

Legal Department

December 6, 2021

The Honorable Greta See
The Honorable Sarah Parrot
Attorney Examiners
Public Utilities Commission of Ohio
180 East Broad Street
Columbus Ohio 43215-3793

Steven T. Nourse
Vice President - Legal
(614) 716-1608 (P)
(614) 716-2014 (F)
stnourse@aep.com

Re: *In the Matter of the Review of the Power Purchase Agreement Rider of Ohio Power Company for 2018, Case No. 18-1004-EL-RDR; In the Matter of the Review of the Power Purchase Agreement Rider of Ohio Power Company for 2019, Case No. 18-1759-EL-RDR*

Dear Examiners:

On December 3, 2021, Ohio Power Company (AEP Ohio) filed a Motion for Protective Order in these proceedings. In support of the Motion, the Company submitted an unsigned affidavit that was not able to be executed and notarized due to COVID-19 protocols. The Company stated that the affidavit was finalized but would be notarized and filed today. After the Motion was filed, counsel for the Office of the Ohio Consumers' Counsel (OCC) communicated an additional area of disagreement over the witness(es) the Company had previously stated that it would present for deposition. Accordingly, the Company deleted a phrase that was in Paragraph 5 of the supporting affidavit in order to attest its accuracy today and execute/notarize it. This affidavit modification does not affect the contents or relief requested in the Motion as filed on December 3, 2021. On that basis, the notarized affidavit is enclosed in support of the Motion for Protective Order.

Thank you for your attention to this matter.

Respectfully Submitted,



cc: Parties of Record



AEP_PPA Rider Audit_ Nourse Affidavit Supp Mot for Prot Order.DOCX

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E-Signature Summary

E-Signature 1: Steven T. Nourse (STN)

December 06, 2021 10:39:41 -8:00 [97F2E2E42634] [167.239.221.106]
 stnourse@aep.com (Principal) (Personally Known)

E-Signature Notary: S. Smithhisler (SRS)

December 06, 2021 10:39:41 -8:00 [0BC5DD3BB42D] [167.239.221.103]
 srsmithhisler@aep.com
 I, S. Smithhisler, did witness the participants named above electronically sign this document.



**BEFORE THE
PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Review of the)	
Power Purchase Agreement Rider)	Case No. 18-1004-EL-RDR
of Ohio Power Company for 2018.)	

In the Matter of the Review of the)	
Power Purchase Agreement Rider)	Case No. 18-1759-EL-RDR
of Ohio Power Company for 2019.)	

AFFIDAVIT OF STEVEN T. NOURSE

I, Steven T. Nourse, being first duly sworn, hereby depose and state as follows based on my personal knowledge and belief:

1. I am employed by Ohio Power Company, a wholly owned subsidiary of American Electric Power Company, Inc. (AEP Ohio), as Vice President – Legal. My business address is 1 Riverside Plaza, Columbus, Ohio 43210.

2. I am submitting this Affidavit in support of AEP Ohio’s Motion for Protective Order filed today regarding the Notice of Deposition docketed on November 19, 2021.

3. I corresponded with counsel for The Office of the Ohio Consumers’ Counsel (OCC), John Finnigan, regarding the Notice of Deposition over the course of three days ending on December 3, 2021.

4. Through that correspondence, I described AEP Ohio’s objections to presenting witnesses to testify regarding, or producing documents relating to, topics outside the scope of these audit proceedings, including testimony or documents on the inclusion of the Ohio Valley Electric Company (OVEC) contract in the PPA, American Electric Power’s description of the OVEC contract in its public reporting, and the participation of AEP Ohio’s affiliates in the PJM or MISO markets, or any matters that post-date the 2018-2019 audit period.



5. Subject to finalizing the details of the deposition(s), the Company and OCC have generally resolved the issue regarding the timing of the deposition(s).

6. But the Company and OCC continue to disagree about the scope of the deposition(s) and the documents to be produced for the deposition, so the parties agree they have reached an impasse on those issues.

7. Given the above, I believe AEP Ohio has exhausted all reasonable means of resolving its differences with OCC regarding discovery in this proceeding and the Company is filing a Motion for Protection as a means to preserve its objections and resolve the areas of dispute.

FURTHER AFFIANT SAYETH NAUGHT.

Steven T. Nourse

Steven T. Nourse

STATE OF OHIO

COUNTY OF FRANKLIN

Sworn to before me and subscribed in my presence this 6th day of December, 2021.



S. Smithhisler

Notary Public

Notarial act performed by audio-visual communication



**This foregoing document was electronically filed with the Public Utilities
Commission of Ohio Docketing Information System on**

12/6/2021 4:57:38 PM

in

Case No(s). 18-1004-EL-RDR, 18-1759-EL-RDR

Summary: Notice Letter and afvt electronically filed by Mr. Steven T. Nourse on
behalf of Ohio Power Company