

THIS IS TO CERTIFY THAT THE MICROFILMOGRAPH APPEARING ON THIS FILM STRIP IS AN ACCURATE AND COMPLETE REPRODUCTION OF A CASE FILE DOCUMENT DELIVERED IN THE REGULAR COURSE OF BUSINESS FOR MICROFILMING. CAMERA OPERATOR Steve Watson DATE PROCESSED 8-28-92

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application )  
of Ohio Valley Electric Corporation, )  
for: )

- (1) Approval of Modification )  
No. 14 to a Power Agreement ) Case No. 92-1161-EL-AEC  
between Ohio Valley Electric )  
Corporation and The United )  
States of America; and )  
(2) Permission to File Modification )  
No. 14 in the Commission's )  
Tariff Files. )

FINDING AND ORDER

The Commission finds:

- (1) The Applicant, Ohio Valley Electric Corporation, is a public utility as defined in Section 4905.02, Revised Code, and, as such, is subject to the jurisdiction of this Commission.
- (2) This Commission has previously approved a Power Agreement between Applicant and The United States of America, then acting through the Atomic Energy Commission, by Order dated January 29, 1953, in Proceeding No. 23,719 and Order dated July 21, 1953, in Proceeding No. 24,150. The Atomic Energy Commission's function was transferred to the Administrator of the Energy Research and Development Administration in 1975 and then to the Department of Energy in 1977.
- (3) This Commission has subsequently approved thirteen (13) modifications to the Agreement:

Modification No. 1, approved by Order dated July 21, 1953, in Proceeding No. 24,150;

Modification No. 2, approved by Order dated April 27, 1964, in Proceeding No. 32,418;

Modification No. 3, approved by Order dated July 27, 1966, in Proceeding No. 34,029;

Modification No. 4, approved by Order dated January 30, 1967, in Proceeding No. 34,346;

Modification No. 5, approved by Order Dated August 22, 1967, in Proceeding No. 34,690;

Modification No. 6, approved by Order dated August 4, 1970, in Proceeding No. 36,636;

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Modification No. 7, approved by Order dated June 16, 1976, in Proceeding No. 76-427-ATR;

Modification No. 8, approved by Order dated July 26, 1977, in Proceeding No. 77-924-EL-ATR;

Modification No. 9, approved by Order dated October 4, 1978, in Proceeding No. 78-1253-EL-ATR;

Modification No. 10, approved by Order dated November 14, 1979, in Proceeding No. 79-944-EL-AEC

Modification No. 11, approved by Order dated March 19, 1980, in Proceeding No. 80-174-EL-ATR;

Modification No. 12, approved by Order dated September 30, 1981, in Proceeding No. 81-1062-EL-ATR; and

Modification No. 13, approved by Order dated November 21, 1989, in Proceeding No. 89-1596-EL-AEC.

- (4) The Agreement is for the supply of electric power by OVEC to DOE's uranium enrichment plant in Pike County, Ohio.
- (5) The Applicant now petitions this Commission for approval of Modification No. 14 to the DOE Power Agreement.
- (6) The modification would extend the Agreement from its present expiration date of October 14, 1992 through December 31, 2005. In addition, there would be certain other changes to Applicant's and Customer's rights as to the continued supply of electric power.
- (7) Modification No. 14 should be approved in accordance with its terms as filed pursuant to Section 4905.31, Revised Code.
- (8) Our approval of this contract does not constitute state action for the purpose of the antitrust laws. It is not our intent to insulate the Applicant or any party to contracts approved by this Finding and Order from the provisions of any state or federal law which prohibit the restraint of trade.

It is, therefore,

ORDERED, That the Modification attached to the Application is approved and shall become effective pursuant to its terms. Two copies of the Modification as filed shall be accepted for inclusion in this docket. It is, further,

ORDERED, That nothing in this Finding and Order shall be binding upon this Commission in any subsequent investigation or proceeding



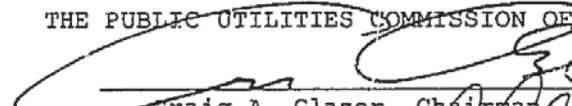
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CAMERA OPERATOR Steve Watson DATE PROCESSED 8-28-92

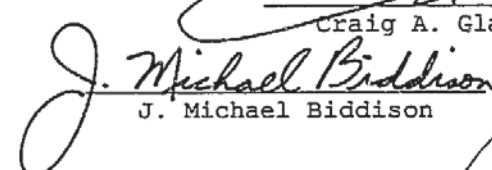
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involving the justness or reasonableness of any rate, charge, rule  
or regulation. It is, further,

ORDERED, That a copy of this Finding and Order be served upon the  
Applicant.

THE PUBLIC UTILITIES COMMISSION OF OHIO

  
Craig A. Glazer, Chairman

  
J. Michael Biddison

  
Ashley C. Brown

  
Jolynn Barry Butler

  
Richard M. Fanelly

KW:jr

Entered in the Journal

AUG 27 1992

A True Copy

  
Gary E. Vigor  
Secretary

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**Case No(s). 92-1161-EL-AEC**

Summary: Finding & Order electronically filed by Docketing Staff on behalf of Docketing