

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE APPLICATION OF  
OHIO POWER COMPANY FOR AUTHORITY  
TO ESTABLISH A STANDARD SERVICE  
OFFER PURSUANT TO R.C. 4928.143, IN  
THE FORM OF AN ELECTRIC SECURITY  
PLAN.

CASE No. 16-1852-EL-SSO

IN THE MATTER OF THE APPLICATION OF  
OHIO POWER COMPANY FOR APPROVAL  
OF CERTAIN ACCOUNTING AUTHORITY.

CASE No. 16-1853-EL-AAM

ENTRY

Entered in the Journal on June 1, 2017

{¶ 1} Ohio Power Company d/b/a AEP Ohio (AEP Ohio) is an electric distribution utility as defined in R.C. 4928.01(A)(6) and a public utility as defined in R.C. 4905.02, and, as such, is subject to the jurisdiction of this Commission.

{¶ 2} R.C. 4928.141 provides that an electric distribution utility shall provide consumers within its certified territory a standard service offer (SSO) of all competitive retail electric services necessary to maintain essential electric services to customers, including a firm supply of electric generation services. The SSO may be either a market rate offer in accordance with R.C. 4928.142 or an electric security plan (ESP) in accordance with R.C. 4928.143.

{¶ 3} In Case No. 13-2385-EL-SSO, et al., the Commission modified and approved AEP Ohio's application for an ESP for the period beginning June 1, 2015, through May 31, 2018, pursuant to R.C. 4928.143. *In re Ohio Power Co.*, Case No. 13-2385-EL-SSO, et al., Opinion and Order (Feb. 25, 2015), Second Entry on Rehearing (May 28, 2015), Fourth Entry on Rehearing (Nov. 3, 2016), Seventh Entry on Rehearing (Apr. 5, 2017).

{¶ 4} On November 23, 2016, in the above-captioned cases, AEP Ohio filed an application that, if approved, would modify the ESP and extend its term through May 31, 2024.

{¶ 5} By Entry dated February 7, 2017, a procedural schedule was established, which included a deadline of May 30, 2017, for the filing of Staff's testimony. The Entry also directed that the evidentiary hearing in these matters would commence on June 6, 2017.

{¶ 6} On May 23, 2017, Staff filed a motion seeking to extend the deadline for the filing of its testimony, along with a request for expedited consideration. Specifically, Staff requested that the deadline be extended from May 30, 2017, to June 6, 2017. By Entry dated May 26, 2017, the attorney examiner granted Staff's motion.

{¶ 7} On May 26, 2017, Staff filed a motion seeking to continue the date of the evidentiary hearing and to extend the deadline for the filing of its testimony, along with a request for expedited consideration. Staff proposes that its testimony be filed by June 9, 2017, and that the evidentiary hearing commence on June 12, 2017. In support of its motion, Staff states that the parties have continued to engage in settlement negotiations, which remain ongoing. Staff further states that additional time is necessary to enable the parties to determine whether their negotiations are likely to resolve these matters by agreement. Finally, Staff notes that all parties have been contacted regarding the motion and that all responding parties, with the exception of The Kroger Co. (Kroger), have granted their consent to the requested extension.

{¶ 8} On May 31, 2017, Kroger filed a memorandum contra Staff's motion. Kroger notes that it does not object to Staff's request to extend the deadline for the filing of its testimony or to Staff's request for a continuance of the hearing date. Kroger states, however, that it objects to the proposed hearing date of June 12, 2017, because its counsel

is scheduled to be out of the country during that week. Kroger proposes a new hearing date of June 19, 2017.

{¶ 9} The attorney examiner finds that Staff's motion for an extension of the deadline for the filing of its testimony is reasonable and should be granted pursuant to Ohio Adm.Code 4901-1-12(F). Staff should, therefore, file its testimony by June 9, 2017. With respect to Staff's request for a continuance of the evidentiary hearing, the attorney examiner finds that the hearing should be continued, with the new hearing date to be established by subsequent entry. A representative for the parties is directed to contact the attorney examiner by June 6, 2017, with an update on the parties' progress in reaching a settlement agreement.

{¶ 10} It is, therefore,

{¶ 11} ORDERED, That Staff's motion for an extension of the deadline for the filing of its testimony be granted. It is, further,

{¶ 12} ORDERED, That Staff's request for a continuance of the evidentiary hearing be granted, with the new hearing date to be established by subsequent entry. It is, further,

{¶ 13} ORDERED, That a copy of this Entry be served upon all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/Sarah Parrot

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By: Sarah J. Parrot  
Attorney Examiner

JRJ/sc

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

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**Case No(s). 16-1852-EL-SSO, 16-1853-EL-AAM**

Summary: Attorney Examiner Entry granting Staff's motion for an extension of the deadline for the filing of its testimony and granting Staff's request for a continuance of the evidentiary hearing to a date established by a subsequent entry. - electronically filed by Sandra Coffey on behalf of Sarah Parrot, Attorney Examiner, Public Utilities Commission of Ohio