

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE APPLICATION OF
ACERO JUNCTION, INC. AND OHIO POWER
COMPANY FOR APPROVAL OF A UNIQUE
ARRANGEMENT.

CASE NO. 17-2132-EL-AEC

ENTRY

Entered in the Journal on March 1, 2018

{¶ 1} Pursuant to R.C. 4905.31 and Ohio Adm.Code 4901:1-38-05(B), a mercantile customer of an electric utility may apply to the Commission for a unique arrangement with the electric utility. "Mercantile customer" is defined by R.C. 4928.01(A)(19) to mean a commercial or industrial customer if the electricity consumed is for nonresidential use and the customer consumes more than 700,000 kilowatt hours per year or is part of a national account involving multiple facilities in one or more states.

{¶ 2} On October 18, 2017, Acero Junction, Inc. (Acero Junction) filed an application for approval of a unique arrangement pursuant to Ohio Adm.Code 4901:1-38-05(B), jointly with Ohio Power Company (AEP Ohio). According to the application, Acero Junction intends to restart steelmaking operations at the former Wheeling Pittsburgh Steel facility, located in Mingo Junction, Jefferson County, Ohio, that has been shut down since 2009. The facility is within the certified service area of AEP Ohio and, if steelmaking operations are fully resumed, Acero Junction would become AEP Ohio's second largest retail customer. The application provides that the arrangement would commence upon Commission approval and would end on May 31, 2024.

{¶ 3} Ohio Adm.Code 4901:1-38-05(F) allows affected parties to file motions to intervene as well as comments or objections to an application within 20 days of the filing of the application. However, as this application was filed and reported under a EL-UNC designation, by Entry issued October 26, 2017, this docket was redesignated using the EL-AEC case code, and affected parties were granted until November 16, 2017, to intervene and file comments pursuant to Ohio Adm.Code 4901:1-38-05(F).

{¶ 4} Motions to intervene were filed by Industrial Energy Users-Ohio (IEU-Ohio) and the Ohio Manufacturers' Association Energy Group (OMAEG) on November 3 and 16, 2017, respectively. Comments were also filed by the Ohio Consumers' Counsel (OCC) on November 16, 2017, and a motion for leave to file its motion to intervene out of time on November 17, 2017.

{¶ 5} R.C. 4903.221 and Ohio Adm.Code 4901-1-11 permit intervention in Commission proceedings by parties with real and substantial interests that are not otherwise adequately represented, but may be adversely affected by the proceeding, where the intervenors will contribute to the full development and equitable resolution of factual issues without unduly prolonging or delaying the proceeding.

{¶ 6} No objections to any of these motions have been filed, and each of these parties seeking to intervene represents AEP Ohio customer classes that may be adversely affected by incentives under the proposed unique arrangement. Further, granting intervention will not unduly prolong or delay this proceeding, but will likely contribute to the full development and equitable resolution of the issues raised in this case. Accordingly, the motions of IEU-Ohio, OMAEG, and OCC to intervene in this proceeding will be granted.

{¶ 7} On February 16, 2018, AEP Ohio and Acero Junction filed a Joint Stipulation and Recommendation (Stipulation) that was joined by Staff and purports to resolve all of the issues raised in this proceeding. On February 20, 2018, IEU-Ohio filed correspondence indicating that it will not oppose the Commission's adoption of the Stipulation.

{¶ 8} The attorney examiner finds that a hearing should be scheduled in order to consider this application on March 14, 2018, 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.

{¶ 9} It is, therefore,

{¶ 10} ORDERED, That the motions to intervene by IEU-Ohio, OMAEG, and OCC be granted. It is, further,

{¶ 11} ORDERED, That the hearing of this matter be scheduled for March 14, 2018, 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. It is, further,

{¶ 12} ORDERED, That a copy of this Entry be served upon each party of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/ Richard M. Bulgrin

By: Richard M. Bulgrin
Attorney Examiner

SJP/mef

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

3/1/2018 4:48:55 PM

in

Case No(s). 17-2132-EL-AEC

Summary: Attorney Examiner Entry granting motions to intervene and setting the hearing for 3/14/18 at 10:00am. electronically filed by Ms. Mary E Fischer on behalf of Richard M. Bulgrin, Attorney Examiner, Public Utilities Commission of Ohio