

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 November 17, 2017

{¶ 1} The Ohio Valley Electric Corporation (OVEC), is a public utility as defined by R.C. 4905.02, that was formed in 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 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 most recent modification of this arrangement was approved by the Commission 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. By Entry issued on April 21, 2016, the motion to intervene of Ohio Power Company (AEP Ohio) was granted, as AEP Ohio will become the exclusive provider of electric distribution service to the Facility, pursuant to the Certified Territory Act, R.C. 4933.81-4933.90, if the application is granted.

{¶ 3} On November 3, 2017, the Industrial Energy Users-Ohio (IEU-Ohio) filed a motion to intervene, pursuant to Ohio Adm.Code 4901-1-11, asserting that IEU-Ohio members are served by AEP Ohio, and may be impacted by AEP Ohio's assumption of service to the Facility.

{¶ 4} As IEU-Ohio has set forth sufficient grounds, and none of the parties oppose its intervention, IEU-Ohio's motion should be granted.

{¶ 5} On November 6, 2017, DOE filed a motion requesting that Rishi Garg 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. Garg 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. Garg pro hac vice status to appear in Ohio proceedings.

{¶ 6} DOE's motion to allow Mr. Garg 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.

{¶ 7} Pursuant to the agreement of the parties at the November 16, 2017 prehearing conference, AEP Ohio and OVEC should file by year's end, a status update regarding the timeline and agreement for the assumption of service to the Facility by AEP Ohio.

{¶ 8} It is, therefore,

{¶ 9} ORDERED, That IEU-Ohio's motion to intervene be granted. It is, further,

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

{¶ 11} 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

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

11/17/2017 10:24:00 AM

in

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

Summary: Attorney Examiner Entry granting IEU-Ohio's motion to intervene; electronically filed by Vesta R Miller on behalf of Richard M. Bulgrin, Attorney Examiner, Public Utilities Commission of Ohio