

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 6, 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 proposed 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 stated that the parties have continued to engage in settlement negotiations, which remain ongoing. Staff further stated that additional time is necessary to enable the parties to determine whether their negotiations are likely to resolve these matters by agreement.

{¶ 8} By Entry dated June 1, 2017, the attorney examiner granted Staff's motion for an extension of the deadline to June 9, 2017, for the filing of its testimony. With respect to Staff's request for a continuance of the evidentiary hearing, the attorney examiner found that the hearing should be continued, with the new hearing date to be established by subsequent entry. A representative for the parties was directed to contact the attorney

examiner by June 6, 2017, with an update on the parties' progress in reaching a settlement agreement.

{¶ 9} On June 6, 2017, AEP Ohio, Staff, and several other parties to these proceedings informed the attorney examiners that the parties continue to engage in settlement discussions. During the discussion with the attorney examiners, AEP Ohio proposed that the evidentiary hearing be rescheduled to commence on June 19, 2017. The Ohio Consumers' Counsel proposed a new hearing date of June 12, 2017, which was opposed by The Kroger Co. (Kroger) and the Ohio Manufacturers' Association Energy Group (OMAEG). Kroger and OMAEG also stated that, although they do not oppose AEP Ohio's proposed date of June 19, 2017, it may not afford the parties sufficient time to determine whether a settlement agreement can be reached and to conduct depositions, if necessary. Finally, Staff requested that its testimony be due on the Friday before the new hearing date.

{¶ 10} At this time, in light of the ongoing settlement discussions among the parties, the attorney examiner finds that the evidentiary hearing should be rescheduled to commence on August 8, 2017, at 10:00 a.m., at the offices of the Commission, Hearing Room 11-A, 180 East Broad Street, Columbus, Ohio. The attorney examiner finds that this continuance will afford the parties sufficient time to fully explore the possibility of reaching a resolution of some or all of the issues raised in these proceedings. The attorney examiner also notes that, regardless of whether a settlement agreement is filed in these cases, the parties should be prepared to commence the evidentiary hearing on August 8, 2017, as rescheduled. Finally, the attorney examiner directs that Staff should file its testimony no later than August 4, 2017.

{¶ 11} It is, therefore,

{¶ 12} ORDERED, That the evidentiary hearing be rescheduled to commence on August 8, 2017, at 10:00 a.m., at the offices of the Commission, Hearing Room 11-A, 180 East Broad Street, Columbus, Ohio. It is, further,

{¶ 13} ORDERED, That Staff file its testimony no later than August 4, 2017. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/ Sarah J. Parrot

By: Sarah J. Parrot
Attorney Examiner

GAP/sc

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in

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

Summary: Attorney Examiner Entry ordering the evidentiary hearing be rescheduled to commence on August 8, 2017, at 10:00 a.m., at the offices of the Commission, Hearing Room 11-A, 180 East Broad Street, Columbus, Ohio; and that Staff file its testimony no later than August 4, 2017. Entry electronically filed by Debra Hight on behalf of Sarah J. Parrot, Attorney Examiner.