

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

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

ENTRY

The attorney examiner finds:

- (1) Ohio Power Company d/b/a AEP Ohio (AEP Ohio or the Company) is a public utility as defined in Section 4905.02, Revised Code, and, as such, is subject to the jurisdiction of this Commission.
- (2) On March 30, 2012, AEP Ohio filed an application for approval of full legal corporate separation and amendment to its corporate separation plan. In its application, AEP Ohio requested to transfer its existing generating units and contractual entitlements to AEP Generation Resources, Inc. (AEP Genco). The contractual entitlements included the right to purchase power from generating resources owned by Ohio Valley Electric Corporation (OVEC), which AEP Ohio jointly owns.
- (3) On October 17, 2012, the Commission issued a finding and order, modifying and approving AEP Ohio's application for structural corporate separation, and permitting the transfer of the Company's contractual entitlements to AEP Genco.
- (4) On October 4, 2013, AEP Ohio filed an application to amend its corporate separation plan pursuant to Rule 4901:1-37-06, Ohio Administrative Code (O.A.C.), and a request for expedited relief. In support of its application, AEP Ohio explains that it has been unable to obtain the consent necessary to allow the Company to transfer the OVEC contractual entitlements to AEP Genco. Consequently, AEP Ohio proposes to maintain the OVEC asset and requests that the Commission approve an amendment to the Company's corporate separation plan, exempting the OVEC contractual entitlements from the Company's impending

corporate separation. AEP Ohio seeks expedited relief in order to effectively complete its corporate separation by December 31, 2013.

- (5) By entry issued on October 9, 2013, a procedural schedule was established in order to assist the Commission in reviewing AEP Ohio's amendment application. In accordance with the procedural schedule, comments were filed on October 29, 2013, by Direct Energy Services, LLC and Direct Energy Business, LLC; FirstEnergy Solutions Corp.; Ohio Consumers' Counsel; Industrial Energy Users-Ohio; and OMA Energy Group. Reply comments were filed on November 8, 2013, by AEP Ohio.
- (6) Pursuant to Rule 4901:1-37-06(B), O.A.C., a filing to revise and/or amend an electric utility's corporate separation plan shall be deemed approved if not acted on by the Commission within 60 days after it is filed.
- (7) To allow the Commission to fully evaluate AEP Ohio's application to amend its corporate separation plan, as well as the comments and reply comments filed by the parties, the 60-day period for consideration of the application is suspended until the Commission specifically orders otherwise.

ORDERED, That the 60-day period for consideration of AEP Ohio's application to amend its corporate separation plan be suspended until the Commission specifically orders otherwise. It is, further,

ORDERED, That a copy of this entry be served upon all parties and interested persons of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/Sarah Parrot

By: Sarah J. Parrot
Attorney Examiner

JRJ/sc

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in

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

Summary: Attorney Examiner Entry suspends the 60-day period for consideration of AEP Ohio's application to amend its corporate separation plan until such time the Commission orders otherwise. - electronically filed by Sandra Coffey on behalf of Sarah Parrot, Attorney Examiner, Public Utilities Commission of Ohio