

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the 2018 Long-Term Forecast)
Report on Behalf of Ohio Power Company) Case No. 18-501-EL-FOR
and Related Matters)

**THE OHIO MANUFACTURERS' ASSOCIATION ENERGY GROUP'S
REPLY TO THE MEMORANDUM CONTRA STAFF'S MOTION FOR A
PROCEDURAL SCHEDULE FILED BY
THE NATURAL RESOURCES DEFENSE COUNCIL**

I. INTRODUCTION

On April 16, 2018, the Ohio Power Company (AEP Ohio) filed its Long-Term Forecast Report (LTFR) in this docket.¹ AEP Ohio supplemented its LTFR in a filing made on June 26, 2018.² On September 19, 2018, AEP Ohio filed a significant Amendment to its 2018 Long-Term Forecast Report, wherein it requested that the Public Utilities Commission of Ohio (Commission) permit AEP Ohio to develop at least 900 MW of renewable energy projects in Ohio (the costs for which would be recovered from customers).³ On September 21, 2018 Staff of the Commission (Staff) filed a Motion for a Hearing.⁴ In that motion, Staff requested that the Commission set a hearing within a timeframe that complies with Ohio law, but then call-and-continue that hearing in order to allow the parties to develop a full record in this proceeding

¹ See *In the Matter of the 2018 Long-Term Forecast Report on behalf of Ohio Power and Related Matters*, Application (April 16, 2018).
² See Ohio Power Company's Supplemental Long-Term Forecast Report Filing (69 kV facilities) (June 26, 2018).
³ See Amendment to the 2018 Long-Term Forecast Report of Ohio Power Company at 2-3 (September 19, 2018) (Amendment).
⁴ Motion for a Hearing (September 24, 2018).

before the Commission renders its decision.⁵ On October 9, 2018, the National Resources Defense Council (NRDC) filed a memorandum contra Staff's motion.⁶ The Ohio Manufacturers' Association Energy Group (OMAEG) now files this Reply to the memorandum contra of NRDC.

II. DISCUSSION

OMAEG supports Staff's proposal in its Motion for a Hearing. Staff correctly recognizes that the complexities of this case, its novelty, and the potential that it could attract public interest require careful consideration by the parties and the Commission.⁷ As such, the Commission should adopt a procedural schedule that will not inhibit the development of a full record in this proceeding. The Commission is addressing many of these issues for the first time, so this case will have an impact not only on AEP Ohio's customers, but also on others across Ohio. As such, the importance of a full consideration of this case, including a complete discovery process, is paramount. While NRDC's proposed schedule is better than AEP Ohio's, it does not allow a sufficient amount of time to fully develop the record in this case. As such, the Commission should adopt Staff's proposal because it does not impose an arbitrary discovery cut-off and hearing date.

OMAEG supports a full development and consideration of these issues. At this stage, however, the parties and the Commission could not know how long such process will take. Specifically, the extent to which discovery responses will require additional follow-up or discussion is not known. As such, there is no need for the Commission to set a full procedural schedule at this time.

⁵ Id. at 2.

⁶ See Limited Memorandum Contra Motion for Hearing (October 9, 2018) (NRDC Memorandum Contra).

⁷ Motion for Hearing at 2.

NRDC states that an open call-and-continue would “jeopardize the value that AEP’s customers stand to gain as a result of this case and related cases.”⁸ This proposition falsely assumes that there is any value to AEP Ohio’s customers and that AEP Ohio’s proposal is reasonable. As demonstrated in numerous pleadings filed in this matter, many parties, including OMAEG, have doubts that such value exists. Indeed, competitive markets have provided benefits to Ohio’s public utility customers by giving customers the choice to shop for their generation supply. Ohio’s state policy was enacted to ensure that customers had effective competition in their choice of generation supply by avoiding anticompetitive subsidies from flowing through the distribution utilities to their unregulated affiliates.⁹ Here, AEP Ohio, a distribution utility, seeks authority, without a demonstration of need for a particular project, to develop 900 MW of new generation sources by it and/or its affiliates that will be paid for by all customers of the distribution utility. Thus, the Commission should not set a procedural schedule premised on expediting a benefit to customers that may never materialize. Rather, the Commission’s focus should be on ensuring that all parties are afforded due process and a complete opportunity to participate in this case.

⁸ Id. at 6.

⁹ See R.C. 4928.02 (stating that it is the policy of the State of Ohio to ensure effective competition in the provision of retail electric service by avoiding anticompetitive subsidies from noncompetitive retail electric service to a competitive retail electric service).

III. CONCLUSION

The Commission should adopt Staff's proposal in order to ensure that all parties have access to full and complete discovery and a reasonable process in this matter. It should reject NRDC's proposal that the Commission adopt arbitrary deadlines in order to maximize a claimed benefit that may not even exist.

Respectfully submitted,

/s/ Kimberly W. Bojko

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CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing was served via electronic mail on all parties of record on October 16, 2018.

/s/Kimberly W. Bojko

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10/16/2018 5:20:49 PM

in

Case No(s). 18-0501-EL-FOR

Summary: Reply to Memorandum Contra of the Natural Resources Defense Council electronically filed by Mr. Brian W Dressel on behalf of The Ohio Manufacturers' Association Energy Group