

**Before
THE SUPREME COURT OF OHIO**

Ohio Power Company
Industrial Energy Users-Ohio
Ohio Consumer's Counsel

Appellant,

VS

The Public Utilities Commission
of Ohio

Appellee.

Supreme Court No. 12-2008


**Being Before
THE PUBLIC UTILITIES COMMISSION OF OHIO**

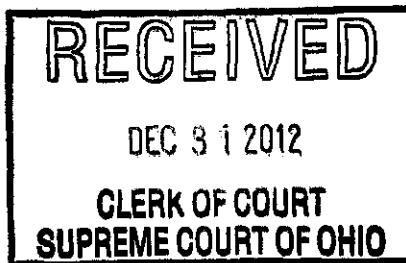
In the matter of the application of Columbus
Southern Power Company for approval
of a mechanism to recover deferred fuel
costs ordered under Ohio Revised Code
4928.144

Case No. 11-4920-EL-RDR

In the matter of the application of Ohio
Power Company for approval of a mechanism
to recover deferred fuel costs ordered under
Ohio Revised Code 4928.144.

Case No. 11-4921-EL-RDR

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| <u>11/10/2011</u> | Brief Exelon Generation Company, LLC's Initial Post-Hearing Brief in Support of the Stipulated Electric Security Plan Provided in the Stipulation and Recommendation Filed September 7, 2011 electronically filed by M HOWARD PETRICOFF on behalf of Exelon Generation Company, LLC. | 98 |
| <u>11/10/2011</u> | Brief Retail Energy Supply Association's Post-Hearing Brief in Support of the Stipulated Electric Security Plan Provided in the Stipulation and Recommendation Filed September 7, 2011 electronically filed by M HOWARD PETRICOFF on behalf of Retail Energy Supply Association. | 99 |
| <u>11/10/2011</u> | Initial Trial Brief of Constellation NewEnergy, Inc. and Constellation Energy Commodities Group, Inc. electronically filed by M HOWARD PETRICOFF on behalf of Constellation Energy Commodities Group, Inc. and Constellation NewEnergy, Inc. | 100 |
| <u>11/10/2011</u> | Initial Post-Hearing Brief by the Office of the Ohio Consumers' Counsel, the Appalachian Peace and Justice Network and Ohio Partners for Affordable Energy electronically filed by Ms. Deb J. Bingham on behalf of Etter, Terry L. | 101 |
| <u>11/10/2011</u> | Initial Brief of Industrial Energy Users-Ohio electronically filed by Mr. Frank P. Darr on behalf of Industrial Energy Users-Ohio. | 102 |
| <u>11/10/2011</u> | Post-Hearing Brief of FirstEnergy Solutions Corp. -- public version electronically filed by Ms. Laura C. McBride on behalf of FirstEnergy Solutions Corp.. | 103 |
| <u>11/10/2011</u> | Initial brief of Ormet Primary Aluminum corporation filed by E. Hand. | 104 |
| <u>11/10/2011</u> | FirstEnergy Solutions Corp.'s motion for protective order filed by N. T. Alexander. | 105 |

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| <u>11/15/2011</u> | Motion to strike of Ormet Primary Aluminum Corporation filed by E. Hand. (FAX) | 106 |
| <u>11/15/2011</u> | Memorandum in support of Ormet Primary Aluminum Corporation filed by E. Hand. (FAX) | 107 |
| <u>11/16/2011</u> | Motion to strike and memorandum in support of Ormet Primary Aluminum Corporation filed by E. Hand. (original) | 108 |
| <u>11/17/2011</u> | Letter regarding the identification of the riders associated with the proposed AEP-Ohio rate increase filed by consumer, K. Ashley. | 109 |
| <u>11/17/2011</u> | Notice of withdrawal of Ohio Partners for Affordable Energy. electronically filed by Mr. David C Rinebolt on behalf of Ohio Partners for Affordable Energy. | 110 |
| <u>11/18/2011</u> | Joint Reply Brief of the Undersigned Signatory Parties electronically filed by Mr. Steven T Nourse on behalf of Ohio Energy Group and OMA Energy Group and Duke Energy Retail Sales, LLC and Ohio Hospital Association and AEP Retail Energy Partners, LLC and Environmental Law & Policy Center and Counsel for the Association of Independent Colleges and Universities of Ohio and City of Grove City and City of Hilliard and EnerNOC, Inc. and Ohio Environmental Council and Paulding Wind Farm, LLC and Natural Resources Defense Council and The Kroger Company and Ohio Power Company and Columbus Southern Power Company. | 111 |
| <u>11/18/2011</u> | Brief Post-Hearing Reply Brief by the Office of the Ohio Consumers' Counsel and the Appalachian Peace and Justice Network electronically filed by Ms. Deb J. Bingham on behalf of Etter, Terry L. | 112 |
| <u>11/18/2011</u> | Reply Brief in Support of the Stipulated Electric Security Plan Provided in the Stipulation and Recommendation Filed September 7, 2011 electronically filed by M HOWARD PETRICOFF on behalf of Retail Energy Supply Association. | 113 |

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| <u>11/18/2011</u> | Reply Brief of FirstEnergy Solutions Corp. electronically filed by Ms. Laura C. McBride on behalf of FirstEnergy Solutions Corp. | 114 |
| <u>11/18/2011</u> | Reply Brief of Industrial Energy Users-Ohio electronically filed by Mr. Frank P Darr on behalf of Industrial Energy Users-Ohio. | 115 |
| <u>11/18/2011</u> | Reply Brief electronically filed by M HOWARD PETRICOFF on behalf of Constellation NewEnergy, Inc. and Constellation Energy Commodities Group, Inc. | 116 |
| <u>11/18/2011</u> | Reply Brief in Support of the Stipulated Electric Security Plan Provided in the Stipulation and Recommendation Filed September 7, 2011 electronically filed by M HOWARD PETRICOFF on behalf of Exelon Generation Company, LLC. | 117 |
| <u>11/18/2011</u> | Reply brief of Ormet Primary Aluminum Corporation filed by E. Hand. (FAX) | 118 |
| <u>11/18/2011</u> | Letter that CSP commits for a limited period of time not to exercise it's withdrawal rights from the Stipulation under Paragraph VI until December 2, 2011 or later, if at all electronically filed by Mr. Steven T. Nourse on behalf of American Electric Power Service Corporation. | 119 |
| <u>11/18/2011</u> | Entry that, unless otherwise ordered by the Commission, the documents identified in finding 12 be released in redacted form on November 25, 2011. (JRJ) | 120 |

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| <u>11/21/2011</u> | Joint Memorandum Contra Ormet Primary Aluminum Corporation's Motion To Strike of the Undersigned Signatory Parties electronically filed by Ms. Christen M Moore on behalf of Columbus Southern Power Company and Ohio Power Company and Ohio Energy Group and The OMA Energy Group and Duke Energy Retail Sales, LLC and AEP Retail Energy Partners LLC and Ohio Hospital Association and Environmental Law and Policy Center and Association of Independent Colleges and Universities of Ohio and City of Grove City, Ohio and City of Hilliard, Ohio and EnerNOC, Inc. and Ohio Environmental Council and Paulding Wind Farm, LLC and Natural Resources Defense Council and The Kroger Company. | 121 |
| <u>11/21/2011</u> | Reply Brief of Ormet Primary Aluminum Corporation filed by E. Hand. (original) | 122 |
| <u>11/22/2011</u> | Motion to Strike of Ormet Primary Aluminum Corporation and Memorandum in support filed by E. Hand. (FAX) | 123 |
| <u>11/23/2011</u> | Joint Application for Review through an Interlocutory Appeal of the Attorney Examiner's November 18, 2011 Entry of Columbus Southern Power Company, Ohio Power Company, the Ohio Hospital Association, and Paulding Wind Farm LLC electronically filed by Ms. Christen M Moore on behalf of Columbus Southern Power Company and Ohio Power Company and the Ohio Hospital Association and Paulding Wind Farm, LLC. | 124 |
| <u>11/23/2011</u> | Reply of Ormet Primary Aluminum Corporation to the joint memorandum contra Ormet Primary Aluminum Corporation's motion to strike of the signatory parties in this proceeding filed by E. Hand. (FAX) | 125 |
| <u>11/23/2011</u> | Motion to strike of Ormet Primary Aluminum Corporation and memorandum in support filed by E. Hand. (Original) | 126 |

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| <u>11/25/2011</u> | Entry ordering that document 92 be withheld from release on November 25, 2011 and be subject to an immediate interlocutory appeal in accordance with finding 3; that the remaining documents identified for release in the November 18, 2011 entry be released in redacted form on November 25, 2011. (JRJ) | 127 |
| <u>11/28/2011</u> | Joint Memorandum of the Undersigned Signatory Parties in Opposition to Ormet's Motion to Strike electronically filed by Mr. Steven T Nourse on behalf of Columbus Southern Power Company and Ohio Power Company. | 128 |
| <u>11/28/2011</u> | Reply of Ormet Primary Aluminum Corporation to the joint memorandum contra Ormet Primary Aluminum Corporation's motion to strike of the undersigned signatory parties filed by E. Hand. | 129 |
| <u>11/28/2011</u> | Entry nunc pro tunc that the determination in Finding 2 be complied with. (JJ) | 130 |
| <u>12/1/2011</u> | Reply of Ormet Primary Aluminum Corporation to the joint memorandum of the undersigned signatory parties in opposition to Ormet Primary Aluminum Corporation's motion to strike filed by E. Hand. (FAX) | 131 |
| <u>12/2/2011</u> | Reply of Ormet Primary Aluminum Corporation to the joint memorandum of the undersigned signatory parties in opposition to Ormet Primary Aluminum Corporation's motion to strike filed by E. Hand. (original) | 132 |
| <u>12/13/2011</u> | Entry ordering that IEU's motion to intervene be granted. (GS) | 133 |
| <u>12/14/2011</u> | Opinion and Order that the stipulation, as modified by the Commission be adopted and approved. | 134 |

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| <u>12/20/2011</u> | Motion By IEU-Ohio for an Order directing the companies to serve tariffs and supporting workpapers on the parties and for an order that new rates and charges be billed and collected subject to reconciliation, and a request for expedited ruling and memorandum in support electronically filed by Mr. Frank P Darr on behalf of Industrial Energy Users-Ohio. | 135 |
| <u>12/21/2011</u> | Entry ordering that IEU-Ohio's motion be granted in accordance with finding (6); that AEP-Ohio electronically serve its tariffs and supporting work papers on the parties of record in these proceedings on December 23, 2011. (JJT) | 136 |
| <u>12/21/2011</u> | Memorandum In Opposition to Motion of Industrial Energy Users-Ohio electronically filed by Mr. Steven T Nourse on behalf of Ohio Power Company and Columbus Southern Power Company. | 137 |
| <u>12/22/2011</u> | Revised tariff COMPLIANCE TARIFFS (PART 1 OF 3) electronically filed by Mr. Steven T Nourse on behalf of American Electric Power Service Corporation. | 138 |
| <u>12/22/2011</u> | Compliance Tariff continued (Part 2 of 3) electronically filed by Mr. Steven T Nourse on behalf of American Electric Power Service Corporation. | 139 |
| <u>12/22/2011</u> | Compliance tariff continued (Part 3 of 3) electronically filed by Mr. Steven T Nourse on behalf of American Electric Power Service Corporation. | 140 |
| <u>12/29/2011</u> | Tariff 1 of 3 - electronically filed by Mr. Steven T Nourse on behalf of Ohio Power Company and Columbus Southern Power Company. | 141 |
| <u>12/29/2011</u> | Tariff 2 of 3 - electronically filed by Mr. Steven T Nourse on behalf of Ohio Power Company and Columbus Southern Power Company. | 142 |

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| <u>12/29/2011</u> | Tariff 3 of 3 - electronically filed by Mr. Steven T Nourse on behalf of Ohio Power Company and Columbus Southern Power Company. | 143 |
| <u>12/30/2011</u> | Exhibit A to FirstEnergy Solutions Corp.'s Objection to AEP Ohio's Compliance Filing and Request for Expedited Commission Action electronically filed by Ms. Laura C. McBride on behalf of FirstEnergy Solutions Corp. | Exh. |
| <u>12/30/2011</u> | Objection to AEP Ohio's Compliance Filing and Request for Expedited Commission Action electronically filed by Ms. Laura C. McBride on behalf of FirstEnergy Solutions Corp. | 144 |
| <u>12/30/2011</u> | Motion of Industrial Energy Users-Ohio for Orders Modifying the Ohio Power Company's and Columbus Southern Power Company's Revised Implementation Plan and Request for Expedited Ruling and Supporting Memorandum in Support electronically filed by Mr. Frank P Darr on behalf of Industrial Energy Users-Ohio. | 145 |
| <u>1/4/2012</u> | Memorandum of Ohio Power Company in opposition to Industrial Energy Users, Ohio's Motion and FirstEnergy Solutions' Objections/Request for relief, electronically filed by Mr. Steven T Nourse on behalf of American Electric Power Service Corporation. | 146 |
| <u>1/11/2012</u> | Entry ordered, that the joint applicants' interlocutory appeal be denied; that document 92 be released in accordance with finding (10) unless otherwise ordered. | 147 |
| <u>1/12/2012</u> | Return mail. | 148 |
| <u>1/13/2012</u> | Application for Rehearing by the Office of the Ohio Consumers' Counsel and the Appalachian Peace and Justice Network electronically filed by Ms. Deb J. Bingham on behalf of Etter, Terry L. | 149 |

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| <u>1/13/2012</u> | Application for Rehearing of FirstEnergy Solutions Corp. electronically filed by Ms. Laura C. McBride on behalf of FirstEnergy Solutions Corp. | 150 |
| <u>1/13/2012</u> | Application for Rehearing and Memorandum in Support electronically filed by M HOWARD PETRICOFF on behalf of Retail Energy Supply Association. | 151 |
| <u>1/13/2012</u> | Application for Rehearing and memorandum in support, electronically filed by Teresa Orahood on behalf of Ohio Hospital Association. | 152 |
| <u>1/13/2012</u> | Application for Rehearing and memorandum in support electronically filed by Teresa Orahood on behalf of OMA Energy Group. | 153 |
| <u>1/13/2012</u> | Correspondence Letter to Commission advising that OEG will not file Application for Rehearing electronically filed by Mr. Michael L. Kurtz on behalf of Ohio Energy Group. | 154 |
| <u>1/13/2012</u> | Retail Energy Supply Association's Revised application for rehearing and memorandum in support filed by M.H. Petricoff. | 155 |
| <u>1/13/2012</u> | Industrial Energy Users-Ohio's application for rehearing and memorandum in support filed by F. Darr. | 156 |
| <u>1/13/2012</u> | Ormet Primary Aluminum Corporation's application for rehearing and memorandum in support filed by E. Hand. | 157 |
| <u>1/13/2012</u> | Ohio Power Company's application for rehearing and memorandum in support filed by S. Nourse. | 158 |
| <u>1/20/2012</u> | Entry ordering that unless otherwise ordered by the Commission, the documents be released in seven days in accordance with this entry. (JJ) | 159 |

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| <u>1/23/2012</u> | Memorandum in Opposition electronically filed by Mr. Steven T. Nourse on behalf of Ohio Power Company. | 160 |
| <u>1/23/2012</u> | Retail Energy Supply Association's Memorandum Contra to the Applications for Rehearing from the Office of the Ohio Consumers' Counsel, Appalachian Peace and Justice Network, FirstEnergy Solutions Corporation, and Industrial Energy Users-Ohio electronically filed by M HOWARD PETRICOFF on behalf of Retail Energy Supply Association. | 161 |
| <u>1/23/2012</u> | Memorandum Contra the Applications for Rehearing of Ohio Power Company, OMA Energy Group, The Ohio Hospital Association and Retail Energy Supply Association by the Office of the Ohio Consumers' Counsel and the Appalachian Peace and Justice Network electronically filed by Ms. Deb J. Bingham on behalf of Etter, Terry L. | 162 |
| <u>1/23/2012</u> | Memorandum Contra Applications for Rehearing electronically filed by Teresa Orahood on behalf of OMA Energy Group. | 163 |
| <u>1/23/2012</u> | Memorandum Contra the Applications for Rehearing of Ohio Power Company, the Retail Energy Supply Association, the Ohio Hospital Association and the OMA Energy Group electronically filed by Ms. Laura C. McBride on behalf of FirstEnergy Solutions Corp. | 164 |
| <u>1/23/2012</u> | Response to Application for Rehearing filed by FES and IEU electronically filed by Ms. Cathryn N. Loucas on behalf of The Ohio Environmental Council. | 165 |
| <u>1/23/2012</u> | Entry ordering AEP-Ohio revise the DIP filed December 29, 2011, to be consistent with this Entry; Concurring in part and dissenting in part opinion of Commissioner Cheryl L. Roberto. | 166 |
| <u>1/23/2012</u> | Industrial Energy Users-Ohio's memorandum contra applications for rehearing filed by F. Darr. | 167 |

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| <u>1/25/2012</u> | Motion and Request for Expedited Ruling and memorandum in support electronically filed by Mr. Steven T. Nourse on behalf of Ohio Power Company. | 168 |
| <u>1/26/2012</u> | OEG Answer in Support of Ohio Power's Motion and Request for Expedited Ruling electronically filed by Mr. Michael L. Kurtz on behalf of Ohio Energy Group. | 169 |
| <u>1/27/2012</u> | Memorandum Contra AEP Ohio's Motion and Request for Expedited Ruling electronically filed by Ms. Laura C. McBride on behalf of FirstEnergy Solutions Corp. | 170 |
| <u>1/30/2012</u> | Memorandum contra Ohio Power Company's motion and request for expedited ruling electronically filed by Mr. Joseph E. Olikier on behalf of Industrial Energy Users-Ohio. | 171 |
| <u>1/30/2012</u> | Reply of Ormet Primary Aluminum Corporation to AEP Ohio's and OMAEG's memorandum contra Ormet's application for rehearing filed by E. Hand. (FAX) | 172 |
| <u>1/31/2012</u> | Memorandum contra Ohio Power Company's motion and request for expedited ruling by the Office of the Ohio Consumers' Counsel electronically filed by Ms. Deb J. Bingham on behalf of Etter, Terry L. | 173 |
| <u>1/31/2012</u> | Reply of Ormet Primary Aluminum Corporation to AEP Ohio's and OMAEG's memoranda contra Ormet's application for rehearing filed by E. Hand. (Original) | 174 |
| <u>2/1/2012</u> | Motion to strike Ormet's reply and memorandum in support electronically filed by Mr. Steven T. Nourse on behalf of Ohio Power Company. | 175 |
| <u>2/1/2012</u> | Entry granting applications for rehearing filed by AEP-Ohio, Ormet, IEU-Ohio, RESA, OMAEG, OHA, FES, and OCC/APJN for further consideration of the matters specified in the applications for rehearing. | 176 |

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| <u>2/3/2012</u> | Entry ordering that AEP-Ohio file its revised DIP seven days after the Commission's entry on rehearing is issued, or by March 14, 2012, whichever is earliest. (JJT) | 177 |
| <u>2/3/2012</u> | Motion to Strike Reply of Ormet Primary Aluminum Corporation and memorandum in support electronically filed by Teresa Orahood on behalf of OMA Energy Group. | 178 |
| <u>2/8/2012</u> | Memorandum contra of Ormet Primary Aluminum Corporation to AEP Ohio's and OMA Energy Group's motions to strike filed by E. Hand. (FAX) | 179 |
| <u>2/9/2012</u> | Memorandum contra of Ormet Primary Aluminum Corporation to AEP Ohio's and OMA Energy Group's motions to strike filed by E. Hand and D. Bonner. (Original) | 180 |
| <u>2/10/2012</u> | Amended certificate of service filed on behalf of American Electric Power by S. Nourse. | 181 |
| <u>2/10/2012</u> | Application for rehearing and memorandum in support of Ohio Power Company filed by S. Nourse. | 182 |
| <u>2/14/2012</u> | Motion and memorandum in support to compel compliance with the Commission's Order & request for expedited ruling electronically filed by Ms. Laura C. McBride on behalf of FirstEnergy Solutions Corp. | 183 |
| <u>2/17/2012</u> | Memorandum in opposition to Ohio Power Company's application for rehearing electronically filed by Mr. Nathaniel Trevor Alexander on behalf of FirstEnergy Solutions Corp. | 184 |
| <u>2/17/2012</u> | Motion (AMENDED) to compel compliance with Commission's Order & request for expedited ruling electronically filed by Ms. Laura C. McBride on behalf of FirstEnergy Solutions Corp. | 185 |
| <u>2/17/2012</u> | Industrial Energy Users-Ohio's memorandum contra Ohio Power Company's application for rehearing filed by F. Darr. | 186 |

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| <u>2/17/2012</u> | Application for rehearing and memorandum in support filed on behalf of Industrial Energy Users-Ohio by M. Pritchard. | 187 |
| <u>2/21/2012</u> | Revised memorandum contra Ohio Power Company's application for rehearing filed by F. Darr on behalf of Industrial Energy Users-Ohio. | 188 |
| <u>2/21/2012</u> | Memorandum contra Ohio Power Company's application for rehearing and memorandum in support by the Office of the Ohio Consumers' Counsel and the Appalachian Peace and Justice Network electronically filed by Patti Mallarnee on behalf of Etter, Terry L Mr. and M. Smalz. | 189 |
| <u>2/21/2012</u> | Memorandum of the Retail Energy Supply Association in response to the second rehearing petition of Ohio Power electronically filed by M. HOWARD PETRICOFF on behalf of Retail Energy Supply Association. | 190 |
| <u>2/21/2012</u> | Memorandum contra by Ormet Primary Aluminum Corporation contra to Ohio Power Company's application for rehearing filed by E. Hand. (FAX) | 191 |
| <u>2/21/2012</u> | Memorandum in opposition electronically filed by Mr. Steven T. Nourse on behalf of American Electric Power Service Corporation. | 192 |
| <u>2/21/2012</u> | Memorandum in opposition by Ohio Power Company to, FirstEnergy Solutions Corporation's motion to compel compliance with Commission Order a & request for expedited ruling, filed by S. Nourse. | 193 |
| <u>2/21/2012</u> | Response by Ohio Energy Group in partial support of Ohio Power Company's application for rehearing filed by M. L. Kurtz. (Original) | 194 |
| <u>2/21/2012</u> | Response by Ohio Energy Group in partial support of Ohio Power Company's application for rehearing filed by M. L. Kurtz. (FAX) | 195 |

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| <u>2/21/2012</u> | Ohio Energy Group's ERRATA to response in partial support of Ohio Power Company's application for rehearing filed by Mr. Michael L. Kurtz on behalf of Ohio Energy Group. | 196 |
| <u>2/22/2012</u> | Memorandum contra filed by Ormet Primary Aluminum Corporation contra Ohio Power Company's application for rehearing filed by E. Hand. | 197 |
| <u>2/23/2012</u> | Entry ordering that the applications for rehearing filed by IEU-Ohio and FES be granted, in part and denied, in part. Further, the application for rehearing filed by AEP-Ohio, Ormet, OCC/ APJN, RESA, OHA, and OMAEG be denied; the Companies shall file proposed tariffs consistent with this order by February 28, 2012. | 198 |
| <u>2/28/2012</u> | New proposed tariffs to implement the provisions, terms and conditions of its previous electric security plan filed by S Nourse on behalf of AEP Ohio. (Part 1 of 2) | 199 |
| <u>2/28/2012</u> | New proposed tariffs continued. (Part 2 of 2) | 200 |
| <u>2/28/2012</u> | Motion to Intervene and memorandum in support filed by M.L.Thompson on behalf of Interstate Gas Supply, Inc. | 201 |
| <u>2/29/2012</u> | Tariff update in 11-346-EL-SSO et al electronically filed by Mr. Matthew J Satterwhite on behalf of Ohio Power Company. | 202 |
| <u>3/1/2012</u> | Notice update to compliance filing electronically filed by Mr. Matthew J. Satterwhite on behalf of Ohio Power Company. | 203 |
| <u>3/2/2012</u> | Objection to Ohio Power Company's Compliance Tariffs and Request to Set a Reconciliation Date electronically filed by Mr. Matthew R. Pritchard on behalf of Industrial Energy Users-Ohio. | 204 |

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| <u>3/5/2012</u> | Objection to compliance filing of AEP Ohio filed on behalf of Ormet Primary Aluminum Corporation by E. Hand. (FAX) | 205 |
| <u>3/6/2012</u> | Response to AEP's Notice of Intent by the Office of the Ohio Consumers' Counsel and Appalachian Peace and Justice Network electronically filed by D. Bingham. | 206 |
| <u>3/6/2012</u> | Reply AEP Ohio to Tariff Objections electronically filed by Mr. Steven T Nourse on behalf of American Electric Power Service Corporation. | 207 |
| <u>3/6/2012</u> | Objection to Ohio Power Company's Compliance Tariffs electronically filed by Mr. Nathaniel Trevor Alexander on behalf of FirstEnergy Solutions Corp. | 208 |
| <u>3/6/2012</u> | Objection to compliance filing of Ormet Primary Aluminum Corporation filed by E.F. Hand. | 209 |
| <u>3/6/2012</u> | Revised tariff PUCO No. 20 in cases 11-346-EL-SSO et al electronically filed by Mr. Steven T Nourse on behalf of American Electric Power Service Corporation. | 210 |
| <u>3/6/2012</u> | Motion to Reject Certain of AEP Ohio's Proposed Rates and Tariffs or, in the Alternative, Motion to Stay AEP Ohio's Collection of Phase-In Recovery Rider Rates from Customers or Motion for AEP Ohio to Collect Phase-In Recovery Rider Rate Subject to Refund by the Office of the Ohio Consumers' Counsel and Appalachian Peace and Justice Network and memorandum in support electronically filed by Ms. Deb J. Bingham on behalf of Grady, Maureen R. Ms. | 211 |

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| <u>3/7/2012</u> | Entry ordered that with the exception of the tariff for the PIRR, TCRR, and FAC, the tariffs filed on February 28, 2012, by AEP-Ohio be approved, effective for bills rendered on or after March 9, 2012; that OP file unblended TCRR and FAC rates to be effective March 9, 2012, subject to Commission review; that OP file tariff including a TCRR rate for IRP-D customers, consistent with ESP 1's terms and conditions. | 212 |
| <u>3/7/2012</u> | Response By Industrial Energy Users-Ohio to Ohio Power Company's Reply to Tariff Objections electronically filed by Mr. Frank P Darr on behalf of Industrial Energy Users-Ohio. | 213 |
| <u>3/8/2012</u> | Motion to intervene and memorandum in support by the Office of the Ohio Consumers' Counsel electronically filed by Ms. Deb J. Bingham on behalf of Etter, Terry L. | 214 |
| <u>3/13/2012</u> | Motion to intervene and memorandum in support filed by Emma F. Hand on behalf of Ormet Primary Aluminum Corporation. (FAX) | 215 |
| <u>3/14/2012</u> | Motion for permission to appear Pro Hac Vice and memorandum in support filed by Emma F. Hand on behalf of Ormet Primary Aluminum Corporation. | 216 |
| <u>3/14/2012</u> | Motion for permission to appear Pro Hac Vice and memorandum in support filed by Dan Barnowski on behalf of Ormet Primary Aluminum Corporation. | 217 |
| <u>3/14/2012</u> | Motion to intervene and memorandum in support filed by Emma F. Hand on behalf of Ormet Primary Aluminum Corporation. | 218 |

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| <u>3/14/2012</u> | Entry ordered, that the procedural schedule set forth in finding (8) be observed. Finding (8) The attorney examiner notes that the application in the present cases was filed by AEP-Ohio less than a week prior to the filing of the ESP 2 Stipulation, and that a procedural schedule had not yet been established in these cases prior to the filing of the stipulation. In light of the Commission's rejection of the ESP 2 Stipulation, the attorney examiner finds that the present cases should now move forward, and a comment period should be established in order to assist the Commission in its review of AEP-Ohio's application. Accordingly, the following procedural schedule should be established: (a) Initial comments should be filed by April 2, 2012, (b) Reply comments should be filed by April 17, 2012 (SJP) | 219 |
| <u>3/14/2012</u> | Ohio Power Company's application for rehearing of the March 7, 2012 entry and memorandum in support filed by S. Nourse. | 220 |
| <u>3/19/2012</u> | Ohio Energy Group (OEG) Motion to Intervene and Memorandum in Support electronically filed by Mr. Michael L. Kurtz on behalf of Ohio Energy Group. | 221 |
| <u>3/19/2012</u> | Joint Motion to Intervene and Memorandum in support filed by Dane Stinson on behalf of The Ohio Association of School Business Officials, the Ohio School Boards Associaton, the Buckeye Association of School Administrator an the Ohio Schools Council. | 222 |
| <u>3/21/2012</u> | Memorandum Contra of Ormet Primary Aluminum Corporation to Ohio Power Company's application for rehearing of the March 7, 2012 Entry filed by Emma F. Hand on behalf of Ormet Primary Aluminum Corporation. | 223 |
| <u>3/22/2012</u> | Motion to Intervene and Memorandum in support electronically filed by Teresa Orahood on behalf of Ohio Hospital Association. | 224 |

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| <u>3/23/2012</u> | Revised cover sheet corrects that The Ohio Schools do not seek intervention in the Columbus Southern Power/ Ohio Power merger proceeding, filed by Dane Stinson. | 225 |
| <u>3/26/2012</u> | Memorandum Contra of IEU-Ohio to Ohio Power Company's Application for Rehearing electronically filed by Mr. Matthew R. Pritchard on behalf of Industrial Energy Users-Ohio. | 226 |
| <u>3/26/2012</u> | Memorandum Contra Ohio Power Company's Application for Rehearing of the Commission's March 7, 2012 Entry by the Office of the Ohio Consumers' Counsel and the Appalachian Peace and Justice Network electronically filed by Ms. Deb J. Bingham on behalf of Etter, Terry L.. | 227 |
| <u>3/26/2012</u> | Memorandum Contra Ohio Power Company's Application for Rehearing of the March 7, 2012 Entry electronically filed by Ms. Laura C. McBride on behalf of FirstEnergy Solutions Corp. | 228 |
| <u>3/28/2012</u> | Motion to intervene and memorandum in support filed by C. Endsley on behalf of The Ohio Farm Bureau Federation. | 229 |
| <u>3/30/2012</u> | Notice of Appearance by the Office of the Ohio Consumers' Counsel electronically filed by Ms. Deb J. Bingham on behalf of Grady, Maureen R. Ms. | 230 |
| <u>4/2/2012</u> | Comments and Recommendations submitted on behalf of the Staff of the Public Utilities Commission of Ohio. filed by Thomas Lindgren. | 231 |
| <u>4/2/2012</u> | Comment of Ormet Primary Aluminum Corporation filed by Emma Hand on behalf of Ormet Primary Aluminum Corporation. (FAX) | 232 |
| <u>4/2/2012</u> | Comments of the Ohio Energy Group electronically filed by Mr. Michael L. Kurtz on behalf of Ohio Energy Group. | 233 |

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| <u>4/2/2012</u> | Letter on Initial Comments electronically filed by Ms. Andrea P Govan on behalf of OMA Energy Group and Mr. Matthew W Warnock. | 234 |
| <u>4/2/2012</u> | Motion to Intervene and Memorandum in Support of the OMA Energy Group electronically filed by Ms. Andrea P Govan on behalf of OMA Energy Group and Mr. Matthew W Warnock. | 235 |
| <u>4/2/2012</u> | Comments by the Office of the Ohio Consumers' Counsel electronically filed by Ms. Deb J. Bingham on behalf of Grady, Maureen R. Ms. | 236 |
| <u>4/2/2012</u> | Comments of Industrial Energy Users-Ohio filed by J. Olikier. | 237 |
| <u>4/3/2012</u> | Motion to intervene and memorandum in support of the Ohio Construction Materials Coalition filed by B. Barger. | 238 |
| <u>4/3/2012</u> | Revised comments and recommendations submitted on behalf of the Staff of the Public Utilities Commission of Ohio filed by T. Lindgren. | 239 |
| <u>4/4/2012</u> | Motion to Intervene and Memorandum in Support filed Mark S Yurick on behalf of The Kroger Co. | 240 |
| <u>4/4/2012</u> | Comments of Ormet Primary Aluminum Corporation filed by E. Hand. | 241 |
| <u>4/5/2012</u> | Tariff corrected electronically filed by Mr. Yazen Alami on behalf of Ohio Power Company. | 242 |
| <u>4/11/2012</u> | Entry on application for rehearing of AEP Ohio of the March 7, 2012 entry be denied. | 243 |
| <u>4/17/2012</u> | Reply comments of Ormet Primary Aluminum Corporation filed by E. Hand. (FAX) | 244 |

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| <u>4/17/2012</u> | Reply comments electronically filed by Mr. Steven T. Nourse on behalf of American Electric Power Service Corporation. | 245 |
| <u>4/17/2012</u> | Correspondence letter that Industrial Energy Users-Ohio will not file reply comments electronically filed by Mr. Joseph E. Oliker on behalf of Industrial Energy Users-Ohio. | 246 |
| <u>4/17/2012</u> | Reply comments by the Office of the Ohio Consumers' Counsel electronically filed by Ms. Deb J. Bingham on behalf of Etter, Terry L. | 247 |
| <u>4/17/2012</u> | Correspondence Letter advising Commission that Ohio Energy Group (OEG) will NOT file Reply Comments. electronically filed by Ms. Jody M. Kyler on behalf of Ohio Energy Group. | 248 |
| <u>4/18/2012</u> | Reply Comments of Ormet Primary Aluminum Corporation filed by E. Hand. | 249 |
| <u>4/19/2012</u> | Motion Corrected cover sheet for Motion to Intervene electronically filed by Mr. Brian P Barger on behalf of Ohio Construction Materials Coalition. | 250 |
| <u>4/20/2012</u> | Motion to Intervene of Summit Ethanol, LLC d/b/a Bio Refining-Leipsic and Fostoria Ethanol, LLC d/b/a/ Bio Refining-Fostoria with Attached Memorandum In Support electronically filed by Mr. David J Michalski on behalf of Summit Ethanol, LLC and Fostoria Ethanol, LLC. | 251 |
| <u>4/25/2012</u> | Corrected cover page to the motion to intervene submitted on April 20, 2012 electronically filed by Mr. David J Michalski on behalf of Summit Ethanol, LLC and Fostoria Ethanol LLC's. | 252 |

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| <u>8/1/2012</u> | Finding and Order that the motions to intervene filed by various parties be granted; that the motions for admission pro hac vice filed on behalf of Emma F. Hand and Dan Barnowski be granted; that AEP-Ohio's application be approved as modified herein. | 253 |
| <u>8/8/2012</u> | Compliance tariffs electronically filed by Mr. Steven T Nourse on behalf of Ohio Power Company. | 254 |
| <u>8/10/2012</u> | Motion to Stay AEP Ohio's Collection of Phase-In Recovery Rider Rates From Customers by the Office of the Ohio Consumers' Counsel and Memorandum in Support electronically filed by Ms. Deb J. Bingham on behalf of Etter, Terry L. | 255 |
| <u>8/17/2012</u> | Memorandum Contra Motion to Stay of American Electric Power Service Corporation, electronically filed by Mr. Matthew J Satterwhite on behalf of American Electric Power Service Corporation. | 256 |
| <u>8/20/2012</u> | Notification of Withdrawal of Melissa Thompson for the above-referenced cases filed by Andrew J. Campbell. | 257 |
| <u>8/22/2012</u> | Entry ordered, That the motion for stay filed by OCC on August 10, 2012, be denied, it is, further, ordered, that the proposed tariffs filed by AEP-Ohio on August 8, 2012, be approved and effective for bills rendered beginning with the first billing cycle of September 2012. | 258 |
| <u>8/31/2012</u> | Application for Rehearing electronically filed by Mr. Joseph E. Olier on behalf of Industrial Energy Users-Ohio. | 259 |
| <u>8/31/2012</u> | Application for rehearing of Ohio Power Company electronically filed by Mr. Matthew J. Satterwhite. | 260 |
| <u>8/31/2012</u> | Application for rehearing by the Office of the Ohio Consumers' Counsel electronically filed by Ms. Deb J. Bingham on behalf of Etter, Terry L. | 261 |

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| <u>9/10/2012</u> | Memorandum Contra of Ohio Power Company's Application for Rehearing electronically filed by Mr. Joseph E. Olikier on behalf of Industrial Energy Users-Ohio. | 262 |
| <u>9/10/2012</u> | Memorandum Contra of Ohio Power Company to Applications for Rehearing of the OCC and IEU-Ohio electronically filed by Mr. Matthew J Satterwhite on behalf of American Electric Power Service Corporation. | 263 |
| <u>9/10/2012</u> | Memorandum Contra AEP Ohio's Application for Rehearing by the Office of the Ohio Consumers' Counsel electronically filed by Ms. Deb J. Bingham on behalf of Etter, Terry L. | 264 |
| <u>9/26/2012</u> | Fourth entry on rehearing stating the applications filed by AEP-Ohio, OCC, and IEU-Ohio be granted for further consideration of the matters specified in the applications for rehearing. | 265 |
| <u>10/3/2012</u> | Fifth entry on rehearing ordered that the applications for rehearing filed by AEP-Ohio, OCC, and IEU-Ohio be denied. | 266 |
| <u>11/30/2012</u> | Supreme Court Appeal. SC# 12-2008 filed by M. Satterwhite on behalf of Ohio Power Company. | 267 |
| <u>11/30/2012</u> | Supreme Court Appeal No. 12-2008 filed on behalf of the Industrial Energy Users-Ohio by S. Randazzo. | 268 |
| <u>12/3/2012</u> | Notice of Appeal by The Office of the Ohio Consumers' Counsel Terry L. Etter. | 269 |

**Before
THE SUPREME COURT OF OHIO**

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|---------------------------------|---|----------------------------------|
| Ohio Power Company |) | |
| Industrial Energy Users-Ohio |) | |
| Ohio Consumer's Counsel |) | |
| |) | |
| |) | |
| |) | |
| Appellant, |) | |
| |) | |
| VS |) | Supreme Court No. 12-2008 |
| |) | |
| |) | |
| The Public Utilities Commission |) | |
| of Ohio |) | |
| |) | |
| |) | |
| |) | |
| |) | |
| Appellee. |) | |

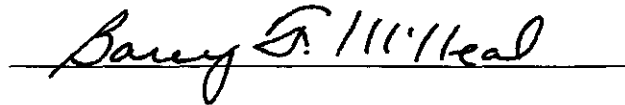
**Being Before
THE PUBLIC UTILITIES COMMISSION OF OHIO**

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|--|---|--------------------------------|
| In the matter of the application of Columbus |) | |
| Southern Power Company for approval |) | |
| of a mechanism to recover deferred fuel |) | |
| costs ordered under Ohio Revised Code |) | |
| 4928.144 |) | |
| |) | |
| |) | |
| In the matter of the application of Ohio |) | Case No. 11-4921-EL-RDR |
| Power Company for approval of a mechanism |) | |
| to recover deferred fuel costs ordered under |) | |
| Ohio Revised Code 4928.144. |) | |

CERTIFICATION

I, Barcy F. McNeal, the duly appointed and qualified Secretary of The Public Utilities Commission of Ohio, in whose custody the books, records, and files of said Commission are kept, do hereby certify there is transmitted herewith the docket entries of the Commission, ICN No. 1-271, the **Finding and Order dated 8/1/2012** and the **Fourth Entry on Rehearing dated 9/26/2012** and the **Fifth Entry on Rehearing dated 10/3/2012** inclusive; and the Certification of the record in Case No. **11-4920-EL-RDR and 11-4921-EL-RDR**.

IN WITNESS THEREOF, I have thereunto set my hand
and affixed the official seal of The Public Utilities Commission
of Ohio this 31st day of DECEMBER, 2012.

A handwritten signature in cursive script, reading "Barcy F. McNeal", is written over a horizontal line.

Barcy F. McNeal, Secretary
Betty McCauley, Acting Secretary
Tanowa M. Troupe, Acting Secretary

THE PUBLIC UTILITIES COMMISSION OF OHIO