

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Ohio       )  
Power Company to Update its                    ) Case No. 13-1406-EL-RDR  
Transmission Cost Recovery Rider Rates.     )

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**MOTION FOR SUBPOENA  
*DUCES TECUM*  
BY  
THE OFFICE OF THE OHIO CONSUMERS' COUNSEL**

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Now comes the Office of the Ohio Consumers' Counsel ("OCC") and, pursuant to Ohio Adm. Code 4901-1-25, hereby respectfully moves the Public Utilities Commission of Ohio ("Commission" or "PUCO"), any commissioner, the legal director, the deputy legal director, or an attorney examiner to issue a subpoena *duces tecum* compelling Mr. David Roush, Director - Regulated Pricing and Analysis for American Electric Power Service Corporation ("AEPSC"), to appear at the hearing for cross-examination on November 4, 2013, at 9:00 a.m., at the offices of the PUCO, 180 East Broad Street, 11th floor, Hearing Room 11-D, Columbus, Ohio, and attend from day-to-day until the hearing is completed to provide testimony concerning PJM Interconnection, LLC ("PJM") charges and credits reflected in the Transmission Cost Recovery Rider ("TCRR") by Ohio Power Company's ("AEP Ohio" or "Utility") and its predecessors in interest. Specifically, Mr. Roush should be compelled to testify about his knowledge of PJM charges and credits reflected in rates by Ohio Power Company and its predecessors in interest, the reasons why certain PJM credits, including Reactive Supply and Voltage Control from Generation and Other Sources Service, Regulation and Frequency Response Service, Synchronized

Reserve, Day-ahead Scheduling Reserve, and Black Start Service credits, were not applied to the TCRR. Additionally, Mr. Roush should be compelled to testify in regard to his knowledge of the ratemaking treatment of PJM charges and credits, including out-of-period amounts. These PJM charges and credits are the subject of AEP Ohio's TCRR Application, the PUCO Staff's review and recommendation<sup>1</sup> and the pre-filed direct testimony of Jeffrey Hecker in this case.<sup>2</sup>

Finally, the subpoena *duces tecum* should also compel Mr. Roush to bring with him, and provide to OCC at 8:30 a.m. on said day and at said place, the following:

(A) For the period during which AEP Ohio or its predecessors in interest did not reflect in the TCRR revenues (credits) received from PJM for the below listed services, documents showing the monthly charges and revenues (credits) for each of these services and the allocation of such charges and revenues (credits) to AEP Ohio or its predecessors in interest.

- 1 Reactive Supply and Voltage Control from Generation and Other Sources Service
- 2) Regulation and Frequency Response Service
- 3) Synchronized Reserve
- 4) Day-ahead Scheduling Reserve
- 5) Black Start Service

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<sup>1</sup> See PUCO Staff Review and Recommendation (August 13, 2013).

<sup>2</sup> See Direct Testimony of Jeffrey Hecker (October 22, 2013).

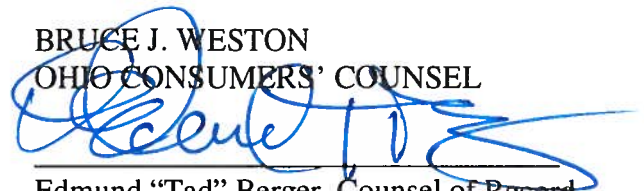
(B) For the period during which AEP Ohio or its predecessors in interest did not reflect in the TCRR revenues (credits) received from PJM for the below listed services, documents showing that such credits were applied in the calculation of any other rate charged to customers.

- 1) Reactive Supply and Voltage Control from Generation and Other Sources Service
- 2) Regulation and Frequency Response Service
- 3) Synchronized Reserve
- 4) Day-ahead Scheduling Reserve
- 5) Black Start Service

Grounds for this Motion are set forth in the accompanying Memorandum in Support.

Respectfully submitted,

BRUCE J. WESTON  
OHIO CONSUMERS' COUNSEL



Edmund "Tad" Berger, Counsel of Record  
Assistant Consumers' Counsel

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In the Matter of the Application of Ohio       )  
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**MEMORANDUM IN SUPPORT**

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The OCC requests a subpoena *duces tecum*, pursuant to Ohio Adm. Code 4901-1-25, to command Mr. David Roush, Director - Regulated Pricing and Analysis for American Electric Power Service Corporation (“AEPSC”), to appear at hearing and provide oral testimony through cross-examination on November 4, 2013. Specifically, Mr. Roush should be compelled to appear at the evidentiary hearing to provide testimony concerning his knowledge of PJM Interconnection, LLC (“PJM”) charges and credits reflected in the Transmission Cost Recovery Rider (“TCRR”) by Ohio Power Company (“AEP Ohio” or “Utility”) and its predecessors in interest, and the reasons why certain PJM credits (including Reactive Supply and Voltage Control from Generation and Other Sources Service, Regulation and Frequency Response Service, Synchronized Reserve, Day-ahead Scheduling Reserve, and Black Start Service credits) have not been applied to the TCRR. Mr. Roush should also be compelled to testify in regard to his knowledge of the ratemaking treatment of PJM charges and credits, including out-of-period amounts. These PJM charges and credits are the subject of AEP Ohio’s TCRR application, the

PUCO Staff's review and recommendation,<sup>3</sup> and the pre-filed direct testimony of Jeffrey Hecker in this case.<sup>4</sup>

In this case, the PUCO will decide whether the amount paid by customers for transmission and transmission-related charges, including ancillary and congestion charges has been and continues to be reasonable and prudent. In order to make that decision, the PUCO must reconcile AEP Ohio's TCRR, which includes a review of PJM transmission and transmission-related charges and revenues/credits, including ancillary and congestion charges and revenues/credits. Additional information is needed in order to fully litigate this issue.

To the extent that Mr. Roush is Director - Regulated Pricing and Analysis for AEPSC and has held this position since 2010, he should be familiar with the PJM charges and credits in question. Mr. Roush's participation is necessary because the PUCO's TCRR regulations require transmission-related costs to be offset by revenues, including ancillary and congestion-related costs and revenues, and the record needs to be clear as to the amounts of such charges and credits and the reasons some revenues or credits may have been excluded from the TCRR. Mr. Roush's full participation in the examination will facilitate a full and complete development of the case before the Commission, including the ultimate record upon which the Commission will base its decision.

Additionally, the OCC requests the PUCO to command Mr. Roush to bring with him, for delivery to OCC at 8:30 a.m. on said day and at said place, the following:

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<sup>3</sup> See PUCO Staff Review and Recommendation (August 13, 2013).

<sup>4</sup> See Direct Testimony of Jeffrey Hecker (October 22, 2013).

(A) For the period during which AEP Ohio or its predecessors in interest did not reflect in the TCRR revenues (credits) received from PJM for the below listed services, documents showing the monthly charges and revenues (credits) for each of these services and the allocation of such charges and revenues (credits) to AEP Ohio or its predecessors in interest.

- 1) Reactive Supply and Voltage Control from Generation and Other Sources Service
- 2) Regulation and Frequency Response Service
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- 4) Day-ahead Scheduling Reserve
- 5) Black Start Service

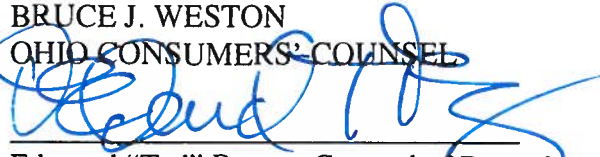
(B) For the period during which AEP Ohio or its predecessors in interest did not reflect in the TCRR revenues (credits) received from PJM for the below listed services, documents showing that such credits were applied in the calculation of any other rate charged to customers.

- 1) Reactive Supply and Voltage Control from Generation and Other Sources Service
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- 5) Black Start Service

This information is central to the determination of the reasonable and prudent level of the TCRR and the charges and credits to be included in setting such rate. Therefore, OCC moves the PUCO to issue the requested subpoena *duces tecum*, in order to facilitate a thorough examination and create a complete record on the issues in this case.

Respectfully submitted,

BRUCE J. WESTON  
OHIO CONSUMERS' COUNSEL

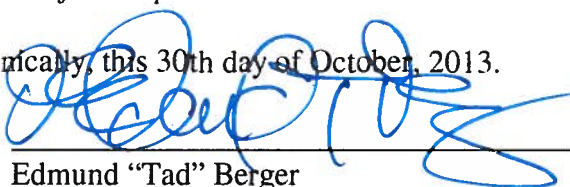


Edmund "Tad" Berger, Counsel of Record  
Assistant Consumers' Counsel

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## **CERTIFICATE OF SERVICE**

I hereby certify that a copy of the *Motion for Subpoena Duces Tecum* was provided to the persons listed below, electronically, this 30th day of October, 2013.



Edmund "Tad" Berger  
Assistant Consumers' Counsel

## **PARTIES OF RECORD**

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**STATE OF OHIO  
PUBLIC UTILITIES COMMISSION  
180 EAST BROAD STREET  
COLUMBUS, OHIO 43266-0573**

John Kasich  
GOVERNOR



**THE PUBLIC UTILITIES COMMISSION OF OHIO  
SUBPOENA DUCES TECUM**

**TO:** David M. Roush  
1 Riverside Plaza, 23<sup>rd</sup> Floor  
Columbus, Ohio 43215

Upon application of Counsel for the Office of the Ohio Consumers' Counsel ("OCC"), you are hereby required to appear before the Public Utilities Commission of Ohio as a witness for the Office of the Ohio Consumers' Counsel ("OCC") at hearing and attend day-to-day and submit to oral testimony by cross examination until completed for OCC in the following proceeding:

Case No.: 13-1406-EL-RDR.

Case Title: "In the Matter of the Application of Ohio Power Company to Update its Transmission Cost Recovery Rider Rates."

You are to appear at the offices of the Commission, 180 East Broad Street, Columbus, Ohio on the 4<sup>th</sup> day of November, 2013, at 9:00 a.m. in hearing room 11-D.

You shall bring with you the following to be provided to OCC at 8:30 a.m. on said day and at said place:

(A) For the period during which AEP Ohio or its predecessors in interest did not reflect in the TCRR revenues (credits) received from PJM for the below listed services, documents showing the monthly charges and revenues (credits) for each of these services and the

allocation of such charges and revenues (credits) to AEP Ohio or its predecessors in interest.

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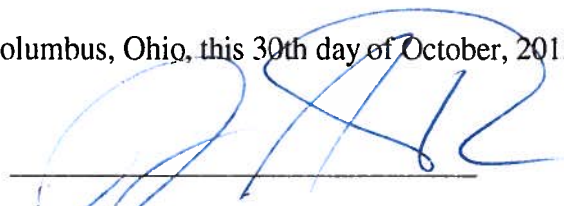
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- 4) Day-ahead Scheduling Reserve
- 5) Black Start Service

Dated at Columbus, Ohio, this 30th day of October, 2013.

BY:

TITLE:

  
ATTORNEY EXAMINER

**NOTICE:** If you are not a party or an officer, agent, or employee of a party to this proceeding, then witness fees for attending under this subpoena are to be paid by the party at whose request the witness is summoned. Every copy of this subpoena for the witness must contain this notice.

**This foregoing document was electronically filed with the Public Utilities**

**Commission of Ohio Docketing Information System on**

**10/30/2013 10:46:03 AM**

**in**

**Case No(s). 13-1406-EL-RDR**

Summary: Subpoena Motion for Subpoena Duces Tecum by the Office of the Ohio Consumers' Counsel electronically filed by Ms. Deb J. Bingham on behalf of Berger, Tad Mr.