

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Commission's Review of)	
the Purchase of Receivables Implementation)	Case No. 15-1507-EL-EDI
Plan for Ohio Power Company.)	

**MEMORANDUM CONTRA SECOND APPLICATION FOR REHEARING
OF
IGS ENERGY AND DIRECT ENERGY**

The Ohio Consumers' Counsel's (OCC) March 30, 2018 Second Application for Rehearing (Application) is merely its most recent attempt to force suppliers to bear the entire cost of retail developments that the Commission and the General Assembly have deemed appropriate. The application raises no new arguments and should therefore be denied.

OCC argues that the Commission's February 28, 2018 Second Entry on Rehearing (Entry) was the "first time" the Commission "interpreted the financial guarantee provision of R.C. 4920.08(B) in a way that harms customers."¹ Leaving aside the characterization of the Commission's guidance as harmful to customers, this statement and OCC's ensuing argument invents a perspective that has no basis in the language of the Entry. In the Entry, the Commission essentially quotes verbatim the language of the statute,² which somehow leads OCC to read into the entry an interpretation that "shut[s] down the right to collect unforeseen costs from marketers[.]"³ OCC provides no explanation of how this restatement of the statute possibly shuts down any ability to collect costs from suppliers, nor does it address how the Commission's repeated description of the Bad Debt Rider as a "backstop" is in contradiction with the statute.

¹ Application at 2.

² Entry at 6-7.

³ Application at 4.

OCC's true intention, however, is revealed in the next paragraph, where it states once again that allowing AEP Ohio to collect costs associated with the Purchase of Receivables Program through the BDR is "unjust and unreasonable"⁴; OCC has raised this issue numerous times before and has been denied at every turn. There is no reasonable explanation given as to why the Commission should change course now.

OCC makes no new arguments for its position and can give no justification as to its reading of the Entry. Accordingly, the application for rehearing should be denied.

Dated: March 9, 2018

Respectfully submitted,

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⁴ *Id.*

CERTIFICATE OF SERVICE

I hereby certify that a copy of this Memorandum Contra was served by electronic mail this 9th day of March, 2018, to the following:

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/s/ Rebekah J. Glover

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Case No(s). 15-1507-EL-EDI

Summary: Memorandum Contra Ohio Consumers' Counsel's Second Application for Rehearing electronically filed by Ms. Rebekah J. Glover on behalf of Interstate Gas Supply, Inc. and Direct Energy Services, LLC and Direct Energy Business, LLC