

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of )  
Ohio Power Company for Authority to ) Case No. 13-2385-EL-SSO  
Establish a Standard Service Offer )  
Pursuant to §4928.143, Revised Code, )  
in the Form of an Electric Security Plan. )

In the Matter of the Application of )  
Ohio Power Company for Approval of ) Case No. 13-2386-EL-AAM  
Certain Accounting Authority. )

---

**OHIO PARTNERS FOR AFFORDABLE ENERGY  
AND  
THE APPALACHIAN PEACE AND JUSTICE NETWORK'S  
MEMORANDUM CONTRA  
THE APPLICATION FOR REHEARING OF  
OHIO POWER COMPANY**

---

Colleen L. Mooney  
(Attorney Reg. No. 0015668)  
Ohio Partners for Affordable Energy  
231 West Lima Street  
Findlay, Ohio 45840  
Telephone: (419) 425-8860  
[cmooney@ohiopartners.org](mailto:cmooney@ohiopartners.org)

Michael R. Smalz  
(Attorney Reg. No. 0041897)  
Ohio Poverty Law Center  
555 Buttles Avenue  
Columbus, Ohio 43215-1137  
Telephone: (614) 824-2502  
[msmalz@ohiopovertylaw.org](mailto:msmalz@ohiopovertylaw.org)

Peggy P. Lee  
(Attorney Reg. No. 0067912)  
Southeastern Ohio Legal Services  
964 E. State Street  
Athens, Ohio 45701  
[plee@oslsa.org](mailto:plee@oslsa.org)

April 6, 2015

**TABLE OF CONTENTS**

**1. The Evidentiary Record Did Not Support “Rate Stability Benefits” of the OVEC Asset.....3**

**2. The Commission acted reasonably when it did not approve further expansion of AEP Ohio’s Distribution Investment Rider (“DIR”).....10**

**3. The Commission acted reasonably when it left the Proposed Purchase of Receivables (“POR”) Program for Another Proceeding. ....13**

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of )  
Ohio Power Company for Authority to ) Case No. 13-2385-EL-SSO  
Establish a Standard Service Offer )  
Pursuant to §4928.143, Revised Code, )  
in the Form of an Electric Security Plan. )

In the Matter of the Application of )  
Ohio Power Company for Approval of ) Case No. 13-2386-EL-AAM  
Certain Accounting Authority. )

---

**OHIO PARTNERS FOR AFFORDABLE ENERGY  
AND  
THE APPALACHIAN PEACE AND JUSTICE NETWORK'S  
MEMORANDUM CONTRA  
THE APPLICATION FOR REHEARING OF  
OHIO POWER COMPANY**

---

Pursuant to Ohio Administrative Code (O.A.C.) Rule 4901-1-35(B), Ohio Partners for Affordable Energy and the Appalachian Peace and Justice Network (together "Low-Income Advocates") herein submit to the Public Utilities Commission of Ohio ("Commission") this Memorandum Contra the March 27, 2015 Application for Rehearing filed by Ohio Power Company ("AEP Ohio"). The Commission should deny AEP Ohio's Application for Rehearing for the reasons set forth in this Memorandum Contra the AEP Ohio Application for Rehearing.

**1) The Evidentiary Record Did Not Support "Rate Stability Benefits" of the OVEC Asset.**

In its Application for Rehearing, AEP Ohio argues that the record supports "rate stability benefits" of the OVEC asset so that the Commission should have approved its proposed OVEC Rider. AEP Ohio claims that "it cannot be disputed"

that the OVEC Rider will promote rate stability “especially over the long term.” AEP Ohio Application for Rehearing (“AEP AFR”) at 6.

AEP Ohio is wrong. There was much dispute on the record as to whether the OVEC Rider would promote rate stability especially over the long term. However, the long term is speculative under any circumstances. In this proceeding, the Commission must make findings of fact and conclusions of law. R.C. 4903.09.

As a matter of fact, for the three-year term of the ESP, there was no dispute on the record that the OVEC units would produce electric generation at above-market prices. There was no dispute that over the term of the ESP, the OVEC Rider would provide no benefit to customers and would simply increase generation rates above market rates. During the entire time of the three-year ESP, AEP Ohio distribution ratepayers would have paid extra charges to guarantee a profit for AEP Ohio shareholders from its otherwise money-losing OVEC units. AEP Ohio focuses on the “long term” and contends that at some point after this ESP, its OVEC units will produce generation at below-market prices. This is pure speculation. There was simply no factual basis upon which the Commission could have found that the OVEC Rider was includable as a charge in this ESP.

There is no reason for the Commission to accept AEP Ohio’s OVEC Rider as a charge in this ESP. The record shows that customers do not need AEP Ohio’s OVEC units to provide price stability for generation service. Nevertheless, AEP Ohio argues that even though the SSO auctions provide “some stability” the auction still follows “market price changes up and down.” AEP AFR at 7. AEP Ohio thus

claims that it would be “misguided” of the Commission to exclude an additional tool for rate mitigation. Id.

AEP Ohio is wrong. The record demonstrates that the OVEC Rider will not provide additional stability. Selective quotations that the OVEC Rider *could* be a hedge are not support for the contention that the OVEC Rider *will* function as a hedge. Ohio’s SSO customers already have stability. The structure of SSO auctions in Ohio eliminates the need for the OVEC Rider. The OVEC Rider cannot enhance the price stability provided through the SSO auctions. Even if SSO customers were exposed to significant price volatility, which they are not, the OVEC Rider would just as likely move in the same direction as market prices as contrary to market prices, thus doing little or nothing to address market volatility.

Customers receiving service under the SSO are served under one- and two-year full requirements contracts established through periodic auctions. Therefore, SSO customers are not exposed to substantial market price volatility under any foreseeable circumstances. OCC Ex. 15 at 5. This was true during the polar vortex event in the winter of 2014; SSO customers were protected from the price volatility because the auction-winning suppliers were under contract to deliver at a fixed price and had incorporated a risk premium into their bid prices to cover such an event. Thus, while the SSO auctions are a real hedge against volatility, the OVEC Rider has another true purpose. It shifts the risk of the profitability of the OVEC plants onto distribution customers and away from one of the plants’ owners, AEP Ohio.

Staff witness Choueiki testified that the SSO auction process is a more effective approach for mitigating price volatility than AEP Ohio’s proposed OVEC

Rider insurance hedge. Staff Ex. 18. The approach in administering SSO procurement auctions includes staggering the procurement of the products (twice a year) and laddering multiple products (12 months, 24 months, 36 months, etc.). Staff Ex. 18 at 11. The current approach is so effective that there is no need to inflict the price of the OVEC Rider on customers to provide any additional stability.

This auction laddering and staggering of the SSO power procurement moderates changes in price and prevents price volatility. The frequent SSO auctions are more effective than the hedge AEP OVEC Rider would be. Tr. XII at 2933-2934. Averaging is one of the tools that are used to reduce volatility. Id. When capacity prices are averaged over three years and over two annual auctions, the potential price volatility is minimized. Tr. XII at 2936. The SSO auction produces SSO rates with reduced volatility by taking averages of averages. Unlike the OVEC Rider, the auction approach is not a financial hedge that all distribution customers are forced to pay for even if they do not want to purchase or need this hedge. Tr. XII at 2938. The same is true for CRES customers. When a customer purchases a fixed contract from a CRES provider; the customer has no need to worry about volatility because the CRES provider is responsible for mitigating the risk.

There are other more effective tools to stabilize rates than the OVEC Rider. In addition to the SSO auction process, the Commission has tools under the ESP to either order an electric distribution utility to build new generation or competitively bid for additional generation. If additional generation was needed for stability, the best

available source would be through a competitively bid Request for Proposals for new or additional generation. Tr. XII at 2904.

There is no need at all for the OVEC Rider to provide additional stability, even if such a rider would do so. The SSO auction process provides a powerful hedge against volatility for SSO prices. CRES providers secure their own stability. The Regional Transmission Organization (“RTO”) PJM provides stability in the wholesale power purchase market. If additional generation is ever needed in Ohio, Ohio law provides the process to obtain it.

The purpose of the OVEC Rider was to shift the business risk -- whether an asset makes a profit or produces a loss -- associated with AEP Ohio generating stations to AEP Ohio’s distribution customers. The OVEC Rider would have been paid by all AEP Ohio distribution customers, including those who take generation service under the SSO, those who shop individually, and those who shop through a governmental aggregator. Under Ohio’s competitive retail generation market, AEP Ohio’s distribution customers cannot be required to subsidize energy and capacity produced by any power plants unless AEP Ohio demonstrates a need for a new plant and wins PUCO approval to build a new one.

AEP Ohio argues that the Commission cannot wait until the uncertainty relating to PJM market reform, environmental regulations, and federal litigation is resolved because all of these areas could take time. AEP contends that because PJM markets have been volatile in the past, PJM markets will continue to be volatile in the future and that the OVEC Rider will offset this volatility because the OVEC units will run counter to market prices. AEP Ohio further argues that it has made a

long-term commitment regarding the OVEC Rider to keep the OVEC assets for the benefit of customers. Id.

The Commission can approve the OVEC Rider only if it accepts AEP Ohio's highly speculative and self-serving version of the long-term future. Only at the time in the distant future that the currently money-losing OVEC units might start to turn a profit in the volatile PJM market, AEP Ohio will share its OVEC profits with Ohio distribution ratepayers who have guaranteed AEP Ohio its profits in the lean years of this ESP. However, the future beyond the term of this ESP is unclear. The stability the OVEC Rider is alleged to provide is illusory at best.

Again, there is no factual basis upon which the Commission can accept AEP Ohio's speculation about future PJM markets or future AEP Ohio conduct. By subsidizing wholesale generation with distribution customer funds, the OVEC Rider would corrupt the operation of the regional wholesale generation market, which violates federal law. Ohio relies on PJM for wholesale generation, and PJM operations are regulated by the Federal Regulatory Energy Commission ("FERC"). PJM is capable of correcting flaws in its markets and is working with FERC to do so. PJM and FERC will work to address flaws for the benefit of all interested parties, not just AEP Ohio. Ohio has already made the decision to rely on PJM, which does not operate for the benefit of AEP Ohio alone.

All wholesale generation must be treated the same in the PJM market or there is a violation of the Federal Power Act. *EnergyPlus LLC v. Nazarian*, 753 F. 3d 467 (4<sup>th</sup> Cir. 2014) (affirming *PPL EnergyPlus, LLC v. Nazarian*, 974 F. Supp.2<sup>nd</sup> 790 (D. Md. 2013), and *PPL EnergyPlus, LLC v. Hanna*, Case No. 13-4330 (slip



opinion) (3<sup>rd</sup> Cir.2014 (affirming *PPL EnergyPlus, LLC v. Hanna*, 977 F. Supp.2d 372 (D.N.J. 2013)). The OVEC Rider would give assurance of cost recovery and profitability not afforded to all other wholesale generators in the federal PJM and Ohio SSO markets. The only way to avoid this problem is not to allow an unlawful subsidy from Ohio distribution customers to the wholesale generation.

The OVEC Rider would pass through to AEP Ohio's retail distribution ratepayers the costs and revenues of OVEC generating units plus a guaranteed profit although the Commission lacks jurisdiction to review those costs and revenues. AEP Ohio would have received the OVEC generation through a wholesale contract, which is subject solely to the jurisdiction of FERC. FERC has long held jurisdiction over the field of wholesale power sales, and federal law preempts state law in this field. This makes the OVEC Rider wholly inappropriate as a non-bypassable retail charge on captive distribution customers and illegal under the Federal Power Act. Even if AEP Ohio contends that it is committed to pass back the profits of OVEC in that distant future when the OVEC units actually have profits, there is no factual basis for the Commission to find that there will ever be such profits or that such profits will ever be given to customers.

The Commission does not regulate wholesale energy and capacity prices, which are the exclusive jurisdiction of FERC. The Commission has no authority to regulate the costs of OVEC or AEP Ohio's obligation to pay such costs. If all of AEP Ohio's share of OVEC costs is guaranteed by AEP Ohio's retail distribution ratepayers, AEP Ohio has no incentive to minimize costs because the Commission

has no authority to regulate the costs. Therefore, those costs must not be recovered through a retail rider.

If the Commission were ever to approve the OVEC Rider, customers would be inherently harmed even if that decision were successfully appealed to the Ohio Supreme Court. Under Ohio law, rates authorized under an order issued by the Commission are assumed to be lawful. The federal issues cannot be appealed to the Ohio Supreme Court so there is no possibility to stay the collection of the charge nor post a bond during a State appeal. As a result, Ohio utility customers would be required to pay the rider until the federal courts ultimately rule it unlawful, yet there is no mechanism to refund the illegal charges to customers. Approving the OVEC Rider will inevitably lead to Ohio utility customers paying an illegal charge with no opportunity to recover for the financial damages that result. The AEP Application for Rehearing with respect to the OVEC Rider must be denied.

**2) The Commission acted reasonably when it did not approve further expansion of AEP Ohio's Distribution Investment Rider ("DIR").**

In its Opinion and Order, the Commission denied AEP Ohio's request to increase the DIR and found that the record did not support such a significant expansion of the DIR. The Commission found that AEP Ohio's future distribution investments would be better considered and reviewed in the context of a distribution rate case where the costs can be evaluated in the context of total distribution revenues and expenses and the opportunity to recover a return on and of its investment can be balanced against customers' right to reasonably priced service. Opinion and Order at 46. The Commission approved AEP Ohio's continued

investment in its DIR at \$124 million for 2015, \$146.2 million for 2016, \$170 million for 2017, and \$103 million for January through May 2018 for a total \$543.2 million. The Commission found this to be a reasonable level to allow AEP Ohio to continue to replace aging distribution infrastructure to maintain and improve service reliability over the term of this ESP. Opinion and Order at 47.

In its Application for Rehearing, AEP Ohio argues that the Commission could not possibly have meant to reduce its requested increases in the DIR. AEP Ohio asked the Commission to reinstate its proposed DIR increases. AEP Ohio believes that the Commission was mistaken because its 2015 revenue cap was at 2014 levels, resulting in zero growth in the 2015 level from the 2014 level, and then only 2.8% growth in 2016 and 3% growth in 2017. AEP AFR at 9. The zero growth level between 2014 and 2015 is particularly troubling to AEP Ohio because the DIR can only support new investment if it continues to grow each year. If the cap is flat for a year, only investment at depreciation levels is supported. *Id.* at 10. AEP Ohio contends it will have difficulty staffing construction projects unless its spending level grows every year. *Id.* AEP Ohio contends that it needs a 3 to 4% annual growth in spending to allow it to replace aging infrastructure and to improve service reliability. AEP Ohio implies that it may not be able to refrain from a distribution base rate case if increased funding levels are not approved. *Id.*

However, contrary to AEP Ohio's argument, the approved caps do not include any carry-over resulting from under-collection of the currently approved DIR funding levels. AEP Ohio notes in its application that it has under-spent the currently approved riders by \$26.9 million, and the under-spending could be as high as \$77.1

million if the Commission were to approve AEP Ohio's illegal request for retroactive authorization of a non-prorated DIR cap for 2012 in the amount of \$86 million. In either event, the level of funding authorized by the Commission for 2015 through 2017 is in addition to the carry-over already authorized.

AEP Ohio's proposal to continue the DIR program should have been rejected. Distribution service charges should be considered in distribution base rate proceedings. If AEP Ohio needs an increase in its distribution base rates, it should file an application for an increase in distribution base rates. As OCC witness David J. Effron testified, riders allow regulated utilities to collect designated costs from customers outside of the context of traditional base rate cases where all elements of the cost of service are examined. OCC Ex. 18 at 4 (Direct Testimony of David J. Effron). Such riders are contrary to sound ratemaking practice. When utilities are permitted to collect costs from customers through a rider, the incentive for a utility to control costs tends to be reduced. The collection of costs through riders can lead to increases in rates even when a utility does not have a revenue deficiency. *Id.* at 6. In the absence of riders, a utility would be able to implement a rate increase only after all costs and revenues under present rates are taken into consideration. If the present rates were already producing an adequate return, then no rate increase would be granted.

If any riders are approved, the riders should be limited to costs that are large, volatile, and outside the utility's control. Examples of such costs include the fuel and purchased power for an integrated utility. However, AEP Ohio is no longer an integrated utility; AEP Ohio is to be only a distribution utility. AEP Ohio did not show

that the costs it seeks to collect through the DIR are large, volatile, and outside of its control. AEP Ohio has also not shown that its financial integrity would be compromised if these distribution costs were considered in a distribution base rate case where costs are subject to closer scrutiny. OCC Ex. 18 at 4. The Commission should have discontinued the DIR.

The Commission approved the DIR but not at the exaggerated and wholly unjustified levels requested by AEP Ohio. AEP Ohio's under-spending of the previous caps explains the approved cap levels in this ESP. Moreover, the continuation of the DIR is not necessary to support system reliability. AEP Ohio simply wanted to continue to receive these additional distribution revenues outside the proper context of a distribution base rate case. The Commission was not discouraging AEP Ohio from seeking to recover its reasonable and prudent distribution investment through its distribution base rates. The Commission was encouraging base rate recovery of distribution investments. AEP Ohio's application for rehearing on the DIR issue should be denied.

**3) The Commission acted reasonably when it Referred the Proposed Purchase of Receivables ("POR") program to Another Proceeding.**

The Commission found that the details of the proposed POR program should be determined in another proceeding. In its Application for Rehearing, AEP Ohio argues that it was unreasonable for the Commission to have left so many details of the POR program to another proceeding. AEP AFR at 50. AEP Ohio then goes on to discuss many of the details that need resolution in this proceeding. Id. at 50-63. AEP's discussion amply demonstrates why it was eminently reasonable for the

Commission to leave the details of the POR program to another proceeding. There is simply too much to resolve and no basis upon which resolutions can be made in this SSO proceeding.

Among the POR program issues AEP Ohio wants the Commission to resolve in this case is its request for a bad debt rider. AEP Ohio already collects bad debt expense as part of its distribution base rates. The request for a bad debt rider was part of the POR proposal because if AEP Ohio were to purchase the receivables of CRES providers, it would not only have additional bad debt since its last distribution base rate case, but the nature of this additional bad debt would be a problem.

AEP Ohio argues that it was unreasonable for the Commission to have denied its request to recover all bad debt through its new bad debt rider. AEP Ohio AFR at 59. AEP had requested to collect all elements of the CRES bill. However, the Commission allowed recovery only of CRES receivables and generation-related bad debt. AEP Ohio contends it was unreasonable to compare the current \$12.2 million in its distribution base rates from its 2010 base rate case because that figure includes generation, transmission and distribution bad debt, not just generation bad debt alone. AEP Ohio contends that the baseline of \$12.2 million is not applicable. AEP AFR at 61.

AEP Ohio also argues that the Commission was unreasonable to deny it the ability to disconnect customers for CRES charges. AEP Ohio contends that it has the “advantage” of disconnecting customers for nonpayment while CRES providers do not. AEP Ohio further argues that it would incur an increased risk to purchase receivables if it did not have the ability to disconnect customers as a tool to ensure

timely payment. According to AEP Ohio, disconnection for nonpayment is one of the reasons that POR programs are the “cornerstone” of competitive markets. AEP AFR at 60. That is also why AEP Ohio sought a waiver of O.A.C. Rule 4901:1-18-10(D) to ensure that it would not run afoul of Commission rules that forbid disconnection for competitive services. However, the Commission denied the waiver because it would contradict R.C. 4928.10(D)(3), which requires rules to prevent the blocking of access to noncompetitive service when a customer is delinquent in payments to the competitive provider for nonpayment of a competitive service.

In addition, AEP Ohio argues that the Commission should clarify that the CRES receivables become a regulated debt of the regulated utility and not a cost of competitive retail electric service so that a waiver would not be needed and the utility could disconnect for nonpayment of the cost of the POR program. AEP AFR at 61. The utility would be disconnecting for nonpayment of the regulated cost of the POR program. AEP Ohio then requests that the Commission either grant the waiver or clarify that the waiver is not needed.

AEP Ohio also argues that the Commission should not have denied its request for a late payment charge. AEP AFR at 62. AEP Ohio believes that the intent of the Commission was to discourage it from filing a base rate case. AEP Ohio argues that it is unreasonable to create a system where CRES providers can put their riskiest customers on the back of the regulated utility and keep the customers secure but not take the opportunity to encourage timely payment behavior. AEP Ohio asks for the late payment charge to be allowed as part of its POR program.

This entire discussion by AEP Ohio illustrates why the Commission should have rejected the proposed POR program and the bad debt rider. For the regulated distribution service, bad debts are already recovered in base rates. The POR program represents an unlawful subsidy because it relieves CRES providers of the risk associated with non-payment of unregulated generation service without any benefit to customers. The POR proposal is unlawful and unnecessary and should have been rejected by the Commission.

Even though the Commission did not reject the POR program, it did at least defer ruling on these issues until a resolution can be made in another proceeding. This will give the Low Income Advocates another proceeding to challenge all the unlawful and unfair proposals being made. However, it is obvious that the Commission cannot violate Ohio law. R.C. 4928.02(H) prohibits subsidies from noncompetitive services to competitive services. R.C. 4928.10(D)(3) prohibits disconnection of noncompetitive service for nonpayment of a competitive service. Inventing ways around the law by changing the name of a charge or calling a charge for a noncompetitive service a charge for a competitive service is not lawful. R.C. 4928.02(H) and 4928.10(D)(3).

## **Conclusion**

Wherefore, the Commission should deny the Application for Rehearing of AEP Ohio for the reasons set forth in this Memorandum Contra the Application for Rehearing.



Respectfully submitted,

/s/ Colleen L. Mooney

Colleen L. Mooney  
(Attorney Reg. No. 0015668)  
Ohio Partners for Affordable Energy  
231 West Lima Street  
Findlay, Ohio 45840  
Telephone: (419) 425-8860  
[cmooney@ohiopartners.org](mailto:cmooney@ohiopartners.org)  
(Willing to accept service by e-mail)

COUNSEL OF RECORD FOR  
OHIO PARTNERS FOR AFFORDABLE ENERGY

/s/ Michael R. Smalz

Michael R. Smalz  
(Attorney Reg. No. 0041897)  
Ohio Poverty Law Center  
555 Buttles Avenue  
Columbus, Ohio 43215-1137  
Telephone: (614) 824-2502  
[msmalz@ohiopovertylaw.org](mailto:msmalz@ohiopovertylaw.org)  
(Willing to accept service by e-mail)

COUNSEL OF RECORD FOR APPALACHIAN  
PEACE AND JUSTICE NETWORK

/s/ Peggy P. Lee

Peggy P. Lee  
(Attorney Reg. No. 0067912)  
Southeastern Ohio Legal Services  
964 E. State Street  
Athens, Ohio 45701  
[plee@oslsa.org](mailto:plee@oslsa.org)  
(Willing to accept service by e-mail)

COUNSEL OF RECORD FOR APPALACHIAN  
PEACE AND JUSTICE NETWORK

## CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Memorandum Contra the Application for Rehearing of Ohio Power Company was served electronically on these parties on this 6th day of April 2015.

/s/ Colleen L. Mooney  
Colleen L. Mooney

[stnourse@aep.com](mailto:stnourse@aep.com)  
[mjsatterwhite@aep.com](mailto:mjsatterwhite@aep.com)  
[dconway@porterwright.com](mailto:dconway@porterwright.com)  
[maureen.grady@occ.oh.gov](mailto:maureen.grady@occ.oh.gov)  
[edmund.berger@occ.ohio.gov](mailto:edmund.berger@occ.ohio.gov)  
[joseph.serio@occ.ohio.gov](mailto:joseph.serio@occ.ohio.gov)  
[dboehm@BKLawfirm.com](mailto:dboehm@BKLawfirm.com)  
[mkurtz@BKLawfirm.com](mailto:mkurtz@BKLawfirm.com)  
[jklyercohn@BKLawfirm.com](mailto:jklyercohn@BKLawfirm.com)  
[sam@mwncmh.com](mailto:sam@mwncmh.com)  
[fdarr@mwncmh.com](mailto:fdarr@mwncmh.com)  
[mpritchard@mwncmh.com](mailto:mpritchard@mwncmh.com)  
[werner.margard@puc.state.oh.us](mailto:werner.margard@puc.state.oh.us)  
[devin.parram@puc.state.oh.us](mailto:devin.parram@puc.state.oh.us)  
[bojko@carpenterlipps.com](mailto:bojko@carpenterlipps.com)  
[mohler@carpenterlipps.com](mailto:mohler@carpenterlipps.com)  
[tobrien@bricker.com](mailto:tobrien@bricker.com)  
[dborchers@bricker.com](mailto:dborchers@bricker.com)  
[tsiwo@bricker.com](mailto:tsiwo@bricker.com)  
[ricks@ohanet.org](mailto:ricks@ohanet.org)  
[Rocco.dascenzo@duke-energy.com](mailto:Rocco.dascenzo@duke-energy.com)  
[Philip.Sineneng@ThompsonHine.com](mailto:Philip.Sineneng@ThompsonHine.com)  
[haydenm@firstenergycorp.com](mailto:haydenm@firstenergycorp.com)  
[jmcdermott@firstenergycorp.com](mailto:jmcdermott@firstenergycorp.com)  
[scasto@firstenergycorp.com](mailto:scasto@firstenergycorp.com)  
[judi.sobecki@aes.com](mailto:judi.sobecki@aes.com)  
[joseph.clark@directenergy.com](mailto:joseph.clark@directenergy.com)  
[whitt@whitt-sturtevant.com](mailto:whitt@whitt-sturtevant.com)  
[campbell@whitt-sturtevant.com](mailto:campbell@whitt-sturtevant.com)  
[williams@whitt-sturtevant.com](mailto:williams@whitt-sturtevant.com)  
[BarthRoyer@aol.com](mailto:BarthRoyer@aol.com)  
[Gary.A.Jeffries@dom.com](mailto:Gary.A.Jeffries@dom.com)

[vparisi@igsenergy.com](mailto:vparisi@igsenergy.com)  
[lfriedeman@igsenergy.com](mailto:lfriedeman@igsenergy.com)  
[mwhite@igsenergy.com](mailto:mwhite@igsenergy.com)  
[gpoulos@enernoc.com](mailto:gpoulos@enernoc.com)  
[mhpetricoff@vorys.com](mailto:mhpetricoff@vorys.com)  
[glpetrucci@vorys.com](mailto:glpetrucci@vorys.com)  
[myurick@taftlaw.com](mailto:myurick@taftlaw.com)  
[zkravitz@taftlaw.com](mailto:zkravitz@taftlaw.com)  
[NMcDaniel@elpc.org](mailto:NMcDaniel@elpc.org)  
[swilliams@nrdc.org](mailto:swilliams@nrdc.org)  
[Stephanie.Chmiel@ThompsonHine.com](mailto:Stephanie.Chmiel@ThompsonHine.com)  
[Stephen.Chriss@walmart.com](mailto:Stephen.Chriss@walmart.com)  
[tshadick@spilmanlaw.com](mailto:tshadick@spilmanlaw.com)  
[dwilliamson@spilmanlaw.com](mailto:dwilliamson@spilmanlaw.com)  
[lhawrot@spilmanlaw.com](mailto:lhawrot@spilmanlaw.com)  
[tdoughterty@theOEC.org](mailto:tdoughterty@theOEC.org)  
[jfinnigan@edf.org](mailto:jfinnigan@edf.org)  
[Schmidt@sppgroup.com](mailto:Schmidt@sppgroup.com)  
[greta.see@puc.state.oh.us](mailto:greta.see@puc.state.oh.us)  
[sarah.parrot@puc.state.oh.us](mailto:sarah.parrot@puc.state.oh.us)

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

**Commission of Ohio Docketing Information System on**

**4/6/2015 1:50:37 PM**

**in**

**Case No(s). 13-2385-EL-SSO, 13-2386-EL-AAM**

Summary: Memorandum Contra Application for Rehearing of Ohio Power Company electronically filed by Colleen L Mooney on behalf of Ohio Partners for Affordable Energy and Appalachian Peace and Justice Network