

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE 2016 REVIEW OF
THE DISTRIBUTION INVESTMENT RIDER
CONTAINED IN THE TARIFF OF OHIO
POWER COMPANY.

CASE NO. 17-38-EL-RDR

IN THE MATTER OF THE 2017 REVIEW OF
THE DISTRIBUTION INVESTMENT RIDER
CONTAINED IN THE TARIFF OF OHIO
POWER COMPANY.

CASE NO. 18-230-EL-RDR

ENTRY

Entered in the Journal on July 16, 2019

{¶ 1} Ohio Power Company d/b/a AEP Ohio (AEP Ohio) is an electric distribution utility as defined in R.C. 4928.01(A)(6) and a public utility as defined in R.C. 4905.02, and, as such, is subject to the jurisdiction of this Commission.

{¶ 2} R.C. 4928.141 provides that an electric distribution utility shall provide consumers within its certified territory a standard service offer (SSO) of all competitive retail electric services necessary to maintain essential electric services to customers, including a firm supply of electric generation services. The SSO may be either a market rate offer in accordance with R.C. 4928.142 or an electric security plan (ESP) in accordance with R.C. 4928.143.

{¶ 3} In Case No. 11-346-EL-SSO, et al., the Commission modified and approved, pursuant to R.C. 4928.143, AEP Ohio's application for an ESP, to be effective with the first billing cycle of September 2012 through May 31, 2015. *In re Columbus Southern Power Co. and Ohio Power Co.*, Case No. 11-346-EL-SSO, et al., Opinion and Order (Aug. 8, 2012). Among other provisions of the ESP, the Commission modified and approved AEP Ohio's proposed distribution investment rider (DIR) to allow for the recovery of capital costs for distribution infrastructure investments in order to facilitate improved service reliability. The Commission also required that the DIR be reviewed annually for accounting accuracy and prudence.

{¶ 4} In Case No. 13-2385-EL-SSO, et al., the Commission modified and approved an ESP for AEP Ohio, including modification and approval of continuation of the DIR, for the period of June 1, 2015, through May 31, 2018. *In re Ohio Power Co.*, Case No. 13-2385-EL-SSO, et al., Opinion and Order (Feb. 25, 2015) at 45-47, Second Entry on Rehearing (May 28, 2015) at 23-25, Fourth Entry on Rehearing (Nov. 3, 2016) at 50-51, Seventh Entry on Rehearing (Apr. 5, 2017) at 14.

{¶ 5} On March 22, 2017, in Case No. 17-38-EL-RDR, the Commission selected Blue Ridge Consulting Services, Inc. (Blue Ridge) to perform the annual audit of AEP Ohio's DIR for 2016. Blue Ridge filed its compliance audit report for 2016 on August 10, 2017.

{¶ 6} On March 28, 2018, in Case No. 18-230-EL-RDR, the Commission selected Blue Ridge to perform the annual audit of AEP Ohio's DIR for 2017. Blue Ridge filed its compliance audit report for 2017 on August 23, 2018.

{¶ 7} By Entry dated August 30, 2018, the attorney examiner established a procedural schedule, in order to assist the Commission in its review of AEP Ohio's DIR for 2016 and 2017.

{¶ 8} Consistent with the established procedural schedule, AEP Ohio, Staff, and the Ohio Consumers' Counsel (OCC) filed initial and reply comments on October 26, 2018, and November 16, 2018, respectively.

{¶ 9} On March 18, 2019, the attorney examiner established deadlines for the filing of testimony on behalf of the parties and scheduled an evidentiary hearing for June 11, 2019.

{¶ 10} On May 30, 2019, Staff filed a motion for extension and request for expedited treatment. In the motion, Staff proposed to extend the deadline for Staff's and OCC's testimony from May 31, 2019, to June 7, 2019, in order to provide the parties

additional time to engage in settlement negotiations. By Entry dated May 31, 2019, the attorney examiner granted Staff's motion.

{¶ 11} On June 5, 2019, Staff filed an unopposed motion to extend the procedural schedule, along with a request for an expedited ruling. On that same date, the attorney examiner granted Staff's motion and extended the deadline for the filing of testimony on behalf of Staff and OCC to July 9, 2019, with the evidentiary hearing rescheduled to commence on July 16, 2019.

{¶ 12} On July 2, 2019, AEP Ohio and Staff filed a joint stipulation and recommendation (Stipulation) for the Commission's consideration.

{¶ 13} On July 3, 2019, Staff filed an unopposed motion to extend the procedural schedule and a request for an expedited ruling. In the motion, Staff proposed that testimony in support of the Stipulation be filed by July 15, 2019. Additionally, Staff requested that the evidentiary hearing scheduled to begin on July 16, 2019, be treated as a prehearing conference to discuss the procedural schedule on a going-forward basis. By Entry dated July 3, 2019, the attorney examiner granted Staff's motion for an extension of the procedural schedule and directed the parties to appear for a prehearing conference on July 16, 2019.

{¶ 14} The prehearing conference occurred, as scheduled, on July 16, 2019. During the prehearing conference, AEP Ohio, Staff, and OCC discussed the timing of discovery and a revised procedural schedule. Consistent with the parties' discussions, the attorney examiner directs that OCC's testimony in opposition to the Stipulation be filed no later than August 20, 2019. Further, the evidentiary hearing should be scheduled to commence on August 30, 2019, at 9:00 a.m., at the offices of the Commission, 180 East Broad Street, 11th Floor, Hearing Room 11-C, Columbus, Ohio.

{¶ 15} In addition, the attorney examiner finds that the response time for discovery shall be shortened to ten calendar days. Unless otherwise agreed to by the parties, discovery requests and replies shall be served by hand delivery, facsimile, or e-mail. An attorney serving a discovery request shall attempt to contact the attorney upon whom the discovery request will be served in advance to advise him/her that a request will be forthcoming.

{¶ 16} It is, therefore,

{¶ 17} ORDERED, That the procedural schedule set forth in Paragraph 14 be adopted. It is, further,

{¶ 18} ORDERED, That the parties comply with the directives set forth in Paragraph 15. It is, further,

{¶ 19} ORDERED, That a copy of this Entry be served upon all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/Sarah Parrot

By: Sarah J. Parrot
Attorney Examiner

JRJ/sc

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Case No(s). 17-0038-EL-RDR, 18-0230-EL-RDR

Summary: Attorney Examiner Entry setting forth a procedural schedule in accordance with Paragraph 14 and ordering the parties to comply with the directives set forth in Paragraph 15 - electronically filed by Sandra Coffey on behalf of Sarah Parrot, Attorney Examiner, Public Utilities Commission of Ohio