

BOEHM, KURTZ & LOWRY

ATTORNEYS AT LAW
36 EAST SEVENTH STREET
SUITE 1510
CINCINNATI, OHIO 45202
TELEPHONE (513) 421-2255
TELECOPIER (513) 421-2764

Via E-File

September 17, 2012

Public Utilities Commission of Ohio
PUCO Docketing
180 E. Broad Street, 10th Floor
Columbus, Ohio 43215

**In re: 11-346-EL-SSO, 11-348-EL-SSO
11-349-EL-AAM, 11-350-EL-AAM**

Dear Sir/Madam:

Please find attached the MEMORANDUM CONTRA APPLICATIONS FOR REHEARING BY THE OHIO ENERGY GROUP for filing in the above-referenced matters.

Copies have been served on all parties on the attached certificate of service. Please place this document of file.

Respectfully yours,



David F. Boehm, Esq.
Michael L. Kurtz, Esq.
Kurt J. Boehm, Esq.

BOEHM, KURTZ & LOWRY

MLKkew

Encl.

Cc: ALJ Greta See, Esq. (via electronic mail)
ALJ Jonathan Tauber, Esq. (via electronic mail)
Chairman Todd A. Snitchler (via overnight mail)
Commissioner Cheryl Roberto (via overnight mail)
Commissioner Steven D. Lesser (via overnight mail)
Commissioner Andre T. Porter (via overnight mail)
Commissioner Lynn Slaby (via overnight mail)
Eric Weldele, PUCO Chief of Staff (via overnight mail)
Certificate of Service

**BEFORE THE
PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Columbus Southern	:	Case No. 11-346-EL-SSO
Power Company and Ohio Power Company for Authority to	:	Case No. 11-348-EL-SSO
Establish a Standard Service Offer Pursuant to §4928.143,	:	
Ohio Rev. Code, in the Form of an Electric Security Plan.	:	
	:	
	:	
In the Matter of the Application of Columbus Southern	:	Case No. 11-349-EL-AAM
Power Company and Ohio Power Company for Approval of	:	Case No. 11-350-EL-AAM
Certain Accounting Authority	:	

**MEMORANDUM CONTRA
APPLICATIONS FOR REHEARING
BY THE OHIO ENERGY GROUP**

David F. Boehm, Esq.
Michael L. Kurtz, Esq.
Kurt J. Boehm, Esq.
BOEHM, KURTZ & LOWRY
36 East Seventh Street, Suite 1510
Cincinnati, OH 45202
Ph: 513.421.2255 Fax: 513.421.2764
DBoehm@BKLawfirm.com
MKurtz@BKLawfirm.com
KBoehm@BKLawfirm.com

COUNSEL FOR THE OHIO ENERGY GROUP

September 17, 2012

TABLE OF CONTENTS

I.	The Commission Can Address AEP-Ohio’s Concerns Regarding the 12% Earnings Cap by Characterizing the Cap As An Electric Security Plan (“ESP”) Provision Providing Rate Stability And Certainty Pursuant To R.C. 4928.143(B)(2)(d) Rather Than A SEET Threshold.	1
II.	To Resolve The Concerns Of AEP-Ohio, FirstEnergy, OCC/APJN and OEG, The Commission Should Merge Both The Phase-In Recovery Rider Rates And The Fuel Adjustment Clause Rates For The Two AEP-Ohio Rate Zones.	3
III.	AEP-Ohio’s Position On The Boundaries Of The PJM Reliability Assurance Agreement Reinforces OEG’s Argument That The RAA Does Not Provide The Commission Authority To Hold Non-Shopping Retail Customers Responsible For The Wholesale Capacity Costs Owed To AEP-Ohio By CRES Providers.....	4
IV.	The Commission Should Uphold Its Decision Regarding The IRP-D Credit.	5
	CONCLUSION.....	6

**BEFORE THE
PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Columbus Southern	:	Case No. 11-346-EL-SSO
Power Company and Ohio Power Company for Authority to	:	Case No. 11-348-EL-SSO
Establish a Standard Service Offer Pursuant to §4928.143,	:	
Ohio Rev. Code, in the Form of an Electric Security Plan.	:	
	:	
In the Matter of the Application of Columbus Southern	:	Case No. 11-349-EL-AAM
Power Company and Ohio Power Company for Approval of	:	Case No. 11-350-EL-AAM
Certain Accounting Authority	:	

**MEMORANDUM CONTRA
APPLICATIONS FOR REHEARING
BY THE OHIO ENERGY GROUP**

Pursuant to Ohio Adm. Code 4901-1-35(B), the Ohio Energy Group (“OEG”) submits this Memorandum Contra the Applications for Rehearing filed by Ohio Power Company (“AEP-Ohio”) and the Office of the Ohio Consumers’ Counsel/Appalachian Peace and Justice Network (“OCC/APJN”) on September 7, 2012 at the Public Utilities Commission of Ohio (“Commission”). OEG’s responses to certain arguments advanced in those Applications for Rehearing are discussed below.

I. The Commission Can Address AEP-Ohio’s Concerns Regarding The 12% Earnings Cap By Characterizing The Cap As An Electric Security Plan (“ESP”) Provision Providing Rate Stability And Certainty Pursuant To R.C. 4928.143(B)(2)(d) Rather Than A SEET Threshold.

AEP-Ohio argues that the Commission should eliminate the 12% significantly excessive earnings test (“SEET”) threshold established in its August 8, 2012 Opinion and Order (“Order”), alleging that the Commission did not follow the established method in determining the threshold and

that a 12% earnings threshold is inadequate when compared to the 15% SEET threshold stipulated to by Duke Energy Ohio (“Duke”) in its ESP proceeding.¹

But the 12% (after tax) earnings cap established in the Order provides important protection for consumers and should be upheld. The pre-tax earnings cap is approximately 17%. The Commission’s 12% earnings cap helps ensure that AEP-Ohio does not reap disproportionate benefits as a result of the approved ESP components. Such a mechanism is critical in this case given the uncertainty regarding the ultimate impacts of the approved ESP. There are so many moving parts in the ESP which could affect earnings that, when combined with normal business considerations, an ROE ceiling is a wise protection. These ESP moving parts include: amount of shopping, effect of the Distribution Investment Rider, profits from off-system sales from energy freed up by shopping, amount of profit from off-system sales from energy freed up by energy-only auctions, AEP Power Pool restructuring, the transfer of the Amos and Mitchell Units to non-Ohio affiliates, amount of CRES revenue, and amount of RSR revenue. The normal business considerations which affect earnings are cost reductions from efficiencies including manpower downsizing, weather, and increases in revenue from other sources. Accordingly, the Commission should take steps to preserve the 12% (after tax) earnings threshold in this case.

To quell AEP-Ohio’s concerns regarding whether the Commission followed the established method for determining a SEET threshold, the Commission should clarify that the 12% earnings cap is an ESP provision adopted pursuant to R.C. 4928.143(B)(2)(d) rather than a formal SEET threshold. R.C. 4928.143(B)(2)(d) provides that an ESP may include terms, conditions, or charges “...as would have the effect of stabilizing or providing certainty regarding retail electric service.” A 12% earnings cap stabilizes retail rates that may otherwise fluctuate too far upward and provides certainty that AEP-Ohio will not substantially overearn as a result of the approved ESP. Hence, the Commission may

¹ AEP-Ohio Application for Rehearing at 31-34.

properly adopt a 12% earnings cap as an ESP provision, while allowing the formal SEET threshold to be adopted independently of the 12% earnings cap.

The Commission should also consider the financial impact of increasing the 12% earnings cap before making any alterations to the cap. For example, if the Commission adopted a 15% earnings threshold AEP-Ohio would have the opportunity to retain a significantly increased level of revenues. Based upon OEG witness Lane Kollen's May 4, 2012 calculation that each 100 basis points of earnings is equivalent to approximately \$69 million in revenues, the Commission's grant of a 15% earnings threshold would allow AEP-Ohio to keep an additional \$207 million in revenues.² This is a substantial sum of money that would not be refunded to consumers if the earnings cap is increased by 3%.

The Commission should preserve the 12% earnings cap, and the important protection that the cap provides consumers, by clarifying that the cap was adopted as an ESP provision pursuant to R.C. 4928.143(B)(2)(d) rather than as a formal SEET threshold.

II. To Resolve The Concerns Of AEP-Ohio, FirstEnergy, OCC/APJN and OEG, The Commission Should Merge Both The Phase-In Recovery Rider Rates And The Fuel Adjustment Clause Rates For The Two AEP-Ohio Rate Zones.

AEP-Ohio believes that the Fuel Adjustment Clause ("FAC") and Phase-In Recovery Rider ("PIRR") for the Ohio Power and Columbus Southern rate zones should be merged.³ FirstEnergy advocates that the Commission should merge the FAC rates for both rate zones, rather than maintaining separate rates for each rate zone.⁴ In addition, OCC/APJN advocate that the Commission should merge the PIRR rates for both rate zones.⁵ And OEG has already noted that, if the FAC and PIRR rates are maintained separately for each rate zone, the Commission will need to conduct two separate rate zone-

² Direct Testimony of Lane Kollen at 18:6-11.

³ AEP-Ohio Initial Post Hearing Brief at 138-39 and AEP-Ohio Reply Post Hearing Brief at 109-110.

⁴ FirstEnergy Solutions Corp. Application for Rehearing at 31-33.

⁵ OCC/APJN Application for Rehearing at 78-80.

specific energy-only auctions since the “price to beat” in the Ohio Power rate zone is \$6/MWh lower than the price to beat in the Columbus Southern rate zone.⁶

A simple way for the Commission to address the concerns of AEP-Ohio, FirstEnergy, OCC/APJN and OEG is to determine that the FAC and PIRR rates should be merged immediately. Doing so would decrease administrative complexity/burden, increase efficiency, and align the structure of the FAC and PIRR rates with the other AEP-Ohio rates that were merged in this proceeding. We understand that there are pros and cons on this issue, but on balance a uniform pricing structure for all AEP-Ohio customers is superior.

III. AEP-Ohio’s Position On The Boundaries Of The PJM Reliability Assurance Agreement Reinforces OEG’s Argument That The RAA Does Not Provide The Commission Authority To Hold Non-Shopping Retail Customers Responsible For The Wholesale Capacity Costs Owed To AEP-Ohio By CRES Providers.

AEP-Ohio argues that the Order should be clarified to confirm that the state compensation mechanism established in Case No. 10-2929-EL-UNC (the “Capacity Case”) does not apply to SSO auctions or non-shopping customers in general.⁷ As part of its argument, AEP-Ohio cites the language of the PJM Reliability Assurance Agreement (“RAA”), which provides that “[i]n the case of load reflected in the FRR Capacity Plan that switches to an alternative retail LSE, *where the state regulatory jurisdiction requires switching customers or the LSE to compensate the FRR Entity for its FRR capacity obligations, such state compensation mechanism will prevail.*”⁸ AEP-Ohio states that “a [state compensation mechanism] *under the RAA has no application to non-shopping customers or retail SSO rates.*”⁹

OEG agrees with AEP-Ohio’s interpretation of the plain language of the RAA. Such an interpretation echoes arguments that OEG has repeatedly made regarding the illegality of recovering the

⁶ OEG Application for Rehearing at 6-7.

⁷ AEP-Ohio Application for Rehearing at 16-18.

⁸ AEP-Ohio Application for Rehearing at 17 (emphasis added).

⁹ AEP-Ohio Application for Rehearing at 17.

capacity costs deferred in the Capacity Case from non-shopping retail customers. In short, the plain language of the RAA does not provide the Commission authority to impose charges for the deferred capacity costs established under the state compensation mechanism upon AEP-Ohio's non-shopping retail customers. Consequently, the Commission's decision that AEP-Ohio must allocate \$1/MWh of the \$3.50/MWh and \$4/MWh nonbypassable Retail Stability Rider ("RSR") charges toward repayment of the capacity costs deferred is unlawful and unreasonable. The \$1/MWh of the RSR charge that is earmarked to pay AEP-Ohio part of the capacity costs owed to it by CRES providers cannot be assessed to SSO load.

Recognizing the risk that challenges to the capacity cost deferrals and the RSR, like OEG's challenge, could prevail, AEP-Ohio requests that the Commission "*provide up front that CRES providers will automatically be responsible for the full \$188.88/MW-day ... in the event that either the establishment of the capacity deferrals or the deferral recovery mechanism is reversed or vacated.*"¹⁰ There is no need to adopt AEP-Ohio's contingency recommendation if the Commission requires CRES providers to now pay the full \$188.88/MW-day during AEP-Ohio's Fixed Resource Requirement period. Such an approach is consistent with the plain language of the RAA, and avoids the need to establish any contingency or deferral mechanism. This approach is also economically rational since it merely requires CRES providers to pay for the capacity they use.

IV. The Commission Should Uphold Its Decision Regarding The IRP-D Credit.

Citing provisions of the Stipulation and Recommendation in AEP-Ohio's last energy efficiency/peak demand reduction portfolio case ("EE/PDR Stipulation"),¹¹ OCC/APJN argue that costs related to the Rider IRP-D interruptible credit should not be collected from residential customers.¹² But

¹⁰ AEP-Ohio Application for Rehearing at 26.

¹¹ Case No. 11-5568-EL-POR.

¹² OCC/APJN Application for Rehearing at 113-114.

the interruptible credit adopted under Rider IRP-D is a new credit established in this proceeding and therefore is not governed by the EE/PDR Stipulation. The EE/PDR Stipulation is only applicable to programs and costs which were the subject of the Stipulation. Accordingly, the Commission acted lawfully and reasonably in deciding to approve the Rider IRP-D credit and the associated cost recovery mechanism.

CONCLUSION

WHEREFORE, for the foregoing reasons, the Commission should adopt OEG's recommendations in this proceeding.

Respectfully Submitted,



David F. Boehm, Esq.

Michael L. Kurtz, Esq.

Kurt J. Boehm, Esq.

BOEHM, KURTZ & LOWRY

36 East Seventh Street, Suite 1510

Cincinnati, OH 45202

Ph: 513.421.2255 Fax: 513.421.2764

DBoehm@BKLawfirm.com

MKurtz@BKLawfirm.com

KBoehm@BKLawfirm.com

September 17, 2012

COUNSEL FOR THE OHIO ENERGY GROUP

CERTIFICATE OF SERVICE

I hereby certify that true copy of the foregoing was served by electronic mail (when available) or ordinary mail, unless otherwise noted, this 17th day of September, 2012 the following:



David F. Boehm, Esq.
Michael L. Kurtz, Esq.
Kurt J. Boehm, Esq.

JOE HAMROCK
1 RIVERSIDE PLAZA 29TH FL
COLUMBUS OH 43215

APPALACHIAN PEACE AND JUSTICE NETWORK, C/O
MICHAEL SMALZ OHIO POVERTY LAW CENTER
555 BUTTLES AVENUE
COLUMBUS OH 43215

COLUMBUS SOUTHERN POWER COMPANY
1 RIVERSIDE PLAZA
COLUMBUS OH 43215

OHIO POWER COMPANY
LEGAL DEPARTMENT
1 RIVERSIDE PLAZA
COLUMBUS OH 43215

MONTGOMERY, CHRISTOPHER
BRICKER & ECKLER LLP
100 SOUTH THIRD STREET
COLUMBUS OH 43215

MEYER, DAVID A
ONE EAST FOURTH STREET SUITE 1400
CINCINNATI OH 45202

KREIDER, KENNETH P.
KEATING, MUETHING & KLEKAMP PLL
ONE EAST FOURTH STREET, SUITE 1400
CINCINNATI OH 45202

ECKHART, HENRY W.
1200 CHAMBERS ROAD STE 106
COLUMBUS OH 43212

RODRIGUEZ, JESSE A ATTORNEY
300 EXELON WAY

SATTERWHITE, MATTHEW
1 RIVERSIDE PLAZA 29TH FLOOR
COLUMBUS OH 43215

SMALZ, MICHAEL ATTORNEY AT LAW
OHIO STATE LEGAL SERVICE ASSOC.
555 BUTTLES AVENUE
COLUMBUS OH 43215-1137

NOURSE, STEVEN T. MR.
AMERICAN ELECTRIC POWER
1 RIVERSIDE PLAZA
COLUMBUS OH 43215

BONNER, DOUGLAS G. ATTORNEY
SONNENSCHN NATH & ROSENTHAL LLP
1301 K STREET, N.W., SUITE 600, EAST TOWER
WASHINGTON, D.C. 20005

HAND, EMMA F
SONNENSCHN NATH & ROSENTHAL LLP
1301 K STREET NW SUITE 600 EAST TOWER
WASHINGTON DC 20005

HAND, EMMA F
SONNENSCHN NATH & ROSENTHAL LLP
1301 K STREET NW SUITE 600 EAST TOWER
WASHINGTON DC 20005

*FLAHIVE, CAROLYN S
THOMPSON HINE LLP
41 SOUTH HIGH STREET SUITE 1700
COLUMBUS OH 43215-6101

ALEXANDER, N TREVOR
CALFEE HALTER & GRISWOLD LLP
1100 FIFTH THIRD CENTER 21 EAST STATE STREET
COLUMBUS OH 43215-4243

DARR, FRANK P. ATTORNEY AT LAW
MCNEES WALLACE & NURICK LLC

KENNETT SQUARE PA 19348

21 EAST STATE STREET, 17TH FLOOR
COLUMBUS OH 43215-422

GRACE, SANDY I
101 CONSTITUTION AVENUE SUITE 400 EAST
WASHINGTON DC 20001

HAEDT, ALLISON E. ATTORNEY AT LAW
JONES DAY
325 JOHN H. MCCONNELL BLVD., SUITE 600
COLUMBUS OH 43215-2673

ALLWEIN, CHRISTOPHER J
1373 GRANDVIEW AVE SUITE 212
COLUMBUS OH 43212

*MOSER, NOLAN M MR.
THE OHIO ENVIRONMENTAL COUNCIL
1207 GRANDVIEW AVE.
COLUMBUS OH 43212-3449

O'BRIEN, THOMAS
BRICKER & ECKLER LLP
100 SOUTH THIRD STREET
COLUMBUS OH 43215-4291

*SANTARELLI, TARA
ENVIRONMENTAL LAW & POLICY CENTER
1207 GRANDVIEW AVE., STE. 201
COLUMBUS OH 43212

MEBANE, TERRANCE A
THOMPSON HINE LLP
41 S. HIGH STREET SUITE 1700
COLUMBUS OH 43215

*DUFFER, JENNIFER MRS.
ARMSTRONG & OKEY, INC.
222 EAST TOWN STREET 2ND FLOOR
COLUMBUS OH 43215

SMITH, HOLLY RACHEL
KEATING MUETHING & KLEKAMP PLL
HITT BUSINESS CENTER 3803 RECTORTOWN ROAD
MARSHALL VA 20115

MEBANE, TERRANCE A
THOMPSON HINE LLP
41 S. HIGH STREET SUITE 1700
COLUMBUS OH 43215

FISK, SHANNON
2 NORTH RIVERSIDE PLAZA SUITE 2250
CHICAGO IL 60606

ROYER, BARTH E
BELL & ROYER CO LPA
33 SOUTH GRANT AVENUE
COLUMBUS OH 43215-3927

*KALEPS-CLARK, LIJA K MS.
VORYS, SATER, SEYMOUR AND PEASE
52 E. GAY ST. PO BOX 1008
COLUMBUS OH 43216

O'DONNELL, TERRENCE ATTORNEY
BRICKER & ECKLER LLP
100 SOUTH THIRD STREET
COLUMBUS OH 43215

*RANDAZZO, SAMUEL C. MR.
MCNEES WALLACE & NURICK LLC
21 E. STATE STREET, 17TH FLOOR
COLUMBUS OH 43215

*KALEPS-CLARK, LIJA K MS.
VORYS, SATER, SEYMOUR AND PEASE
52 E. GAY ST. PO BOX 1008
COLUMBUS OH 43216

*SATTERWHITE, MATTHEW J MR.
AMERICAN ELECTRIC POWER SERVICE CORPORATION
1 RIVERSIDE PLAZA, 29TH FLOOR
COLUMBUS OH 43215

*KUTIK, DAVID A MR.
JONES DAY
901 LAKESIDE AVENUE
CLEVELAND OH 44114

LAWRENCE ECONOMIC DEVELOPMENT CORPORATION
BILL DINGUS

HAQUE, ASIM Z
250 WEST STREET

P.O. BOX 488
SOUTH POINT OH 45680-0488

AMERICAN ELECTRIC POWER SERVICE CORPORATION
1 RIVERSIDE PLAZA, 29TH FLOOR
COLUMBUS OH 43215-2373

ASSOCIATION OF INDEPENDENT COLLEGES AND
UNIVERSITIES OF OHIO
41 S. HIGH STREET, SUITE 2720
COLUMBUS OH 43215-6152

CITY OF GROVE CITY
CHRISTOPHER L. MILLER, AT
250 WEST STREET
COLUMBUS OH 43215

COMPETE COALITION
1317 F. STREET NW SUITE 600
WASHINGTON DC 20004

CONSTELLATION ENERGY COMMODITIES GROUP, INC.
M.H. PETRICOFF, ATTORNEY
52 EAST GAY STREET P O BOX 1008
COLUMBUS OH 43216-1008

CONSTELLATION NEWENERGY INC
SENIOR COUNSEL
CYNTHIA FONNER BRADY
550 W WASHINGTON STREET SUITE 300
CHICAGO IL 60661

DOMINION RETAIL INC
ASSISTANT GENERAL COUNSEL
GARY A JEFFRIES
501 MARTINDALE STREET SUITE 400
PITTSBURGH PA 15212

DUKE ENERGY RETAIL SERVICES, LLC
DOROTHY K CORBETT
139 E. FORTH STREET, 1303
CINCINNATI OH 45202

ENERNOC INC
101 FEDERAL STREET SUITE 1100
BOSTON MA 02110

ENVIRONMENTAL LAW & POLICY CENTER
35 E. WACKER DR STE 1600

COLUMBUS OH 43215

JADWIN, JAY E COUNSEL OF RECORD
AMERICAN ELECTRIC POWER SERVICE CORPORATION
1 RIVERSIDE PLAZA, 29TH FLOOR
COLUMBUS OH 43215

MILLER, CHRISTOPHER L
SCHOTTENSTEIN, ZOX AND DUNN CO LPA
250 WEST STREET
COLUMBUS OH 43215

CITY OF HILLIARD
CHRIS MILLER, ATTORNEY
SCHOTTENSTEIN, ZOX & DUNN CO., LPA
250 WEST STREET
COLUMBUS OH 43215

MASSEY, WILLIAM L
COVINGTON & BURLING LLP
1201 PENNSYLVANIA AVENUE, NW
WASHINGTON DC 20004-2401

ANTONS, LEO
1237 CISLER DR
MARIETTA OH 45750

*PETRICOFF, M HOWARD
VORYS SATER SEYMOUR AND PEASE LLP
52 E. GAY STREET P.O. BOX 1008
COLUMBUS OH 43216-1008

ROYER, BARTH E
BELL & ROYER CO LPA
33 SOUTH GRANT AVENUE
COLUMBUS OH 43215-3927

SPILLER, AMY
DUKE ENERGY OHIO
139 E. FOURTH STREET, 1303-MAIN P O BOX 961
CINCINNATI OH 45201-0960

POULOS, GREGORY J ATTORNEY
OHIO CONSUMERS' COUNSEL
10 WEST BROAD ST. SUITE 1800
COLUMBUS OH 43215-3485

*SANTARELLI, TARA
ENVIRONMENTAL LAW & POLICY CENTER
1207 GRANDVIEW AVE., STE. 201

CHICAGO IL 60601-2206

ENVIRONMENTAL LAW AND POLICY CENTER
TARA SANTARELLI
1207 GRANDVIEW AVE, SUITE 201
COLUMBUS OH 43212

FIRSTENERGY SOLUTIONS CORP MANAGER MARKET
INTELLIGENCE
LOUIS M D'ALESSANDRIS
341 WHITE POND DRIVE
AKRON OH 44320

KROGER COMPANY, THE
MR. DENIS GEORGE 1014 VINE STREET-GO7
CINCINNATI OH 45202-1100

OHIO ENVIRONMENTAL COUNCIL
1207 GRANDVIEW AVE. SUITE 201
COLUMBUS OH 43212-3449

OHIO MANUFACTURERS' ASSOCIATION
33 N HIGH STREET
COLUMBUS OH 43215

OHIO PARTNERS FOR AFFORDABLE ENERGY
RINEBOLT DAVID C
231 WEST LIMA ST. PO BOX 1793
FINDLAY OH 45839-1793

ORMET PRIMARY ALUMINUM CORP.
P.O. BOX 176
HANNIBAL OH 43931

PAULDING WIND FARM LLC
STEVE HOWARD, ATTY
52 EAST GAY ST. P O BOX 1008
COLUMBUS OH 43215

RETAIL ENERGY SUPPLY ASSOCIATION (RESA)
STEPHEN HOWARD
52 E. GAY ST.
COLUMBUS OH 43215

THE PJM POWER PROVIDERS GROUP
STEPHEN HOWARD, ATTORNEY
52 EAST GAY STREET P O BOX 1008
COLUMBUS OH 43216-1008

COLUMBUS OH 43212

EXELON GENERATION COMPANY LLC
SANDY I. GRACE, ATTY
101 CONSTITUTION AVE N.W. SUITE 400 EAST
WASHINGTON DC 200001

*HAYDEN, MARK A MR.
FIRSTENERGY CORP
76 SOUTH MAIN STREET
AKRON OH 44308

*YURICK, MARK
CHESTER WILLCOX & SAXBE LLP
65 E. STATE STREET SUITE 1000
COLUMBUS OH 43215

*DOUGHERTY, TRENT A MR.
OHIO ENVIRONMENTAL COUNCIL
1207 GRANDVIEW AVE. SUITE 201
COLUMBUS OH 43212

MCALISTER, LISA G
BRICKER & ECKLER
100 SOUTH THIRD STREET
COLUMBUS OH 43215-4291

MOONEY, COLLEEN
231 WEST LIMA STREET
FINDLAY OH 45840

HAND, EMMA F
SONNENSCHN NATH & ROSENTHAL LLP
1301 K STREET NW SUITE 600 EAST TOWER
WASHINGTON DC 20005

MONTGOMERY, CHRISTOPHER
BRICKER & ECKLER LLP
100 SOUTH THIRD STREET
COLUMBUS OH 43215

THE DISTRIBUTED WIND ENERGY ASSOCIATION
TERRENCE O'DONNELL
100 SOUTH THIRD STREET
COLUMBUS OH 43215-4291

WAL-MART STORES EAST, LP AND SAM'S EAST, INC
KENNETH KREIDER, ATTORNEY
ONE EAST FOURTH STREET SUITE 1400
CINCINNATI OH 45202

AEP RETAIL ENERGY PARTNERS LLC
ANNE M. VOGEL
1 RIVERSIDE PLAZA, 29TH FLOOR
COLUMBUS OH 43215

ASSOCIATION OF INDEPENDENT COLLEGES AND
UNIVERSITIES OF OHIO
41 S. HIGH STREET, SUITE 2720
COLUMBUS OH 43215-6152

INDUSTRIAL ENERGY USERS OF OHIO GENERAL
COUNSEL
SAMUEL C RANDAZZO
21 EAST STATE STREET, 17TH FLOOR
COLUMBUS OH 43215

MEIGS COUNTY COMMISSIONERS
MICHAEL DAVENPORT, PRESIDENT
100 EAST SECOND STREET
POMEROY OH 45769

OHIO CONSUMERS' COUNSEL
10 W. BROAD STREET SUITE 1800
COLUMBUS OH 43215-3485

TUSCARAWAS COUNTY
330 UNIVERSITY DRIVE NE
NEW PHILADELPHIA OH 44663

UNITED WAY OF JEFFERSON COUNTY
501 WASHINGTON STREET
P.O. BOX 1463
STEUBENVILLE OH 43952

WHITE, SCOTT MR.
INTERSTATE GAS SUPPLY, INC.
6100 EMERALD PKWY
DUBLIN OH 43016

JADWIN, JAY E
AEP
155 W NATIONWIDE BLVD SUITE 500
COLUMBUS OH 43215

JONES, C. TODD GENERAL COUNSEL
SCHOTTENSTEIN ZOX & DUNN CO LPA
250 WEST STREET
COLUMBUS OH 43215

OLIKER, JOSEPH E ATTORNEY
MCNEE WALLACE & NURICK LLC
21 EAST STATE STREET, 17TH FLOOR
COLUMBUS OHIO 43215

KRAVITZ, ZACHARY D.
CHESTER, WILCOX & SAXBE, LLP
65 EAST STATE STREET, STE 1000
COLUMBUS OH 43215

ETTER, TERRY
OHIO CONSUMERS' COUNSEL
10 W. BROAD STREET SUITE 1800
COLUMBUS OH 43215

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

9/17/2012 5:11:39 PM

in

Case No(s). 11-0346-EL-SSO, 11-0348-EL-SSO, 11-0349-EL-AAM, 11-0350-EL-AAM

Summary: Memorandum Ohio Energy Group's (OEG) Memorandum Contra Applications for Rehearing electronically filed by Mr. Michael L. Kurtz on behalf of Ohio Energy Group