

**BEFORE THE
PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application Seeking)	
Approval of Ohio Power Company's)	
Proposal to Enter into an Affiliate)	
Power Purchase Agreement for)	Case No. 14-1693-EL-RDR
Inclusion in the Power Purchase)	
Agreement Rider)	

In the Matter of the Application of)	
Ohio Power Company for Approval of)	Case No. 14-1694-EL-AAM
Certain Accounting Authority)	

**OHIO POWER COMPANY'S
MEMORANDUM CONTRA
JOINT MOTION TO SCHEDULE
LOCAL PUBLIC HEARINGS
AND REQUEST FOR EXPEDITED RULING**

On August 14, 2015, Environmental Law & Policy Center and Sierra Club ("Joint Movants") submitted their joint motion requesting that the Attorney Examiners issue an order scheduling three local public hearings in Ohio Power Company's ("AEP Ohio" or "the Company") service territory. Joint Movants suggest that the hearings could be held in Columbus, Canton, and Athens, and they request that at least 30 days' notice of the hearings be provided by publishing notice of them in newspapers of general circulation. Joint Movants also request that the Attorney Examiners address their motion on an expedited basis.¹

¹ If a moving party requests an expedited ruling on its motion, Rule 4901:1-12(C), O.A.C., provides that any other party may file a memorandum contra within seven days of service of the motion, unless the moving party certifies that no party has an objection to an immediate ruling on their motion. The Joint Movants did not provide such a certification (which they could not have done because the Company objects to an immediate ruling). Accordingly, the Company submits its memorandum contra within the period allowed by Rule 4901:1-12(C).

There is no legal requirement to conduct public hearings in this case and the Commission already conducted public hearings in the ESP case where the Company's PPA Rider proposal was introduced and approved at an initial rate of zero dollars. Additionally, members of the public have had ample opportunity, and have taken advantage of such opportunity, to provide comments on this case through the Commission website. If the Commission does conclude that it would be beneficial to hold local public hearings in this case, the Company requests that the Commission should schedule such hearings in a manner that does not delay or cause interruption to the evidentiary hearing schedule already established by the Attorney Examiner's August 7, 2015 Entry. As explained in greater detail in the Company's August 19, 2015 memorandum in opposition to Intervenor's joint request for delay, the Commission has already fully considered the procedural schedule and that should not be disturbed. And coordinating any local public hearings with the evidentiary hearings that have been scheduled can be readily accomplished by scheduling such hearings during evening hours, as the Joint Movants suggest, and also by recognizing that such hearings can be held even after the evidentiary hearings are completed.

With regard to the type and timing of notices that should be provided, that is a matter that the Company would leave to the sound discretion of the Commission. In response to Joint Movants' request that at least 30 days' notice be provided, the Company observes that, in the past, the Commission has determined that completion of publication of notice in the two weeks prior to local public hearing is sufficient. *See, e.g., In Re Columbus Southern Power Co. and Ohio Power Co.*, Case No. 05-376-EL-UNC, Entry, at 2 (¶10) (May 26, 2005). Similarly, in FirstEnergy's current ESP case the Commission determined that it was adequate and appropriate for completion of publication of notice of public hearings to occur between 10 and 18 days prior to the public hearings. *See, ???* Case No. 14-1297-EL-SSO, Entry, at 2 (¶6) (December 2, 2014)

The 30-day request is yet another transparent attempt to undermine the established procedural schedule in this case and achieve further delay.

With respect to where any such local public hearings should be held, the Company submits that Columbus, Canton and/or Steubenville would be more appropriate locations for local public hearings than including Athens. Steubenville and/or Canton are communities in proximity to one or more of the generating units included in the Company's Amended Application in this proceeding and, thus, are more directly affected by the Amended Application.

Finally, Joint Movants devote much of their Joint Motion to outlining their arguments in opposition to the Company's Amended Application. The time and place to argue about the merits of the Company's proposals in this proceeding is at the hearings and in the post-hearing briefs. Suffice it to say, whatever might be the reasons for holding local public hearings, they do not depend upon Joint Movants' views about the merits of the Company's proposals. Indeed, the Company believes firmly that the benefits that its Amended Application would provide for its customers, the communities it serves, and the State of Ohio are very substantial, and that the hearing process in this case, including any local public hearings that the Commission determines are appropriate, will confirm its position.

Respectfully submitted,

/s/ Steven T. Nourse

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of Ohio Power Company's *Memorandum Contra Joint Motion to Schedule Public Hearings* has been served upon the below-named counsel for all parties on this 20th day of August, 2015.

/s/ Steven T. Nourse
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Case No(s). 14-1693-EL-RDR, 14-1694-EL-AAM

Summary: Memorandum Contra Joint Motion to Schedule Local Public Hearings and Request for Expedited Ruling electronically filed by Mr. Steven T Nourse on behalf of Ohio Power Company