

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE APPLICATION OF
OHIO POWER COMPANY FOR AN
INCREASE IN ELECTRIC DISTRIBUTION
RATES.

CASE No. 20-585-EL-AIR

IN THE MATTER OF THE APPLICATION OF
OHIO POWER COMPANY FOR TARIFF
APPROVAL.

CASE No. 20-586-EL-ATA

IN THE MATTER OF THE APPLICATION OF
OHIO POWER COMPANY FOR APPROVAL
TO CHANGE ACCOUNTING METHODS.

CASE No. 20-587-EL-AAM

ENTRY ON REHEARING

Entered in the Journal on January 12, 2022

I. SUMMARY

{¶ 1} The Commission grants the applications for rehearing filed by Nationwide Energy Partners, LLC and Interstate Gas Supply, Inc. for the purpose of further consideration of the matters specified in the applications for rehearing.

II. DISCUSSION

{¶ 2} Ohio Power Company d/b/a AEP Ohio (AEP Ohio or Company) is an electric light company as defined by R.C. 4905.03 and a public utility as defined by R.C. 4905.02, and, as such, is subject to the jurisdiction of this Commission.

{¶ 3} In Case No. 16-1852-EL-SSO, et al., the Commission modified and approved a stipulation and recommendation filed by AEP Ohio, Staff, and numerous other signatory parties, which authorized the Company to implement an electric security plan for the period of June 1, 2018, through May 31, 2024. Among other commitments, AEP Ohio agreed to file a base distribution rate case by June 1, 2020. *In re Ohio Power Co.*, Case No. 16-1852-EL-SSO, et al., Opinion and Order (Apr. 25, 2018) at ¶ 45.

{¶ 4} On June 8, 2020, AEP Ohio filed an application to increase its rates pursuant to R.C. 4909.18.¹

{¶ 5} Pursuant to R.C. 4909.19, Staff conducted an investigation of the facts, exhibits, and matters relating to the application. On November 18, 2020, as corrected on November 25, 2020, Staff filed a written report of its investigation (Staff Report).

{¶ 6} The following entities were granted intervention in these proceedings: Ohio Energy Group (OEG); Ohio Consumers' Counsel (OCC); Ohio Manufacturers' Association Energy Group (OMAEG); The Kroger Co. (Kroger); Interstate Gas Supply, Inc. (IGS); Natural Resources Defense Council; Industrial Energy Users-Ohio (IEU-Ohio); Ohio Partners for Affordable Energy; Environmental Law & Policy Center; Walmart Inc. (Walmart); Direct Energy Services, LLC and Direct Energy Business, LLC; Ohio Hospital Association (OHA); ChargePoint, Inc. (ChargePoint); Nationwide Energy Partners, LLC (NEP); Armada Power, LLC; Constellation NewEnergy, Inc.; Clean Fuels Ohio (CFO); Citizens' Utility Board of Ohio (CUB-Ohio);² Zeco Systems, Inc. d/b/a Greenlots; Ohio Environmental Council; One Energy Enterprises LLC (One Energy); Ohio Cable Telecommunications Association (OCTA); and EVgo Services LLC (EVgo).

{¶ 7} Objections to the Staff Report were filed by various parties on December 18, 2020.

{¶ 8} On March 4, 2021, an evidentiary hearing was convened via Webex and continued to provide additional time for settlement negotiations among the parties.

¹ Due to the closure of the Commission's offices from June 1, 2020, through June 5, 2020, the application for a rate increase, which was submitted by AEP Ohio on June 1, 2020, was accepted for filing on June 8, 2020, and deemed timely filed in accordance with R.C. 1.14 and Ohio Adm.Code 4901-1-07 and 4901-1-13. *In re the Extension of Filing Dates for Pleadings and Other Papers Due to a Building Emergency*, Case No. 20-1132-AU-UNC, Entry (June 8, 2020).

² On April 30, 2021, CUB-Ohio filed notice of its withdrawal as a party to these proceedings.

{¶ 9} On March 12, 2021, a joint stipulation and recommendation (Stipulation) was filed by AEP Ohio, Staff, Kroger, OCC, OEG, IEU-Ohio, OMAEG, CFO, EVgo, OHA, Walmart, One Energy, ChargePoint, and OCTA.

{¶ 10} The evidentiary hearing reconvened via Webex on May 12, 2021, and concluded on May 18, 2021.

{¶ 11} Initial and reply briefs were filed by the parties on June 14, 2021, and July 6, 2021, respectively.

{¶ 12} By Opinion and Order dated November 17, 2021, the Commission approved and adopted the Stipulation.

{¶ 13} R.C. 4903.10 states that any party who has entered an appearance in a Commission proceeding may apply for a rehearing with respect to any matters determined therein by filing an application within 30 days after the entry of the order upon the Commission's journal.

{¶ 14} On December 17, 2021, NEP and IGS filed applications for rehearing with respect to the Commission's Opinion and Order.

{¶ 15} On December 20, 2021, AEP Ohio filed a motion for a three-day extension of the deadline for memoranda in opposition to the applications for rehearing of NEP and IGS, along with a request for an expedited ruling. Pursuant to Ohio Adm.Code 4901-1-12(C), the attorney examiner granted the motion on December 21, 2021, such that the deadline for memoranda contra the applications for rehearing was extended to December 30, 2021.

{¶ 16} AEP Ohio, OCC, and Kroger filed memoranda contra the applications for rehearing on December 30, 2021.

{¶ 17} The Commission believes that sufficient reason has been set forth by NEP and IGS to warrant further consideration of the matters specified in the applications for

rehearing. Accordingly, the applications for rehearing filed by NEP and IGS should be granted.

III. ORDER

{¶ 18} It is, therefore,

{¶ 19} ORDERED, That the applications for rehearing filed by NEP and IGS be granted for further consideration of the matters specified in the applications for rehearing. It is, further,

{¶ 20} ORDERED, That a copy of this Entry on Rehearing be served upon all interested persons and parties of record.

COMMISSIONERS:

Approving:

M. Beth Trombold

Lawrence K. Friedeman

Daniel R. Conway

SJP/mef

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1/12/2022 2:21:26 PM

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Case No(s). 20-0585-EL-AIR, 20-0586-EL-ATA, 20-0587-EL-AAM

Summary: Entry granting the applications for rehearing filed by Nationwide Energy Partners, LLC and Interstate Gas Supply, Inc. for the purpose of further consideration of the matters specified in the applications for rehearing electronically filed by Heather A. Chilcote on behalf of Public Utilities Commission of Ohio