

In the Matter of the Review of the )  
Reconciliation Rider of Duke Energy Ohio, ) Case No. 20-167-EL-RDR  
Inc. )

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(willing to accept service by e-mail)

October 27, 2021

In the Matter of the Review of the )  
Reconciliation Rider of Duke Energy Ohio, ) Case No. 20-167-EL-RDR  
Inc. )

This case concerns consumers paying a lot of money (projected to be over \$1 billion in utility subsidies through 2030) for two 1950’s-era coal plants owned by the Ohio Valley Electric Corporation (“OVEC”), with one of the plants not even located in Ohio. Ohio electric utilities own 57.37% of OVEC (AEP – 43.47%, Duke – 9% and AES – 4.9%).<sup>1</sup> Codifying these OVEC subsidies was a key part of H.B. 6 (“likely the largest bribery, money-laundering scheme ever perpetrated against the people in the state of Ohio,” according to former U.S. Attorney David DeVillers).<sup>2</sup>

During the same time period when the utilities told the Public Utilities Commission of Ohio (“PUCO”) and Legislature how OVEC electricity would *benefit* consumers (providing a “hedge”), FirstEnergy Solutions asked the U.S. Bankruptcy Court for approval to *cancel* its contract for a 4.85% share of OVEC’s electricity, because it expected to lose \$268 million

<sup>2</sup> Pelzer, J., *Ohio House Speaker Larry Householder, allies got more than \$60 million in FirstEnergy bribes to pass HB6, feds claim* Cleveland.com (July 21, 2020).

(which equates to about \$5.5 billion in losses for all OVEC owners).<sup>3</sup> FirstEnergy Solutions told the Bankruptcy Court: “*The [OVEC contract] constitute[s] a very small and insignificant part of [FirstEnergy Solutions’] overall business but impose[s] a very significant financial burden...*”<sup>4</sup>

The PUCO should closely scrutinize whether the OVEC plants were operated prudently before requiring consumers to pay this “very significant financial burden.” In this regard, the PUCO hired auditors to determine whether “the Company’s actions were in the best interest of retail ratepayers.”<sup>5</sup>

Newly released emails show that PUCO Staff ordered the so-called “independent” auditor to remove her key finding that “*keeping the plants running does not seem to be in the best interests of the ratepayers.*”<sup>6</sup> This occurred under the leadership of former PUCO Chair Sam Randazzo, to whom FirstEnergy Corp. recently admitted paying a \$4.3 million bribe.<sup>7</sup>

To protect consumers, the Office of the Ohio Consumers' Counsel ("OCC") moves the PUCO to issue subpoenas *duces tecum* to the following witnesses to appear and testify at the upcoming evidentiary hearing, as if upon cross-examination, consistent with O.A.C. 4901-1-

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<sup>3</sup> *In re FirstEnergy Solutions Bankruptcy*, Case No. 18-50757, Declaration of Kevin T. Wardell at 8 (N.D. Ohio Bankr. Ct.) (Apr. 1, 2018).

<sup>4</sup> *Id.* at 2 (Emphasis added). The U.S. Bankruptcy Court initially ruled that FirstEnergy Solutions could reject the OVEC contract, but the Sixth Circuit Court of Appeals overturned the ruling and remanded the case because the Bankruptcy Court failed to consider whether rejection of the contract was in the public interest. *In re FirstEnergy Solutions Corp.*, Case No. 18-3787 (6<sup>th</sup> Cir.) (Dec. 12, 2019). Following remand, the parties reached a settlement where FirstEnergy Solutions (now known as Energy Harbor) agreed to pay OVEC \$32.5 million in damages and to drop its attempt to cancel the contract. *In re Pleasants Corp.* Case No. 18-50757, Reorganized Debtors’ Motion to Approve Stipulation Between Energy Harbor LLC and Ohio Valley Electric Corporation Regarding Certain Energy Contracts and Related Claims (N.D. Ohio Bankr. Ct.) (May 18, 2020).

<sup>5</sup> *In the Matter of the Review of the Power Purchase Agreement Rider of Ohio Power Company for 2018 and 2019*, Case Nos. 18-1004-EL-RDR & 18-1759-EL-RDR, Entry, Attachment: Request for Proposal No. RA20-PPA-1: An Independent Audit of the Power Purchase Agreement Rider of Ohio Power Company at 4 (Jan. 15, 2020).

<sup>6</sup> See Attached Affidavit of John Finnigan at ¶ 2, Attachment A.

<sup>7</sup> *United States of America v. FirstEnergy Corp.*, Case No. 1:21-cr-86, Deferred Prosecution Agreement at 17 (July 22, 2021).

28(E). Under this rule, an audit report is deemed admitted into evidence when filed in the case and “any person making or contributing to the report may be subpoenaed to testify at the hearing.”

OCC seeks subpoenas for the following persons to testify at the evidentiary hearing related to the filed Audit report, under O.A.C. 4901-1-28(E):

- (1) Marie Fagan, Chief Economist of London Economics International LLC (“LEI”) – a person who made or contributed to the Duke/OVEC and AEP/OVEC audit reports
- (2) PUCO Staff member Mahila Christopher, who appears to be part of the PUCO Staff who made or contributed to the audit by overseeing the audit. Ms. Christopher sent an email to Ms. Fagan suggesting that she remove her conclusion that “keeping the plants running does not seem to be in the best interests of the ratepayers;” and
- (3) the PUCO, to designate the person or persons referred to in Ms. Christopher’s email as “PUCO Admin” and who, according to the email made or contributed to the audit by providing “final acquiescence” “regarding the overall tone of the draft report.”

Finally, OCC moves for an expedited ruling on this motion given that the Duke/OVEC evidentiary hearing is scheduled to begin on November 9, 2021. The motion is based on the accompanying memorandum in support.

Respectfully submitted,

Bruce Weston (0016973)  
Ohio Consumers' Counsel

/s/ John Finnigan

Angela D. O'Brien (0097579)  
Counsel of Record  
John Finnigan (0018689)  
Assistant Consumers' Counsel

**Office of the Ohio Consumers' Counsel**

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(willing to accept service by e-mail)

## **TABLE OF CONTENTS**

	<b>PAGE</b>
I. INTRODUCTION .....	1
II. LAW AND ARGUMENT .....	3
A. The PUCO’s rules allow OCC to obtain subpoenas for persons who “made or contributed” to the audit report that is the subject of the hearing. These persons include Marie Fagan, Mahila Christopher and the person(s) identified as “PUCO Admin.” .....	3
III. CONCLUSION.....	5

In the Matter of the Review of the )  
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The PUCO required annual audits of the utilities’ OVEC costs. The Duke OVEC rider reconciliation case is the first OVEC-related audit case to go to hearing since the PUCO allowed utilities to collect OVEC costs four years ago. The AEP/OVEC audit covers 2018-2019, while the other two audits (Duke/OVEC and DP&L/OVEC) cover 2019. The PUCO selected London Economics International LLC (“LEI”) to do the AEP/OVEC and Duke/OVEC audits.<sup>10</sup> LEI filed

<sup>8</sup> See footnote 1, *supra*.

<sup>9</sup> See footnote 2, *supra*.

<sup>10</sup> *In the Matter of the Reconciliation Rider of Duke Energy Ohio, Inc.*, Case No. 20-167-EL-RDR, Entry at ¶ 17 (Apr. 8, 2020); *In the Matter of the Review of the Power Purchase Agreement Rider of Ohio Power Company for 2018 and 2019*, Case Nos. 18-1004-EL-RDR & 18-1759-EL-RDR, Entry at ¶ 16 (Mar. 11, 2020).

the AEP/OVEC audit report on September 16, 2020<sup>11</sup> and the Duke/OVEC audit report on October 21, 2020.<sup>12</sup> The two audit reports are nearly identical.

In addition to LEI, OCC's investigation revealed that certain members of PUCO Staff made or contributed to the audit report. OCC made a public records request asking for audit-related documents. *See* Attached Affidavit of John Finnigan at ¶ 1 (hereinafter "Finnigan Aff."). In response, the PUCO produced, among other documents, emails showing that a Staff employee (Mahila Christopher) "contributed to" the audit reports.

The PUCO's stated purpose for the audits was for the auditor to determine whether "the Company's actions were in the best interest of retail ratepayers."<sup>13</sup> The emails show the auditor sent PUCO Staff a draft of the AEP/OVEC audit report. Ms. Christopher then emailed Ms. Fagan, the LEI auditor. Ms. Christopher "suggested" that Ms. Fagan dial back the "tone and intensity" and to delete certain language. The email stated:

Please find attached Staff's initial comments on LEI's latest draft of the AEP Ohio, 2018-2019 PPA rider audit final report. This may help you get a head start on Staff's editorial suggestions. The comments can be discussed further at tomorrow's meeting.

**\*\*If you could please note that Staff still needs final acquiescence from PUCO Admin. regarding the overall tone of the draft report!**

Staff's main observation regarding the tone of the draft is the following:

- *Milder tone and intensity of language would be recommended such as the language on page 10, para 3: "Therefore, keeping the plants running does not seem to be in the best interests of the ratepayers."*

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<sup>11</sup> *In the Matter of the Review of the Power Purchase Agreement Rider of Ohio Power Company for 2018 and 2019*, Case Nos. 18-1004-EL-RDR & 18-1759-EL-RDR, Audit of the OVEC Power Purchase Agreement Rider of Ohio Power Company Prepared for Public Utilities Commission of Ohio (Sept. 16, 2020).

<sup>12</sup> *In the Matter of the Reconciliation Rider of Duke Energy Ohio, Inc.*, Case No. 20-167-EL-RDR, Audit of the Price Stabilization Rider of Duke Energy Ohio Final Report Public Version Prepared for Public Utilities Commission of Ohio (Oct. 21, 2020).

<sup>13</sup> *In the Matter of the Review of the Power Purchase Agreement Rider of Ohio Power Company for 2018 and 2019*, Case Nos. 18-1004-EL-RDR & 18-1759-EL-RDR Entry, Attachment: Request for Proposal No. RA20-PPA-1: An Independent Audit of the Power Purchase Agreement Rider of Ohio Power Company at 4 (Jan. 15, 2020).



\* \* \*

I am attaching a redlined Word version of the draft for your perusal/review. *If you could, please take a look and incorporate Staff's comments as far as possible?* Please let me know of any questions, comments, and concerns.

Marie Fagan, the so-called independent auditor of LEI responded by saying:

*I just realized there was an edit I wanted to make to page 10, where we said 'However, LEI's analysis shows that the OVEC contract overall is not in the best interest of AEP Ohio ratepayers.' that I missed in the last version of the report. I'll edit it when we get the version back from AEP Ohio next week-- I'll delete that sentence and tinker with the rest of the paragraph so it reads smoothly. See Finnigan Aff. at ¶ 2, Attachment A (Emphasis added).*

Following this exchange, the final version of the AEP/OVEC and Duke/OVEC audit reports did not contain either sentence to the effect that “keeping the plants running does not seem to be in the best interests of the ratepayers.” *See Finnigan Aff. at ¶ 2, Attachment A.*

## **II. LAW AND ARGUMENT**

**A. The PUCO's rules allow OCC to obtain subpoenas for persons who “made or contributed” to the audit report that is the subject of the hearing. These persons include Marie Fagan, Mahila Christopher and the person(s) identified as “PUCO Admin.”**

Ohio Admin. Code 4901-1-28(E) creates a right for parties to obtain subpoenas for testimony at hearing for any person who “makes or contributes” to a report of investigation involved in the case. The rule provides:

Unless otherwise ordered by the commission, in all other cases in which the commission orders an investigation to be performed by Staff and the filing of a report, the report shall be deemed admitted into evidence at the time it is filed with commission\*\*\*If a hearing is scheduled in the case in which the report is filed, any person making or contributing to the report may be subpoenaed to testify at the hearing in accordance with paragraph (A) of rule 4901-1-25 of the administrative Code.\*\*\*

The OCC motion for subpoenas *duces tecum* meets these requirements. The persons OCC is subpoenaing are persons making or contributing to the report and possess relevant information for the hearings, as follows:

- Ms. Fagan of LEI prepared the Duke/OVEC and AEP/OVEC audits. She made or contributed to the audit report. She likely has valuable information on how Duke and OVEC operated the plants and on the changes she made to her findings at the request or suggestion of the PUCO Staff.
- Mahila Christopher of PUCO Staff apparently sent Ms. Fagan an email asking her to remove a sentence to the effect that “running the plants was not in the best interests of the ratepayers.”
- The person or persons identified in Ms. Christopher’s email as “PUCO Admin” made or contributed to the audit by (according to the email) providing “final acquiescence” “regarding the overall tone of the draft report.”

Here, the PUCO selected LEI to perform the AEP/OVEC and the Duke/OVEC audit reports. Both Entries state that “[a]ny conclusions, results, or recommendations formulated by the auditor may be examined by any participant to this proceeding.”<sup>14</sup> LEI prepared the audit reports and the report was filed. Marie Fagan of LEI was the principal author. So long as Ms. Fagan made or contributed to the audit report, OCC has a right to a subpoena to compel Ms. Fagan to testify at the hearing, consistent with O.A.C. 4901-1-28(E).

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<sup>14</sup> *In the Matter of the Reconciliation Rider of Duke Energy Ohio, Inc.*, Case No. 20-167-EL-RDR, Entry at ¶ 15 (Apr. 8, 2020); *In the Matter of the Review of the Power Purchase Agreement Rider of Ohio Power Company for 2018 and 2019*, Case Nos. 18-1004-EL-RDR & 18-1759-EL-RDR, Entry at ¶ 14 (Mar. 11, 2020).

The PUCO has ruled that parties may subpoena PUCO Staff to testify at hearings.<sup>15</sup> Ms. Christopher and the person or persons identified in her email as “PUCO Admin” made or contributed to the report because they made suggestions that Ms. Fagan “”dial back the tone or intensity of the report and remove certain substantive information. These were actually more than mere suggestions because Ms. Christopher’s email to Ms. Fagan asked her to accept the edits to the audit report that Staff was proposing. The auditor followed Ms. Christopher’s instructions and deleted this information. Ms. Christopher’s email further reveals that she was in contact with a person or persons identified in her email as “PUCO Admin” and that she would need final acquiescence from such person(s) on the final version of the audit report. As such, Ms. Christopher and the person or persons identified as “PUCO Admin” made or contributed to the audit report and can be subpoenaed to testify at hearing.

### **III. CONCLUSION**

OCC respectfully requests the PUCO grant this motion for the reasons discussed.

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<sup>15</sup> *In the Matter of the Review of Chapters 4901-1, 4901-3, and 4901-9 of the Ohio Administrative Code, Pub. Util. Comm. No. 06-685-AU-ORD*, 2006 Ohio PUC LEXIS 746, \*79-80 (December 6, 2006) (denying proposed change to O.A.C. 4901-1-28 because “Staff may be subpoenaed to testify at a hearing, but not for a deposition.”); *see also In re Black Fork Wind Energy, L.L.C.*, 138 Ohio St.3d 43, 2013-Ohio-5478, 3 N.E.3d 173, ¶ 19 (noting that the parties could have requested that seven staff members who contributed to a report testify at a Power Sitting Board hearing).

Respectfully submitted,

Bruce Weston (0016973)  
Ohio Consumers' Counsel

/s/ John Finnigan

Angela D. O'Brien (0097579)  
Counsel of Record  
John Finnigan (0018689)  
Assistant Consumers' Counsel

**Office of the Ohio Consumers' Counsel**

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[john.finnigan@occ.ohio.gov](mailto:john.finnigan@occ.ohio.gov)  
(willing to accept service by e-mail)

## **CERTIFICATE OF SERVICE**

It is hereby certified that a true copy of the foregoing Motions was served upon the persons listed below by electronic transmission this 27th day of October 2021.

/s/ John Finnigan

John Finnigan

Assistant Consumers' Counsel

The PUCO's e-filing system will electronically serve notice of the filing of this document on the following parties:

## **SERVICE LIST**

[thomas.lindgren@ohioAGO.gov](mailto:thomas.lindgren@ohioAGO.gov)

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Attorney Examiners:

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In the Matter of the Review of the )  
Reconciliation Rider of Duke Energy Ohio, ) Case No. 20-167-EL-RDR  
Inc. )

1. OCC served a public records request relating to this case on the Ohio Public Utilities Commission (“PUCO”) on or about May 17, 2021. A true and accurate copy of OCC’s public records request is at Attachment A.
2. The PUCO responded to OCC’s public records request on or about August 18, 2021 by producing a narrative response to OCC’s request, along with several documents responding to the request. A true and accurate copy of the PUCO’s narrative response is at Attachment B.
3. The responsive documents the PUCO produced to OCC included the following two emails: (1) an email from Mahila Christopher to Marie Fagan dated September 8, 2020 at 2:59 p.m.; and (2) an email from Marie Fagan to Mahila Christopher dated September 11, 2020 at 12:17 p.m. A true and accurate copy of these emails, in the form OCC received them from the PUCO, is at Attachment C.

STATE OF OHIO                    )  
  ) SS:  
COUNTY OF FRANKLIN         )

The undersigned, being of lawful age and duly sworn on oath, hereby certifies, deposes and states that I have caused to be prepared the attached written affidavit for OCC in the above-referenced case. This affidavit is true and correct to the best of my knowledge, information and belief.

/s/ John Finnigan  
John Finnigan, Affiant

Subscribed, sworn and witnessed by me in a videoconference using Microsoft Teams this 25<sup>th</sup> day of October 2021.



DEBRA JO BINGHAM  
Notary Public  
State of Ohio  
My Comm. Expires  
June 13, 2025

Debra Jo Bingham  
Notary Public





## Office of the Ohio Consumers' Counsel

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May 17, 2021

VIA ELECTRONIC DELIVERY

Ms. Angela Hawkins, Legal Director  
Legal Department  
The Public Utilities Commission of Ohio  
180 E. Broad St., 12<sup>th</sup> Floor  
Columbus, Ohio 43215

Re: Public Records Request (Regarding PUCO Selection of Auditors for Utility Collection of OVEC Costs)

Dear Ms. Hawkins:

The Office of the Ohio Consumers' Counsel ("OCC") seeks public records in the possession of the Public Utilities Commission of Ohio ("PUCO") relating to PUCO Case Nos. 18-1004-EL-RDR, 18-1759-EL-RDR, 20-167-EL-RDR and 20-165-EL-RDR concerning the selection of an auditor in these cases. The authority for this request is R.C. 149.43 *et seq.*

The PUCO issued entries in each case providing for the hiring of an independent auditor to review the subsidy costs charged to consumers related to the two coal plants owned and operated by the Ohio Valley Electric Corporation ("OVEC"). The PUCO issued RFPs in each case, received proposals and selected an auditor. The PUCO selected London Economics International, LLC as the auditor in the AEP and Duke cases, and selected Vantage Energy Consulting as the auditor in the AES/DP&L case. The auditors completed their reports and filed them in each case.<sup>1</sup>

Please promptly provide the following public records<sup>2</sup> to OCC:

- (a) Copies of the contracts entered into for each of the auditing firms to perform audit services for each case listed above.
- (b) Copies of all communications between the auditor and the PUCO relating to the audit.
- (c) Copies of all communications between the auditor and the utility relating to the audit.
- (d) Copies of all communications between the PUCO and the utility relating to the audit.

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<sup>1</sup> *In the Matter of the Review of the Reconciliation Rider of Duke Energy Ohio, Inc.*, Case No. 20-167-EL-RDR, Audit Report (Oct. 21, 2020); *In the Matter of the Review of the Reconciliation Rider of The Dayton Power & Light Company*, Case No. 20-165-EL-RDR, Audit Report (Oct. 27, 2020); *In the Matter of the Review of the Ohio, Inc.*, Case Nos. 18-1004-EL-RDR and 18-1759-EL-RDR, Audit Report (Sept. 16, 2020).

<sup>2</sup> Public records are as defined by R.C. 149.43.



Ms. Angela Hawkins, Legal Director  
May 17, 2021  
Page Two

- (e) Copies of any and all drafts of the indicated audit report(s), including drafts shared with the indicated utilities and drafts the indicated utilities provided to the PUCO and/or the auditors.

Please promptly prepare and provide these records in an electronic format. If electronic versions are unavailable, make the requested documents available for inspection during regular business hours. If there are any fees for these records, please inform me if the cost to OCC will exceed \$400.

If the PUCO expects a delay in completely responding to this request by June 30, 2021, please contact me by May 24, 2021 with information about when copies will be provided. Please provide records as they become available; please do not wait until the response is complete to respond to this request.

If the PUCO denies any portion of this request, in part or whole, please provide an explanation for the denial including citations to the applicable legal authority for each record, or portion thereof, that is denied. If records responsive to this request existed but no longer exist, please explain.

If you have any questions, please contact me at (614) 466-9585 or by email at: [john.finnigan@occ.ohio.gov](mailto:john.finnigan@occ.ohio.gov). Thank you for your anticipated assistance with this request.

Sincerely,

John Finnigan  
Assistant Consumers' Counsel  
Office of the Ohio Consumers' Counsel



# Public Utilities Commission

Mike DeWine, Governor  
Jenifer French, Chair

M. Beth Trombold  
Lawrence K. Friedeman  
Dennis P. Deters  
Daniel R. Conway

August 18, 2021

John Finnigan  
Office of the Ohio Consumers' Counsel  
65 East State Street, 7<sup>th</sup> Floor  
Columbus, Ohio 43215  
614-466-9567

**RE: Records Request 90-21**

Dear Requester:

Thank you for contacting the Public Utilities Commission of Ohio (PUCO). I am writing in response to your public records request.

In accordance with O.R.C. 149.43(B)(2), we find your request to be overly broad because it is so inclusive that the PUCO is unable to identify the records sought based on the manner in which the office routinely organizes and accesses records. In particular, this request is overly broad because it requests duplication of all records having to do with a particular topic, or all records of a particular type. *State ex rel. Zidonis v. Columbus State Community College*, 133 Ohio St.3d 122, 2012-Ohio-4228, ¶27; *State ex rel. Dehler v. Spatny*, 127 Ohio St.3d 312, 2010-Ohio-5711, ¶¶1-3; *State ex rel. Glasgow v. Jones*, 119 Ohio St.3d 391, 2008-Ohio-4788, ¶19.

However, as a courtesy, the PUCO searched its case file related to Case Nos. 18-1004-ELRDR, 18-1759-EL-RDR, 20-167-EL-RDR and 20-165-EL-RDR along with the records of the staff assigned to coordinate this audit on behalf of staff, Lori Sternisha, Mahila Christopher, Rodney Windle and Farhan Butt, for records that may be responsive to your request.

Many of the records requested, in particular the unredacted versions of the audit reports and responses to staff and London Economic data requests were marked confidential/trade secret. If you would like to request an unredacted version of those records, please let me know and I'll coordinate with the utilities to give them an opportunity to file a motion for protective order.

During our review, we also identified a number of records containing attorney-client communications and/or attorney work product. As such, these records have been withheld as exempt from disclosure to the extent they could not be partially redacted and produced in response to your request. *See Internatl. Union, United Auto., Aerospace & Agricultural Implement Workers v. Voinovich*, 100 Ohio App.3d 372, 378, 654 N.E.2d 139 (10th Dist. 1995); R.C. 149.43(A)(1)(v); *State ex rel. Leslie v. Ohio Hous. Fin. Agency*, 105 Ohio St.3d 261, 2005-Ohio-1508, ¶ 19, quoting *Swidler & Berlin v. United States*, 524 U.S. 399, 403 (1998) ("The attorney-client privilege is one of the oldest recognized privileges for confidential communications.").

As all or portions of your request has been denied, Ohio law affords you with the opportunity to revise your request. In order to assist you, please see the following link to the PUCO records retention schedule: <https://apps.das.ohio.gov/RIMS/GeneralSchedule> and <https://apps.das.ohio.gov/RIMS/Schedule>. If you require any further assistance or have additional questions, please feel free to contact me at your earliest convenience.

Sincerely,

A handwritten signature in black ink, appearing to read "Donald Leming".

Donald Leming  
Deputy Legal Director



**From:** Marie Fagan  
**To:** Christopher, Mahila  
**Cc:** Windle, Rodney  
**Subject:** RE: Draft AEP Ohio OVEC Audit  
**Date:** Tuesday, September 8, 2020 3:42:14 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[image007.png](#)

Okay, thanks v much for the head start

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**From:** mahila.christopher@puco.ohio.gov <mahila.christopher@puco.ohio.gov>  
**Sent:** Tuesday, September 8, 2020 2:59 PM  
**To:** Marie Fagan <marie@londoneconomics.com>  
**Cc:** rodney.windle@puco.ohio.gov  
**Subject:** RE: Draft AEP Ohio OVEC Audit

Hi Marie,  
Please find attached Staff's initial comments on LEI's latest draft of the AEP Ohio, 2018-2019 PPA rider audit final report. This may help you get a head start on Staff's editorial suggestions. The comments can be discussed further at tomorrow's meeting.

\*\*If you could please note that Staff still needs final acquiescence from PUCO Admin. regarding the overall tone of the draft report!

Staff's main observation regarding the tone of the draft is the following:

- Milder tone and intensity of language would be recommended such as the language on page 10, para 3: "Therefore, keeping the plants running does not seem to be in the best interests of the ratepayers"
- Reduced subjectivity and level of detail/specifics would be required such as the language on page 26, para 2: "HB 6 also provides subsidies for two large nuclear power plants in Ohio, and for that reason is the center of a federal bribery investigation. First Energy Corporation and the company's political action committee, and Generation Now, a 501 (c) (4) non-profit group are charged with paying \$60 million to advocate for the passage of HB 6. The case has led to federal charges against Ohio House Speaker Larry Householder and four associates."

I am attaching a redlined Word version of the draft for your perusal/review. If you could, please take a look and incorporate Staff's comments as far as possible? Please let me know of any questions, comments, and concerns.

Thank you

**Mahila Christopher**  
Public Utilities Commission of Ohio  
Office of the Federal Energy Advocate  
Utility Specialist  
(614) 728-6954  
[www.PUCO.ohio.gov](http://www.PUCO.ohio.gov)  


This message and any response to it may constitute a public record and thus may be publicly available to anyone who requests it.

---

**From:** Christopher, Mahila  
**Sent:** Tuesday, September 8, 2020 1:09 PM  
**To:** Marie Fagan <marie@londoneconomics.com>  
**Cc:** Windle, Rodney <rodney.windle@puco.ohio.gov>  
**Subject:** RE: Draft AEP Ohio OVEC Audit

Hi Marie-

As per the RFP, the Final Report is due to be filed on the 16<sup>th</sup> of September:

1. Audit Proposals Due February 28, 2020
2. Award Audit March 11, 2020
3. Audit Conducted March 11, 2020 through September 1,
4. 2020 Draft Audit Report Presented to Staff September 1, 2020
5. Final Audit Report Filed with Commission September 16, 2020

Should Staff reach our edits to LEI by 2:00pm today, would it be possible for LEI to send an updated draft to the Company tomorrow?

Thank you

**Mahila Christopher**  
Public Utilities Commission of Ohio  
Office of the Federal Energy Advocate  
Utility Specialist  
(614) 728-6954  
[www.PUCO.ohio.gov](http://www.PUCO.ohio.gov)  


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---

**From:** Marie Fagan <marie@londoneconomics.com>  
**Sent:** Tuesday, September 8, 2020 12:29 PM  
**To:** Christopher, Mahila <mahila.christopher@puco.ohio.gov>  
**Cc:** Windle, Rodney <rodney.windle@puco.ohio.gov>  
**Subject:** RE: Draft AEP Ohio OVEC Audit

Okay, will do. Once we have your comments I'll have a good idea of how long it will take to address them, but I would guess we can complete it by the end of the week in any case, and likely sooner than that. So that means we can get the draft to Ed by this Friday 11<sup>th</sup> or maybe a day or so sooner, at least in electronic format. I think that the week that Ed wants for AEP Ohio review is reasonable, which means that they would get their review back to us by about Sept 18.<sup>th</sup> We would then address their comments (again, that should take a day or so, unless comments are extensive). Then we would provide you with the final report including workpapers the week of Sept. 21.

Best,  
Marie

---

**From:** mahila.christopher@puco.ohio.gov <mahila.christopher@puco.ohio.gov>  
**Sent:** Tuesday, September 8, 2020 9:32 AM

**To:** Marie Fagan <[marie@londoneconomics.com](mailto:marie@londoneconomics.com)>  
**Cc:** [rodney.windle@puco.ohio.gov](mailto:rodney.windle@puco.ohio.gov)  
**Subject:** FW: Draft AEP Ohio OVEC Audit  
**Importance:** High

Hi Marie,  
Staff should be able to communicate our comments on the draft by tomorrow's meeting.  
If you could, please assess Edward's question based on this and let me know if you have any concerns with his request for a week to review the draft for confidentiality and factual inaccuracies?

Thank you

**Mahila Christopher**  
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**From:** Edward J Locigno <[ejlocigno@aep.com](mailto:ejlocigno@aep.com)>  
**Sent:** Tuesday, September 8, 2020 9:19 AM  
**To:** Marie Fagan <[marie@londoneconomics.com](mailto:marie@londoneconomics.com)>  
**Cc:** Andrea E Moore <[aemoore@aep.com](mailto:aemoore@aep.com)>; Christopher, Mahila <[mahila.christopher@puco.ohio.gov](mailto:mahila.christopher@puco.ohio.gov)>; Shelli A Sloan <[sasloan@aep.com](mailto:sasloan@aep.com)>; Steven T Nourse <[stnourse@aep.com](mailto:stnourse@aep.com)>  
**Subject:** RE: Draft AEP Ohio OVEC Audit  
**Importance:** High

Mahila/Marie

When can we expect the report to review for confidentiality and factual inaccuracies? We need a solid week really at least to review it. Please let me know. Thank you!



**EDWARD J LOCIGNO** | REGULATORY ANALYSIS & CASE MGR  
[EJLOCIGNO@AEP.COM](mailto:EJLOCIGNO@AEP.COM) | D:614.716.3495 | C:614.619.9460  
1 RIVERSIDE PLAZA, COLUMBUS, OH 43215

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**To:** Edward J Locigno <[ejlocigno@aep.com](mailto:ejlocigno@aep.com)>  
**Cc:** Andrea E Moore <[aemoore@aep.com](mailto:aemoore@aep.com)>  
**Subject:** [EXTERNAL] Draft AEP Ohio OVEC Audit

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Dear Ed,  
This is to confirm that LEI provided the draft OVEC audit report to the Commission Staff. The process now, as I understand it, is that Staff will review, and after that we will provide it to AEP Ohio for redacting. At that time, we can talk about a secure way to provide it to you, perhaps uploading to the data room.  
Thank you for all your help with the audit.  
Best,  
Marie



Marie N. Fagan, PhD  
Chief Economist  
London Economics International  
717 Atlantic Ave, Suite 1 A | Boston, MA | 02111  
Direct: 1-617-933-7205  
Cell 1-617-599-9308  
[www.londoneconomics.com](http://www.londoneconomics.com)

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**From:** Christopher, Mahila  
**To:** Marie Fagan  
**Cc:** Windle, Rodney  
**Subject:** RE: an edit needed for AEP Ohio OVEC final audit report  
**Date:** Friday, September 11, 2020 1:58:00 PM  
**Attachments:** [image003.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[image006.png](#)

---

Hi Marie,  
Thank you for the heads up. Staff would recommend that you share this proposed edit with the Company as well.

Let me know if you have any questions.

**Mahila Christopher**

Public Utilities Commission of Ohio  
Office of the Federal Energy Advocate  
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Hi Mahila,  
I just realized there was an edit I wanted to make to page 10, where we said "However, LEI's analysis shows that the OVEC contract overall is not in the best interest of AEP Ohio ratepayers." that I missed in the last version of the report. I'll edit it when we get the version back from AEP Ohio next week-- I'll delete that sentence and tinker with the rest of the paragraph so it reads smoothly.  
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STATE OF OHIO

PUBLIC UTILITIES COMMISSION  
180 E. EAST BROAD STREET  
COLUMBUS OHIO 43266-0573

Michael DeWine  
GOVERNOR



PUBLIC UTILITIES COMMISSION OF OHIO  
SUBPOENA DUCES TECUM

TO: Marie Fagan  
Chief Economist  
London Economics International, LLC  
717 Atlantic Avenue  
Suite 1A  
Boston, MS 02111

c/o Thomas Lindgren  
Principal Assistant Attorney General  
Ohio Attorney General  
Public Utilities Section  
80 East Broad Street, Sixth Floor  
Columbus, Ohio 43215-3793

Upon application of the Office of the Ohio Consumers' Counsel ("OCC"), Marie Fagan is hereby requested to appear and testify at an evidentiary hearing on November 9, 2021, at 10:00 a.m., at the offices of the Public Utilities Commission of Ohio ("PUCO"), 180 East Broad Street, 11th floor, Hearing Room 11-A, Columbus, Ohio 43215-3793.

The hearing is for a case pending before the PUCO styled: *In the Matter of the Review of the Reconciliation Rider of Duke Energy Ohio, Inc.*, Case No. 20-167-EL-RDR. The hearing will commence on November 9, 2021 at 10:00 a.m. pursuant to an Entry dated August 25, 2021.

Marie Fagan is requested to appear at the beginning of the hearing and be available day-to-day to testify. Marie Fagan is further requested to produce a copy of all documents and things described below:

- All draft audit reports in this case or in Case No. 18-1004-EL-RDR or Case No. 20-167-EL-RDR containing any statement to the effect that running the OVEC plants was not in the best interest of ratepayers.



- All documents and communications between Marie Fagan **and** either the PUCO, Duke or AEP relating to any statement in the Duke or AEP draft audit report to the effect that running the OVEC plants was not in the best interest of ratepayers.
- All documents and communications between Marie Fagan **and** any other LEI employee relating to any statement in the Duke or AEP draft audit report to the effect that running the OVEC plants was not in the best interest of retail ratepayers.

### **Definitions**

For purposes of this subpoena duces tecum, the following definitions apply:

1. “Document” when used herein, is used in its customary broad sense, and means all originals of any nature whatsoever, identical copies, and all non-identical copies thereof, pertaining to any medium upon which intelligence or information is recorded in your possession, custody, or control or in the possession, custody or control of London Economics International, LLC regardless of where located; including any kind of electronic, printed, recorded, written, graphic, or photographic matter and things similar to any of the foregoing, regardless of their author or origin. The term specifically includes, without limiting the generality of the following: emails, text messages, social media postings, notes, slides, reports, memoranda, workpapers, notebooks, diaries, calendars, appointment books, transcripts, minutes of meetings of any kind,
2. “Communication” shall mean any transmission of information by electronic, oral, graphic, written, pictorial, or otherwise perceptible means, including, but not limited to, emails, text messages, social media posting, telephone conversations, letters, telegrams, and personal conversations.

Dated at Columbus, Ohio, this \_\_\_\_\_ day of October 2021.

\_\_\_\_\_  
Attorney Examiner

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Michael DeWine  
GOVERNOR



PUBLIC UTILITIES COMMISSION OF OHIO  
SUBPOENA DUCES TECUM

TO: Mahila Christopher  
Public Utilities Commission of Ohio  
180 East Broad Street  
Columbus, Ohio 43215

c/o Thomas Lindgren  
Principal Assistant Attorney General  
Ohio Attorney General  
Public Utilities Section  
80 East Broad Street, Sixth Floor  
Columbus, Ohio 43215-3793

Upon application of the Office of the Ohio Consumers' Counsel ("OCC"), Mahila Christopher is hereby requested to appear and testify at an evidentiary hearing on November 9, 2021, at 10:00 a.m., at the offices of the Public Utilities Commission of Ohio ("PUCO"), 180 East Broad Street, 11th floor, Hearing Room 11-A, Columbus, Ohio 43215-3793.

The hearing is for a case pending before the PUCO styled: *In the Matter of the Review of the Reconciliation Rider of Duke Energy Ohio, Inc.*, Case No. 20-167-EL-RDR. The hearing will commence on November 9, 2021 at 10:00 a.m. pursuant to an Entry dated August 25, 2021.

Mahila Christopher is requested to appear at the beginning of the hearing and be available day-to-day to testify. Mahila Christopher is further requested to produce a copy of all documents and things described below:

- All documents and communications between Mahila Christopher and the person or persons identified in the attached email as "PUCO Admin" relating to any audit report prepared by London Economics International, LLC for Case Nos. 20-167-EL-RDR or 18-1004-EL-RDR. The time period covered by this request is August 1, 2020 through the present date.

- All documents and communications between Mahila Christopher and Marie Fagan, PUCO Staff or Commissioners, Duke or AEP relating to any statement in a Duke or AEP draft audit report to the effect that running the OVEC plants was not in the best interest of retail ratepayers.

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Attorney Examiner

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**From:** Marie Fagan  
**To:** Christopher, Mahila  
**Cc:** Windle, Rodney  
**Subject:** RE: Draft AEP Ohio OVEC Audit  
**Date:** Tuesday, September 8, 2020 3:42:14 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[image007.png](#)

Okay, thanks v much for the head start

---

**From:** mahila.christopher@puco.ohio.gov <mahila.christopher@puco.ohio.gov>  
**Sent:** Tuesday, September 8, 2020 2:59 PM  
**To:** Marie Fagan <marie@londoneconomics.com>  
**Cc:** rodney.windle@puco.ohio.gov  
**Subject:** RE: Draft AEP Ohio OVEC Audit

Hi Marie,  
Please find attached Staff's initial comments on LEI's latest draft of the AEP Ohio, 2018-2019 PPA rider audit final report. This may help you get a head start on Staff's editorial suggestions. The comments can be discussed further at tomorrow's meeting.

\*\*If you could please note that Staff still needs final acquiescence from PUCO Admin. regarding the overall tone of the draft report!

Staff's main observation regarding the tone of the draft is the following:

- Milder tone and intensity of language would be recommended such as the language on page 10, para 3: "Therefore, keeping the plants running does not seem to be in the best interests of the ratepayers"
- Reduced subjectivity and level of detail/specifics would be required such as the language on page 26, para 2: "HB 6 also provides subsidies for two large nuclear power plants in Ohio, and for that reason is the center of a federal bribery investigation. First Energy Corporation and the company's political action committee, and Generation Now, a 501 (c) (4) non-profit group are charged with paying \$60 million to advocate for the passage of HB 6. The case has led to federal charges against Ohio House Speaker Larry Householder and four associates."

I am attaching a redlined Word version of the draft for your perusal/review. If you could, please take a look and incorporate Staff's comments as far as possible? Please let me know of any questions, comments, and concerns.

Thank you

**Mahila Christopher**  
Public Utilities Commission of Ohio  
Office of the Federal Energy Advocate  
Utility Specialist  
(614) 728-6954  
[www.PUCO.ohio.gov](http://www.PUCO.ohio.gov)  


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**Sent:** Tuesday, September 8, 2020 1:09 PM  
**To:** Marie Fagan <marie@londoneconomics.com>  
**Cc:** Windle, Rodney <rodney.windle@puco.ohio.gov>  
**Subject:** RE: Draft AEP Ohio OVEC Audit

Hi Marie-

As per the RFP, the Final Report is due to be filed on the 16<sup>th</sup> of September:

1. Audit Proposals Due February 28, 2020
2. Award Audit March 11, 2020
3. Audit Conducted March 11, 2020 through September 1,
4. 2020 Draft Audit Report Presented to Staff September 1, 2020
5. Final Audit Report Filed with Commission September 16, 2020

Should Staff reach our edits to LEI by 2:00pm today, would it be possible for LEI to send an updated draft to the Company tomorrow?

Thank you

**Mahila Christopher**  
Public Utilities Commission of Ohio  
Office of the Federal Energy Advocate  
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Best,  
Marie

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Thank you for all your help with the audit.  
Best,  
Marie



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Michael DeWine  
GOVERNOR



PUBLIC UTILITIES COMMISSION OF OHIO  
SUBPOENA DUCES TECUM

TO: Public Utilities Commission of Ohio  
c/o Thomas Lindgren  
Principal Assistant Attorney General  
Ohio Attorney General  
Public Utilities Section  
80 East Broad Street, Sixth Floor  
Columbus, Ohio 43215-3793

Upon application of the Office of the Ohio Consumers' Counsel ("OCC"), the Public Utilities Commission of Ohio is hereby required to produce the person or persons as its designated representative to testify on the subject areas listed below and to produce the documents listed below at an evidentiary hearing on November 9, 2021, at 10:00 a.m., at the offices of the Public Utilities Commission of Ohio ("PUCO"), 180 East Broad Street, 11th floor, Hearing Room 11-A, Columbus, Ohio 43215-3793. The hearing is for a case pending before the PUCO styled: *In the Matter of the Review of the Reconciliation Rider of Duke Energy Ohio, Inc.*, Case No. 20-167-EL-RDR. The hearing will commence on November 9, 2021 at 10:00 a.m. pursuant to an Entry dated August 25, 2021 in that case.

The Public Utilities Commission of Ohio is directed to produce the person or persons identified in the attached email as "PUCO Admin." to testify at the hearing. Such person or persons shall bring a copy of the following documents and things:

- All documents and communications to or from the person or persons identified in the attached email as “PUCO Admin” relating to any audit report or draft audit report prepared by London Economics International, LLC for Case Nos. 20-167-EL-RDR or 18-1004-EL-RDR. The time period covered by this request is August 1, 2020 through the present date.

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Dated at Columbus, Ohio, this \_\_\_\_\_ day of October 2021.

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Attorney Examiner

NOTICE: If you are not a party or an officer, agent, or employee of a party to this proceeding, then witness fees for attending under this subpoena are to be paid by the party at whose request the witness is summoned. Every copy of this subpoena for the witness must contain this notice.



**From:** Marie Fagan  
**To:** Christopher, Mahila  
**Cc:** Windle, Rodney  
**Subject:** RE: Draft AEP Ohio OVEC Audit  
**Date:** Tuesday, September 8, 2020 3:42:14 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[image007.png](#)

Okay, thanks v much for the head start

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**From:** mahila.christopher@puco.ohio.gov <mahila.christopher@puco.ohio.gov>  
**Sent:** Tuesday, September 8, 2020 2:59 PM  
**To:** Marie Fagan <marie@londoneconomics.com>  
**Cc:** rodney.windle@puco.ohio.gov  
**Subject:** RE: Draft AEP Ohio OVEC Audit

Hi Marie,  
Please find attached Staff's initial comments on LEI's latest draft of the AEP Ohio, 2018-2019 PPA rider audit final report. This may help you get a head start on Staff's editorial suggestions. The comments can be discussed further at tomorrow's meeting.

\*\*If you could please note that Staff still needs final acquiescence from PUCO Admin. regarding the overall tone of the draft report!

Staff's main observation regarding the tone of the draft is the following:

- Milder tone and intensity of language would be recommended such as the language on page 10, para 3: "Therefore, keeping the plants running does not seem to be in the best interests of the ratepayers"
- Reduced subjectivity and level of detail/specifics would be required such as the language on page 26, para 2: "HB 6 also provides subsidies for two large nuclear power plants in Ohio, and for that reason is the center of a federal bribery investigation. First Energy Corporation and the company's political action committee, and Generation Now, a 501 (c) (4) non-profit group are charged with paying \$60 million to advocate for the passage of HB 6. The case has led to federal charges against Ohio House Speaker Larry Householder and four associates."

I am attaching a redlined Word version of the draft for your perusal/review. If you could, please take a look and incorporate Staff's comments as far as possible? Please let me know of any questions, comments, and concerns.

Thank you

**Mahila Christopher**  
Public Utilities Commission of Ohio  
Office of the Federal Energy Advocate  
Utility Specialist  
(614) 728-6954  
[www.PUCO.ohio.gov](http://www.PUCO.ohio.gov)  


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**From:** Christopher, Mahila  
**Sent:** Tuesday, September 8, 2020 1:09 PM  
**To:** Marie Fagan <marie@londoneconomics.com>  
**Cc:** Windle, Rodney <rodney.windle@puco.ohio.gov>  
**Subject:** RE: Draft AEP Ohio OVEC Audit

Hi Marie-

As per the RFP, the Final Report is due to be filed on the 16<sup>th</sup> of September:

1. Audit Proposals Due February 28, 2020
2. Award Audit March 11, 2020
3. Audit Conducted March 11, 2020 through September 1,
4. 2020 Draft Audit Report Presented to Staff September 1, 2020
5. Final Audit Report Filed with Commission September 16, 2020

Should Staff reach our edits to LEI by 2:00pm today, would it be possible for LEI to send an updated draft to the Company tomorrow?

Thank you

**Mahila Christopher**  
Public Utilities Commission of Ohio  
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[www.PUCO.ohio.gov](http://www.PUCO.ohio.gov)  


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**From:** Marie Fagan <marie@londoneconomics.com>  
**Sent:** Tuesday, September 8, 2020 12:29 PM  
**To:** Christopher, Mahila <mahila.christopher@puco.ohio.gov>  
**Cc:** Windle, Rodney <rodney.windle@puco.ohio.gov>  
**Subject:** RE: Draft AEP Ohio OVEC Audit

Okay, will do. Once we have your comments I'll have a good idea of how long it will take to address them, but I would guess we can complete it by the end of the week in any case, and likely sooner than that. So that means we can get the draft to Ed by this Friday 11<sup>th</sup> or maybe a day or so sooner, at least in electronic format. I think that the week that Ed wants for AEP Ohio review is reasonable, which means that they would get their review back to us by about Sept 18.<sup>th</sup> We would then address their comments (again, that should take a day or so, unless comments are extensive). Then we would provide you with the final report including workpapers the week of Sept. 21.

Best,  
Marie

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**From:** mahila.christopher@puco.ohio.gov <mahila.christopher@puco.ohio.gov>  
**Sent:** Tuesday, September 8, 2020 9:32 AM

**To:** Marie Fagan <[marie@londoneconomics.com](mailto:marie@londoneconomics.com)>  
**Cc:** [rodney.windle@puco.ohio.gov](mailto:rodney.windle@puco.ohio.gov)  
**Subject:** FW: Draft AEP Ohio OVEC Audit  
**Importance:** High

Hi Marie,  
Staff should be able to communicate our comments on the draft by tomorrow's meeting.  
If you could, please assess Edward's question based on this and let me know if you have any concerns with his request for a week to review the draft for confidentiality and factual inaccuracies?

Thank you

**Mahila Christopher**  
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**From:** Edward J Locigno <[ejlocigno@aep.com](mailto:ejlocigno@aep.com)>  
**Sent:** Tuesday, September 8, 2020 9:19 AM  
**To:** Marie Fagan <[marie@londoneconomics.com](mailto:marie@londoneconomics.com)>  
**Cc:** Andrea E Moore <[aemoore@aep.com](mailto:aemoore@aep.com)>; Christopher, Mahila <[mahila.christopher@puco.ohio.gov](mailto:mahila.christopher@puco.ohio.gov)>; Shelli A Sloan <[sasloan@aep.com](mailto:sasloan@aep.com)>; Steven T Nourse <[stnourse@aep.com](mailto:stnourse@aep.com)>  
**Subject:** RE: Draft AEP Ohio OVEC Audit  
**Importance:** High

Mahila/Marie

When can we expect the report to review for confidentiality and factual inaccuracies? We need a solid week really at least to review it. Please let me know. Thank you!



**EDWARD J LOCIGNO** | REGULATORY ANALYSIS & CASE MGR  
[EJLOCIGNO@AEP.COM](mailto:EJLOCIGNO@AEP.COM) | D:614.716.3495 | C:614.619.9460  
1 RIVERSIDE PLAZA, COLUMBUS, OH 43215

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**From:** Marie Fagan <[marie@londoneconomics.com](mailto:marie@londoneconomics.com)>  
**Sent:** Wednesday, September 2, 2020 3:09 PM  
**To:** Edward J Locigno <[ejlocigno@aep.com](mailto:ejlocigno@aep.com)>  
**Cc:** Andrea E Moore <[aemoore@aep.com](mailto:aemoore@aep.com)>  
**Subject:** [EXTERNAL] Draft AEP Ohio OVEC Audit

This is an **EXTERNAL** email. **STOP. THINK** before you **CLICK** links or **OPEN** attachments. If suspicious please click the '**Report to Incidents**' button in Outlook or forward to [incidents@aep.com](mailto:incidents@aep.com) from a mobile device.

Dear Ed,  
This is to confirm that LEI provided the draft OVEC audit report to the Commission Staff. The process now, as I understand it, is that Staff will review, and after that we will provide it to AEP Ohio for redacting. At that time, we can talk about a secure way to provide it to you, perhaps uploading to the data room.  
Thank you for all your help with the audit.  
Best,  
Marie



Marie N. Fagan, PhD  
Chief Economist  
London Economics International  
717 Atlantic Ave, Suite 1 A | Boston, MA | 02111  
Direct: 1-617-933-7205  
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[www.londoneconomics.com](http://www.londoneconomics.com)

*London Economics International, LLC ("LEI") is an economic and financial consulting company with two decades of experience advising both private and public entities in energy and infrastructure markets. LEI publishes bi-annual market reviews of all US and Canadian regional power markets available at [www.londoneconomicspress.com](http://www.londoneconomicspress.com).*

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**From:** Christopher, Mahila  
**To:** Marie Fagan  
**Cc:** Windle, Rodney  
**Subject:** RE: an edit needed for AEP Ohio OVEC final audit report  
**Date:** Friday, September 11, 2020 1:58:00 PM  
**Attachments:** [image003.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[image006.png](#)

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Hi Marie,  
Thank you for the heads up. Staff would recommend that you share this proposed edit with the Company as well.

Let me know if you have any questions.

**Mahila Christopher**

Public Utilities Commission of Ohio  
Office of the Federal Energy Advocate  
Utility Specialist  
(614) 728-6954

[www.PUCO.ohio.gov](http://www.PUCO.ohio.gov)



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**From:** Marie Fagan <marie@londoneconomics.com>  
**Sent:** Friday, September 11, 2020 12:17 PM  
**To:** Christopher, Mahila <mahila.christopher@puco.ohio.gov>  
**Cc:** Windle, Rodney <rodney.windle@puco.ohio.gov>  
**Subject:** an edit needed for AEP Ohio OVEC final audit report

Hi Mahila,  
I just realized there was an edit I wanted to make to page 10, where we said "However, LEI's analysis shows that the OVEC contract overall is not in the best interest of AEP Ohio ratepayers." that I missed in the last version of the report. I'll edit it when we get the version back from AEP Ohio next week-- I'll delete that sentence and tinker with the rest of the paragraph so it reads smoothly.  
Best,  
Marie



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Commission of Ohio Docketing Information System on**

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**in**

**Case No(s). 20-0167-EL-RDR**

Summary: Motion Motion for Subpoenas Duces Tecum for Auditor, PUCO Staff And PUCO-Designated Representative Making or Contributing to the Audit Report to Attend and Testify at Evidentiary Hearing and Motion for Expedited Ruling by Office of the Ohio Consumers' Counsel electronically filed by Ms. Deb J. Bingham on behalf of Finnigan, John