrating that the generating asset transfer is just, reasonable, and in the public interest.

¹ As a result of a merger, OP includes the operations of Ohio Power Company and Columbus Southern Power Company (“CSP”) which are presently separate divisions within the OP structure.

Accordingly, because OP's Application is substantially inadequate, the Commission should reject it and require OP to refile² an application that complies with the statutory requirements and the Commission's rules. At a minimum, the Commission should require OP to provide the information required by the Commission's rules and set the Application for hearing.

Respectfully submitted,

/s/ Joseph E. Olier

Samuel C. Randazzo (Counsel of Record)

Frank P. Darr

Joseph E. Olier

Matthew R. Pritchard

MCNEES WALLACE & NURICK LLC

21 East State Street, 17TH Floor

Columbus, OH 43215

Telephone: (614) 469-8000

Telecopier: (614) 469-4653

sam@mwncmh.com

fdarr@mwncmh.com

joliker@mwncmh.com

mpritchard@mwncmh.com

Attorneys for Industrial Energy Users-Ohio

² Section 4928.17(B), Revised Code.

Certificate of Service

I hereby certify that a copy of the foregoing *Reply of Industrial Energy Users-Ohio*, was served upon the following parties of record this 3rd day of August, 2012, via electronic transmission, hand-delivery or first class U.S. mail, postage prepaid.

/s/ Joseph E. Olikier

Joseph E. Olikier

Steven T. Nourse
Matthew J. Satterwhite
American Electric Power Service
Corporation
1 Riverside Plaza, 29th Floor
Columbus, OH 43215
stnourse@aep.com
mjsatterwhite@aep.com

COUNSEL FOR OHIO POWER COMPANY

Maureen R. Grady, Counsel of Record
Assistant Consumers' Counsel
Office of the Ohio Consumers' Counsel
10 West Broad Street, Suite 1800
Columbus, OH 43215-3485
grady@occ.state.oh.us

COUNSEL FOR OFFICE OF THE OHIO CONSUMERS' COUNSEL

Amy B. Spiller, Counsel of Record
Deputy General Counsel
Jeanne W. Kingery
Associate General Counsel
139 E. Fourth Street, 1303-Main
PO Box 961
Cincinnati, OH 45201-0960
Amy.Spiller@duke-energy.com
Jeanne.Kingery@duke-energy.com

COUNSEL FOR DUKE ENERGY RETAIL SALES, LLC AND DUKE ENERGY COMMERCIAL ASSET MANAGEMENT, INC.

Mark A. Hayden
FirstEnergy Service Company
76 South Main Street
Akron, OH 44308
haydenm@firstenergycorp.com

James F. Lang
Laura C. McBride
N. Trevor Alexander (0080713)
Calfee, Halter & Griswold, LLP
1400 KeyBank Center
800 Superior Ave.
Cleveland, OH 44114
jlang@calfee.com
lmcbride@calfee.com
tallexander@calfee.com

David A. Kutik
Allison E. Haedt
Jones Day
901 Lakeside Avenue
Cleveland, OH 44114
dakutik@jonesday.com
aehaedt@jonesday.com

COUNSEL FOR FIRSTENERGY SOLUTIONS CORP.

Robert A. McMahon, Counsel of Record
Eberly McMahon LLC
2321 Kemper Lane, Suite 100
Cincinnati, OH 45206
BMcMahon@emh-law.com

Rocco D'Ascenzo
Associate General Counsel
Elizabeth Watts
Associate General Counsel
139 E. Fourth Street, 1303-Main
Cincinnati, OH 45202
Elizabeth.Watts@duke-energy.com
Rocco.D'Ascenzo@duke-energy.com

COUNSEL FOR DUKE ENERGY OHIO, INC.

Michael L. Kurtz
David F. Boehm
Jody M. Kyler
Boehm, Kurtz & Lowry
36 East Seventh Street, Suite 1510
Cincinnati, OH 45202
dboehm@BKLawfirm.com
mkurtz@BKLawfirm.com
jklyer@BKLawfirm.com

COUNSEL FOR OHIO ENERGY GROUP

Joseph M. Clark
Manager, Government and Regulatory
Affairs
Direct Energy Services, LLC
6641 North High Street, Suite 200
Worthington, OH 43085
Joseph.Clark@directenergy.com

**COUNSEL FOR DIRECT ENERGY SERVICES,
LLC AND DIRECT ENERGY BUSINESS, LLC**

Kurt P. Helfrich
Ann B. Zallocco
Thompson Hine LLP
41 South High Street, Suite 1700
Columbus, OH 43215-6101
Kurt.Helfrich@ThompsonHine.com
Ann.Zallocco@ThompsonHine.com

COUNSEL FOR BUCKEYE POWER, INC.

Lisa G. McAlister, Counsel of Record
Matthew W. Warnock
J. Thomas Siwo
Bricker & Eckler LLP
100 South Third Street
Columbus, OH 43215-4291
lmcalister@bricker.com
mwarnock@bricker.com
tsiwo@bricker.com

COUNSEL FOR THE OMA ENERGY GROUP

Richard L. Sites
General Counsel & Senior Director of
Health Policy
Ohio Hospital Association
155 East Broad Street, 15th Floor
Columbus, OH 43215-3620
ricks@ohanet.org

Thomas J. O'Brien
Bricker & Eckler LLP
100 South Third Street
Columbus, OH 43215-4291
tobrien@bricker.com

**COUNSEL FOR THE OHIO HOSPITAL
ASSOCIATION**

M. Howard Petricoff
Stephen M. Howard
Vorys, Sater, Seymour and Pease LLP
52 East Gay Street
PO Box 1008
Columbus OH 43216-1008
mhpetricoff@vorys.com
smhoward@vorys.com

Stephen Bennett
Retail Policy Manager
Exelon Generation Company, LLC
300 Exelon Way
Kennett Square, PA 19348
Stephen.bennett@exeloncorp.com

David M. Stahl
Eimer Stahl Klevorn & Solberg LLP
224 S. Michigan Avenue, Suite 1100
Chicago, IL 60604
dstahl@eimerstahl.com

David I. Fein
Vice President, State Government Affairs-
East
Exelon Corporation
550 West Washington, Blvd., Suite 300
Chicago, IL 60661
david.fein@constellation.com

Cynthia Brady
Senior Counsel
Constellation Energy Resources, LLC
550 West Washington, Blvd., Suite 300
Chicago, IL 60661
cynthia.brady@constellation.com

**COUNSEL FOR EXELON GENERATION
COMPANY, LLC AND CONSTELLATION
NEWENERGY, INC.**

Mark S. Yurick
Zachary D. Kravitz
Taft Stettinius & Hollister LLP
65 East State Street, Suite 1000
Columbus, OH 43215
myurick@taftlaw.com
zkravitz@taftlaw.com

COUNSEL FOR THE KROGER CO.

William Wright
Assistant Attorney General
Chief, Public Utilities Section
180 E. Broad Street, 6th Floor
Columbus, OH 43215-3793
william.wright@puc.state.oh.us

**COUNSEL FOR THE STAFF OF THE PUBLIC
UTILITIES COMMISSION OF OHIO**

Sarah Parrot
Attorney Examiner
Public Utilities Commission of Ohio
180 East Broad Street, 12th Floor
Columbus, OH 43215
Sarah.Parrot@puc.state.oh.us

ATTORNEY EXAMINER

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

8/3/2012 4:22:47 PM

in

Case No(s). 12-1126-EL-UNC

Summary: Reply of Industrial Energy Users-Ohio electronically filed by Mr. Joseph E. Oliker
on behalf of Industrial Energy Users-Ohio