

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE APPLICATION OF
OHIO VALLEY ELECTRIC CORPORATION
FOR APPROVAL OF TERMINATION OF
SERVICE.

CASE NO. 15-892-EL-AEC

ENTRY

Entered in the Journal on October 24, 2017

{¶ 1} The Ohio Valley Electric Corporation (OVEC), is currently a public utility as defined by R.C. 4905.02, that was formed on October 1, 1952, by 15 regional utilities for the purpose of providing electric service to the uranium enrichment facility in Southern Ohio (Facility) under a power supply agreement (DOE Power Agreement) dated October 15, 1952 between OVEC and the United States of America, through the predecessor to the Secretary of Energy, statutory head of the Department of Energy (DOE). The DOE Power Agreement was approved by this Commission in orders issued on January 29, and July 21, 1953, in Proceeding Nos. 23,719 and 24,150, respectively. From time to time, the Commission has approved various amendments to the DOE Power Agreement and subsequent agreements, the last modification of which was issued in *In Re Ohio Valley Electric Corp.*, Case No. 08-1100-EL-AEC, Finding & Order (Nov. 19, 2008).

{¶ 2} On May 7, 2015, OVEC filed the application in this docket seeking approval of its agreement with the DOE to terminate OVEC's service to the Facility (Termination Agreement).

{¶ 3} By Entry issued on April 21, 2016, the motions to intervene of the Department of Energy (DOE) and the Ohio Power Company (AEP Ohio) were granted, and set a prehearing conference for May 10, 2016, at which time, the parties indicated that a number of technical issues would need to be resolved before electrical service to the facility could be assumed by AEP Ohio, and the parties requested additional time to reach a settlement of all issues in this matter.

{¶ 4} On April 28, 2016, the DOE filed a motion requesting that Steven Porter be permitted to appear pro hac vice and participate as co-counsel on its behalf. In support of

its motion, DOE submitted a copy of the certificate of pro hac vice registration for Mr. Porter furnished by the Supreme Court of Ohio Office of Attorney Services, and a copy of the affidavit required by Gov. Bar R. XII(2)(A)(6), granting Mr. Porter pro hac vice status to appear in Ohio proceedings.

{¶ 5} DOE's motion to allow Mr. Porter to appear pro hac vice and as co-counsel on its behalf is properly supported and not opposed by any party, and should be granted.

{¶ 6} The Application and Termination Agreement has been subsequently amended several times, most recently on August 23, 2017, but to date, no agreement has been filed with AEP Ohio, who will become the exclusive provider of electric distribution service to the Facility if the application is granted. Accordingly, this matter should be set for a prehearing conference on November 22, 2017, at 10:00 a.m., at the offices of the Commission, 180 East Broad Street, 11th Floor, Hearing Room 11-C, Columbus, Ohio 43215-3793.

{¶ 7} It is, therefore,

{¶ 8} ORDERED, That DOE's motion to allow Mr. Porter to appear pro hac vice, as co-counsel on its behalf, be granted. It is, further,

{¶ 9} ORDERED, That a prehearing conference be scheduled for November 22, 2017, at 10:00 a.m., at the Commission. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/ Richard M. Bulgrin

By: Richard M. Bulgrin
Attorney Examiner

jrj/vrm

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Case No(s). 15-0892-EL-AEC

Summary: Attorney Examiner Entry granting DOE's motion to allow Mr. Porter to appear pro hac vice, as co-counsel on its behalf and scheduling a prehearing conference for November 22, 2017, at 10:00 a.m.; electronically filed by Vesta R Miller on behalf of Richard M. Bulgrin, Attorney Examiner, Public Utilities Commission of Ohio