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Via E-file

July 3, 2018

Public Utilities Commission of Ohio
PUCO Docketing
180 E. Broad Street, 10th Floor
Columbus, Ohio 43215

In re: Case No. 17-2132-EL-AEC

Dear Sir/Madam:

Please find attached ACERO JUNCTION INC.'s MOTION FOR APPROVAL OF ASSIGNMENT AND MEMORANDUM IN SUPPORT e-filed today in the above-referenced docket.

Please place this document of file.

Respectfully yours,

A handwritten signature in blue ink, appearing to be "JMK C", representing Michael L. Kurtz and Jody Kyler Cohn.

Michael L. Kurtz, Esq.
Jody Kyler Cohn, Esq.
BOEHM, KURTZ & LOWRY

MLKkew
Attachment

Cc: Thomas W. McNamee, Assistant Attorney General (via email)
Public Utilities Commission of Ohio

**BEFORE THE
PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Joint Application for Approval of an Economic Development Arrangement between Ohio Power Company and Acero Junction Inc.	: : :
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Case No. 17-2132-EL-AEC

**MOTION FOR APPROVAL OF ASSIGNMENT
OF ACERO JUNCTION INC.**

Pursuant to Ohio Admin. Code 4901-1-12 and the terms of the Economic Development and Reasonable Arrangement approved by the Public Utilities Commission of Ohio ("Commission") on May 2, 2018 ("Arrangement"), Acero Junction, Inc. ("Acero Junction") hereby moves the Commission to provide Acero Junction consent to assign all rights and obligations under the Arrangement to JSW Steel Ohio Inc. A memorandum in support of this Motion is attached.

Respectfully submitted,



Michael L. Kurtz, Esq.

Jody Kyler Cohn, Esq.

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COUNSEL FOR ACERO JUNCTION, INC.

July 3, 2018

**BEFORE THE
PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Joint Application for Approval of an Economic Development Arrangement between Ohio Power Company and Acero Junction Inc.	: : :	Case No. 17-2132-EL-AEC
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**MEMORANDUM IN SUPPORT OF
MOTION FOR APPROVAL OF ASSIGNMENT
OF ACERO JUNCTION INC.**

On May 2, 2018, the Commission approved an Economic Development and Reasonable Arrangement between Acero Junction and AEP Ohio (“Arrangement”). As approved by the Commission, the Arrangement provides that *“all rights and obligations hereunder, shall be fully assignable by [Acero Junction] to any new owner or operator of the plant with the consent of AEP Ohio, which consent shall not be unreasonably withheld, and the Commission.”*¹

On June 13, 2018, Acero Junction’s steelmaking facility was acquired by JSW Steel. Acero Junction’s new corporate name is JSW Steel Ohio Inc. Consequently, in light of its new ownership and corporate structure, Acero Junction now requests Commission approval to assign all rights and obligations under its Arrangement to JSW Steel Ohio Inc.

The requested assignment will not impact the jobs and other economic development benefits that will flow from the Arrangement. This change is merely necessary to preserve the Arrangement in light of the facility’s new ownership.

¹ Joint Stipulation and Recommendation (February 16, 2018) at 4; Joint Application for Approval of an Economic Development and Reasonable Arrangement (October 18, 2017) at 4.

Acero Junction has already received the requisite consent for the requested assignment from AEP Ohio.²
Accordingly, Acero Junction respectfully moves the Commission for consent to assign the Arrangement to JSW Steel Ohio Inc.

Respectfully submitted,



Michael L. Kurtz, Esq.

Jody Kyler Cohn, Esq.

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COUNSEL FOR ACERO JUNCTION, INC.

July 3, 2018

² See Attachment 1.

ATTACHMENT 1

ASSIGNMENT OF ECONOMIC DEVELOPMENT AND REASONABLE ARRANGEMENT

WHEREAS, Acero Junction, Inc. ("Acero Junction") owned and operated a facility located at 1500 Commercial Avenue, Mingo Junction, OH 43938, which is within the electric service territory of Ohio Power Company ("AEP Ohio" or "Company");

WHEREAS, in order to secure a competitive electric rate that would enable Acero Junction to restart its steelmaking operations at the facility, Acero Junction and AEP Ohio submitted to the Public Utilities Commission of Ohio ("Commission") in Case No. 17-2132-EL-AEC a Joint Application For Approval of an Economic Development and Reasonable Arrangement ("Arrangement") on October 18, 2017 and a Joint Stipulation and Recommendation on February 16, 2018 recommending that the proposed Arrangement be approved without modification ("Stipulation").

WHEREAS, the Commission approved the proposed Arrangement without modification in its Opinion and Order issued May 2, 2018 in Commission Case No. 17-2132-EL-AEC;

WHEREAS, as approved by the Commission, the "Arrangement, including all rights and obligations hereunder, shall be fully assignable by [Acero Junction] to any new owner or operator of the plant with the consent of AEP Ohio, which consent shall not be unreasonably withheld, and the Commission;"

WHEREAS, Acero Junction's Mingo Junction steelmaking facility was acquired by JSW Steel Ohio Inc., on June 13, 2018;

WHEREAS, Acero Junction requested consent by AEP Ohio to assign all rights and obligations under the Commission-approved Arrangement to JSW Steel Ohio Inc., or any affiliate of JSW Steel Ohio Inc. that is owned by JSW Steel Ltd.;

WHEREAS, AEP Ohio consented to Acero Junction's request;

NOW, THEREFORE, Acero Junction hereby assigns all rights and obligations under the Commission-approved Arrangement to JSW Steel Ohio Inc., or any affiliate of JSW Steel Ohio Inc. that is owned by JSW Steel Ltd.

IN WITNESS WHEREOF, the parties hereto have caused this Assignment to be executed by their duly authorized officers or representatives as of June __, 2018.



JSW Steel Ohio Inc.

6/29/18

Date




Ohio Power Company

6/27/2018

Date

CERTIFICATE OF SERVICE

In accordance with Rule 4901-1-05, Ohio Administrative Code, the PUCO's e-filing system will electronically serve notice of the filing of this document upon the following parties. In addition, I hereby certify that a service copy of the foregoing MOTION FOR APPROVAL OF ASSIGNMENT was sent to the following parties of record *via* electronic transmission this 3rd day of July, 2018 to the following:


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in

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

Summary: Motion Acero Junction's Motion for Approval of Assignment and Memorandum in Support electronically filed by Mr. Michael L. Kurtz on behalf of Acero Junction Inc.