

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of)	
Ohio Power Company for Authority to)	
Establish a Standard Service Offer)	Case No. 23-23-EL-SSO
Pursuant to Section 4928.143, Revised Code,)	
in the Form of an Electric Security Plan)	

In the Matter of the Application of)	
Ohio Power Company for Approval of)	Case No. 23-24-EL-AAM
Certain Accounting Authority)	

DIRECT TESTIMONY OF JEREME KENT

Q. What is your name and business address?

A. My name is Jereme Kent and my business address is the North Findlay Wind Campus located at 12385 Township Road 215, Findlay, Ohio 45840.

Q. By whom are you employed?

A. I am employed by One Energy Enterprises Inc. ("One Energy") and I am the Chief Executive Officer and Founder of One Energy.

Q. Have you previously participated in regulatory proceedings?

A. Yes, among other proceedings, I have previously participated in Ohio Power Company's (d/b/a AEP-Ohio) and The Dayton Power and Light Company's (DP&L) most recent distribution rate case proceedings, DP&L's most recent electric security plan (ESP) proceeding as well as numerous Public Utilities Commission of Ohio (Commission) proceedings dealing primarily with the interconnection, operation and integration of distributed energy resources.

Q. Please describe your experience and qualifications.

A. I attended the University of Michigan in Ann Arbor, where I studied civil engineering. I dropped out of the University of Michigan with one class remaining to obtain my engineering

17 degree because of an opportunity I had to work on the construction of the largest wind project in
18 the world at the time. Following that, I worked on the construction side of utility scale wind
19 projects for several years throughout the country. I ran construction for the largest single phase
20 wind project in the world at the time, the largest just-in-time wind project in the world at the
21 time, and the largest ridgeline wind project in the world at the time.

22 In 2009 I started One Energy. Since starting One Energy, I have been a regular guest
23 lecturer on wind project development and electric power systems at the University of Michigan
24 Engineering School. I have lectured for freshman level Engineering 100 courses and graduate
25 level engineering courses. I was one of the principal architects of the syllabus for the
26 University's Fundamentals of Wind Energy Site Development and Construction class for
27 graduate students. In addition, I am a regular guest lecturer at Tulane University's business
28 school on renewable energy project finance and, more specifically, distributed energy resource
29 project finance.

30 In 2019, I served as a peer reviewer for the US Department of Energy's (DOE) Wind
31 Energy Technology Office peer review team. That team of six reviewers reviewed the current
32 and recently completed work of all of the national labs under the Wind Energy Technology
33 Office. I also hold several US patents associated with improving the functionality and safety of
34 wind projects and electric power systems.

35 At One Energy, I have been the principal designer of all of One Energy's projects. In this
36 capacity, I have developed a significant technical expertise in behind the meter and customer-
37 sited electric power systems. My extensive work on distributed energy resources and associated
38 electric power systems has also required me to acquire knowledge and expertise regarding public

utility rates, charges, schedules, terms and conditions of service as well as an understanding of applicable laws and regulations and their commercial significance.

I am currently an active participant in the PUCO's Distributed Energy Resource Stakeholder Group.

Q. Since starting One Energy, please describe its activities in Ohio.

A. One Energy is an industrial power company. On behalf of its customers, it builds, owns, and operates distributed energy resources and power system equipment that functions on the customer's side of the utility billing meter. One Energy's activities have resulted in 40.5 megawatts ("MW") of the 56.2 total MW of distributed wind energy resources installed in the State of Ohio. Since 2021, One Energy has also become a retail industrial customer of AEP-Ohio service territory where One Energy, through a subsidiary, interconnected a new 8MW distribution voltage load and a new 30 MW transmission voltage load on AEP-Ohio's system. The development at these sites has occurred through significant private capital investment without captive customers and includes, under my direction, the construction of the first fully digital substation in the United States. That makes One Energy one of the largest new interconnectors to AEP-Ohio's system in recent years.

Q. What are your current responsibilities as the CEO of One Energy?

A. At One Energy, I have ultimate responsibility for the success of the company including the development, engineering, procurement, construction, operations, finance, and overall compliance of its projects. I am charged with both operating and growing the company.

Q. Have you reviewed AEP-Ohio's proposed electric security plan ("ESP V")?

A. Yes.

Q. Please describe what you have reviewed.

62 A. I reviewed the application and the testimony Ohio Power Company (AEP-Ohio) filed
63 with its proposed ESP V.

64 **Q. What is the purpose of your testimony?**

65 A. The purpose of my testimony is to identify and recommend modifications to AEP-Ohio's
66 proposed ESP V that I believe are necessary to align the ESP approved by the Commission with
67 the state policy objectives in R.C. 4928.02. I also will identify and hopefully prevent arbitrary
68 and potentially anticompetitive conduct in the way AEP-Ohio bills and extends service to new
69 customers. I will identify clear risks that AEP-Ohio's proposals will enable AEP-Ohio to
70 leverage its captive customers and regulated utility financial benefits to discourage private
71 companies from making private investments in competitive lines of business.

72 **Q. Let's start with One Energy's experience with AEP-Ohio as a retail customer**
73 **requesting new service. Why are you providing this information in your testimony?**

74 A. As I understand it, AEP-Ohio's ESP V application seeks authorization for significant
75 changes to its Distribution Investment Rider ("DIR") including a substantial increase in the
76 annual DIR revenue cap and a modification to exempt "customer driven" investment associated
77 with new or expanding customers from the DIR revenue cap. As proposed, this could
78 significantly increase AEP-Ohio's authorization to bill, on an accelerated basis, captive Ohio
79 retail electric customers for its spending related to new customer service requests.

80 AEP-Ohio's ESP V DIR proposals takes on added significance because AEP-Ohio's
81 direct testimony (witness Newman at 2-3) suggests that AEP-Ohio's level of growth in new
82 customers is increasing. And, as AEP-Ohio's direct testimony (witness Janes at 9) states, "[a]s a
83 distribution utility, AEP-Ohio is responsible for designing, building, managing and maintaining
84 the electric distribution grid to serve the needs of all customers."

85 If, as part of an electric security plan, AEP-Ohio is going to receive additional, substantial
86 accelerated cost recovery to accommodate new customer requests, the Commission should be
87 absolutely certain that AEP-Ohio is complying with all Commission rules and state laws
88 regarding new customer requests.

89 Based on my personal experience with AEP-Ohio and new customer requests, I have
90 reason to believe that is not the case. Among other things, my testimony provides the
91 Commission with information regarding AEP-Ohio's efforts to demand and impose new-service
92 related terms, conditions, and costs that are not set forth in Commission tariffs or state law. My
93 experience with securing new service from AEP-Ohio indicates that its frustrating, and
94 potentially unlawful, behavior may be working against those Ohio businesses, like One Energy,
95 that have made or are seeking to make significant investments in the State of Ohio.

96 **Q. Please describe your personal experience with AEP-Ohio with regard to a new**
97 **service request.**

98 A. In 2021, One Energy built its first Megawatt Hub (MW Hub). At these MW Hubs, One
99 Energy builds out power infrastructure for industrial tenants that rent space on the developed
100 property. In this case, the first tenants are digital currency mining companies. The first One
101 Energy developed 8 MW site was interconnected to AEP-Ohio's distribution system at 12.47 KV
102 in Findlay, Ohio. The second site replaced the first site and is a 30 MW, 138 KV, AEP-Ohio
103 interconnected and developed site that is also located in Findlay, Ohio. This 30 MW site will
104 begin operating in June of 2023 and has been designed to expand up to 150 megawatts. It may
105 also host some electric semi charging equipment in the near future. The initial phase of the
106 30MW site represents a \$50MM+ capital investment in Ohio.

107 **Q. With regard to these two Findlay, Ohio sites, were you responsible for securing the**
108 **interconnection with and service from AEP-Ohio?**

109 A. Yes. I was also responsible for determining the level of AEP-Ohio service requested by
110 the subsidiary of One Energy requesting service as its CEO and lead on interconnection.

111 **Q. Please generally describe your experience in securing One Energy's interconnection**
112 **with and service from AEP-Ohio?**

113 A. Based on my direct personal involvement, AEP-Ohio engaged in a number of activities
114 that, as I understand it, were inconsistent with Ohio law when One Energy was trying to
115 interconnect both the 8 MW and 30 MW Megawatt Hubs developed sites in Findlay, Ohio. For
116 example, AEP-Ohio wrongfully and deliberately conveyed competitively sensitive information
117 that One Energy provided with its new service request to at least one individual who told me,
118 eventually, he was employed by AEP-Ohio's parent company. When I asked this individual why
119 he was involved in my interconnection request with AEP-Ohio he responded, via email, that
120 "[AEP-Ohio] tends to throw things my way that may be crypto blockchain related... and involve
121 one of the 11 AEP service territories." This individual then attempted to obtain additional
122 competitively sensitive information, including details about job creation and One Energy's
123 financial information saying that the information had to be provided before the interconnection
124 or service request would be processed. When I asked the individual whether he worked for AEP-
125 Ohio he responded, via email, that he worked for the "ultimate parent entity economic
126 development team and had the ability to speak to AEP's broader 11 state territory." When pressed
127 further on his role relative to One Energy's AEP-Ohio new service request, he withdrew from
128 further engagement.

Beyond AEP-Ohio wrongfully passing competitively sensitive information on to an affiliate, One Energy's effort to secure the 30 MW interconnection from AEP-Ohio was met with inconsistent and potentially unlawful demands and significant delay. More specifically, AEP-Ohio failed to provide One Energy with binding cost estimates and final designs, demanded that One Energy execute a "Letter of Agreement", an Amended Letter of Agreement and "Contribution in Aid of Construction" (CIAC) agreements, made substantial changes to estimated costs, demanded that One Energy be made responsible for additional costs and provide full credit support in amounts not authorized by its tariff, and threatened to stop work unless One Energy acquiesce to its demands. When AEP-Ohio threatened to stop the work required to complete the new service, it told me that the work stoppage would result in One Energy not being able to have electricity for its 30 MW developed site for at least three months. This threat and cost increase came days before a scheduled PJM outage for the tie in of our facility.

As described above, with regard to the 30 MW new service request from *existing* facilities, AEP-Ohio demanded that One Energy agree to CIAC agreements and a Letter and an Amended Letter of Agreement containing certain terms and conditions that I could not verify as being authorized by AEP-Ohio's tariff either on my own or through requests that AEP-Ohio provide me with the source of its authority to make such demands. In June of 2022, and in order to avoid delay in development of the 30 MW site, One Energy executed the Letter of Agreement and CIAC agreement that AEP-Ohio demanded. The work required to meet the 30 MW new service request from existing facilities was scheduled to coincide with a scheduled outage of relevant transmission facilities. After construction began, and two weeks before the 30 MW service connection was scheduled to be completed by AEP-Ohio (April 2023), AEP-Ohio revised upward, by nearly 100%, the total project cost estimate and then threatened to stop work unless

One Energy immediately signed an Amended Letter of Agreement or provide credit support for the total estimated cost of the new service. Because of AEP-Ohio's threats to stop work and impose a delay of at least three months on One Energy's efforts to expand its operations and investments in Ohio, One Energy reluctantly executed the Amended Letter of Agreement as demanded by AEP-Ohio.

Q. Have you resolved your issues with AEP-Ohio related to this 30MW interconnection?

A. No. The actual billing for this interconnection still has not been received and we are still working through similar issues with AEP-Ohio on the planned expansion for this Megawatt Hub.

Q. What issues are you having on the expansion of this Megawatt Hub?

A. As AEP-Ohio knows, One Energy's plans for the 30 MW site in Findlay, Ohio are for it to ultimately become a 150MW Megawatt Hub. AEP-Ohio has verified that this capacity is available at this location. As part of this expansion process, AEP-Ohio indicated through another Letter of Agreement that One Energy would be responsible for credit support for an estimated total cost of \$9,970,000. It should be noted that the estimated CIAC cost, as provided by AEP-Ohio, for the project was \$140,000. AEP-Ohio subsequently demanded that One Energy provide credit support for the full value of the three-breaker transmission ring bus that it wanted to construct, well in excess of the CIAC, as security through a series of Letter of Agreements before they would start any work on the service request. I challenged AEP-Ohio on their authority to request this level of credit support for this project based on the CIAC amount. On a conference call with AEP-Ohio staff and in-house AEP-Ohio counsel, AEP-Ohio representatives confirmed that they had created these forms and new credit requirements because they thought they were necessary and that they had not consulted with the Commission on these new documents and associated credit requirements. To date, AEP-Ohio has still not provided any justification for

175 their claimed authority to arbitrarily create new credit requirements outside of a formal
176 proceeding.

177 **Q. Based on your experience with the One Energy service request submitted to AEP-**
178 **Ohio, did AEP-Ohio exercise its best efforts to expedite the entire process?**

179 A. No. Despite my knowledge, experience and efforts to engage AEP-Ohio, it was difficult
180 to figure out how to even apply for a new interconnection at this size and voltage and what
181 standards should be used to design the retail customer facilities. As already stated, and during my
182 efforts to obtain the new 30 MW service, a person from the economic development division
183 within AEP-Ohio's parent organization was pulled in despite my firm verbal and written requests
184 to not share any information outside of AEP-Ohio. The local AEP-Ohio customer service
185 representative told me that it was not possible to do this project without the involvement of AEP-
186 Ohio's Parent Economic Development Team. To submit and process the request, I had to
187 navigate through multiple business units, multiple individuals, AEP-Ohio's internal
188 communication failures, and AEP-Ohio's refusal to provide me with its authority to make the
189 new service demands it imposed on One Energy.

190 **Q. What concerns you about the process One Energy went through and is going**
191 **through to obtain new service from AEP-Ohio?**

192 A. Because of my education, training and experience, I am an expert on the Ohio electric
193 distribution utility interconnection process and procedure. Yet, I struggled (and am still
194 struggling) to understand and navigate the process for a new customer. This leads me to believe
195 that AEP-Ohio's new service request process is unacceptable and concerning. I believe AEP-
196 Ohio's actual new service-related behavior, processes and procedures do not align with its tariffs
197 and, as I understand it, Ohio law, and that this misalignment has significant negative implications

for capital investment in Ohio. It is my experience that businesses will not waste time and resources exploring potential location or expansion of capital investment in an area where the utility response is confusing, untimely and, when received, effectively keeps moving the goal posts. It also concerns me that when a new customer does go directly to AEP-Ohio with a new service request, the AEP-Ohio parent and affiliates may steer that customer to other AEP-Ohio Parent states to the detriment of Ohio ratepayers.

Q. How should your experience with how AEP-Ohio is carrying out new service requests affect AEP-Ohio proposed ESP V?

A. In ESP V, AEP-Ohio is asking for uncapped authority to obtain recovery for investments related to new service requests. If it is going to be granted this recovery, the Commission should build in processes that make it certain that AEP-Ohio is following its tariffs and the letter of the law in processing these new service requests to ensure it is meeting its obligations regarding adequate service. To this end, I would propose that the Commission establish a nearly real time audit procedure by which the Commission reviews the process employed by AEP-Ohio in any new customer service request over 1 MW and ensures that such process adheres to applicable requirements. As a part of this recommended audit process, the Commission should ensure that there is a mechanism that clearly distinguishes between AEP-Ohio's new customer service request investments and reliability investments. In addition, I also recommend that the Commission establish an expedited process by which a customer with a new or expanded load of over 1 MW can secure the Commission's assistance in making sure that AEP-Ohio satisfies the letter and spirit of its tariff provisions, the Commission's rules and applicable state law. At a minimum this should include a feedback process where the new customer can confirm that the information AEP-Ohio provides to the staff as part of this audit process is correct and complete.

221 **Q. Please explain your view on AEP-Ohio's Distributed Generation Pilot and your**
222 **recommendations on how it can be improved.**

223 A. The Distributed Generation Pilot (DG Pilot) has been a strong success for One Energy
224 and its industrial customers. The DG Pilot has finally provided reasonable compensation for the
225 value that DG customers add during the six (6) coincident peaks. That reasonable compensation
226 provides additional economic motive for private investment in the electric grid which also makes
227 it beneficial to all ratepayers. AEP-Ohio is proposing to continue the DG Pilot in its current form
228 for the term of ESP V (witness Mayhan at 24), but I firmly believe it should be expanded to all
229 primary and transmission level AEP-Ohio customers and the caps that limit the size of generator
230 that can participate and the overall 50 MW cap for participation generally should be removed in
231 order to maximize benefit to DG customers, ratepayers, and the electric grid as a whole.

232 In this ESP case, AEP-Ohio has both expressed a need to invest in distributed resources
233 and a concern about their ability to do, so it seems reasonable that the Commission should ensure
234 that AEP-Ohio is taking the easy steps to encourage private investment in these distributed
235 resources as well. I believe that the DG Pilot should become a permanent schedule in AEP-
236 Ohio's tariff. In doing so, AEP-Ohio will align with state policy (see R.C. 4928.02) by
237 encouraging more private capital to invest in distributed energy resources that will result in grid
238 resiliency.

239 **Q. Do you have any comments on the substation hardening plan that AEP-Ohio**
240 **describes in its ESP V testimony?**

241 A. Yes. AEP-Ohio's testimony indicates that its hardening plan includes the installation of
242 cameras, intrusion sensors, and sirens (witness Swick at 8-9). None of these measures actually
243 protect against the physical threats that AEP-Ohio discusses such as vandalism and theft (witness

Swick at 7). Until bullet resistant walls or panels are installed to protect critical components from physical attacks, cameras, intrusions sensors and sirens will be insufficient. Given current lead times for major power equipment, the vulnerable and fragile nature of many of AEP-Ohio's substations, and AEP-Ohio's non-standardized substation and "customized" (and more expensive) components, it is my belief that AEP-Ohio should first address its physical security risks before seeking recovery for these additional, less effective systems. Going forward, AEP-Ohio should adopt modern substation design and construction practices to protect its substations from security risks, which will benefit ratepayers and the state of Ohio.

Q. Please explain your concerns as it pertains to the proposed Customer Experience Rider (CER) in AEP-Ohio's ESP V application.

A. I have several concerns. First, I should say that I completely agree that AEP-Ohio's billing system is completely out of date and that the manual billing associated with distributed energy resources (DERS) is absurd considering the billing technology available today. Therefore, I fully support an appropriate amount of investment in a new system that automates these processes more efficiently. However, I do have concerns about the proposal as it relates to the Customer Information System ("CIS"). More specifically, I do not believe it is appropriate for the CIS system to dictate when DER customers should or should not operate as AEP-Ohio indicates in its testimony (witness Gabbard at page 16). The CIS system should only be tied to the billing function as it relates to DER customers. It is my understanding that AEP-Ohio does not have the authority to dictate what a DER customer does or does not do. It should stay that way, and AEP-Ohio should not be able to use an authority it hopes to have in the future as justification for an investment now.

266 Second, I have concerns with the ADMS/DERMS component of the CER. Specifically,
267 Figure CMS-1 (witness Schafer at page 4) indicates that the ADMS/DERMS system will also
268 enable AEP-Ohio to “control” and “override” customer DERs. Once again, this is an attempt by
269 AEP-Ohio to gain control over private infrastructure in a way that is not authorized by Ohio laws
270 and regulations.

271 All of these issues involving control over DERS from a technical standpoint are already
272 being addressed at the Commission as a result of a Finding and Order in Case No. 18-0884-EL-
273 ORD (Order). In its Order, the Commission created a DER Stakeholder Group to aid in the
274 continued development of the interconnection rules and discuss additional issues related to DERs
275 on an ongoing basis. As Ohio’s largest operator of DERs, One Energy actively participates in the
276 DER Stakeholder Group and looks forward to continuing to provide valuable feedback to all
277 stakeholders. Moreover, I believe it is more appropriate to address data management and control
278 of DERs in the Commission ordered stakeholder process and not as a part of a system upgrade
279 request in AEP-Ohio’s ESP V application.

280 Third, I have concerns with the Customer Grid Resiliency (CGR) Pilot Program
281 component of the CER. Specifically, I am concerned that AEP-Ohio intends to use the CGR Pilot
282 Program to invest in distributed power technologies using competitively-sensitive or proprietary
283 information of captive customers that AEP-Ohio obtains as a result of its electric distribution
284 utility status. Based on AEP-Ohio’s documented actions with regard to One Energy’s new service
285 requests and AEP-Ohio’s testimony related to customer data (witness Garret IV’s at page 9), it
286 seems logical that AEP-Ohio plans to use this customer information for strategic purposes or to
287 enhance the financial performance of it or an affiliate. It is also unclear in AEP-Ohio’s ESP V
288 application and testimony whether AEP-Ohio intends to implement some of the components of

the CGR Pilot Program behind the meter or in front of the meter which could be a clear indication that AEP-Ohio is keeping its plans just gray enough so that it or an affiliate can secure some competitive service advantage.

Lastly, I am concerned with the Economic Development Plan (EDP) under the CER. AEP-Ohio should not be in the economic development business.

AEP-Ohio contends that AEP-Ohio will shorten the time to deliver or expand service to new customers, help retain jobs in the state, and help businesses figure out how to locate in Ohio through its EDP (witness Rybalt at page 15). As explained previously in my testimony, AEP-Ohio is currently doing the opposite of this. AEP-Ohio is causing delays, making unwarranted demands, and sharing confidential customer information with affiliates to the detriment of the customer's projects and the best interests of Ohio. EDUs should not be leaders in the economic development push in Ohio. There are multiple state and private agencies working on economic development in Ohio every day. Therefore, I do not believe it is appropriate for EDUs to recover any costs under an EDP when the Commission already has an available mechanism, reasonable arrangements, that EDUs can enter into with businesses to provide advantageous terms and conditions.

Q. What other aspects of this ESP V plan concern you?

A. As mentioned throughout my testimony, AEP-Ohio ESP V proposes to, at the expense of captive customers, facilitate AEP-Ohio's entry into competitive or non-utility lines of business such as electric vehicle charging and fiber for communication services markets. To my knowledge, the provision of EV charging services is not within the Commission's jurisdiction or the purview of electric distribution utilities. More importantly, the EV charging market itself has significant private investment and private competition. Allowing AEP-Ohio to compete or

312 engage in this sector at the expense of captive customers, including One Energy, would be
313 detrimental to the industry as whole.

314 I am also concerned that AEP-Ohio is using its fiber proposal contained in ESP V as a
315 wolf in sheep's clothing to enter the dark fiber business. AEP-Ohio is clearly investing beyond
316 what is necessary to operate their power system and will no doubt seek to monetize the
317 additional benefits for its dark fiber. There are multiple world class companies capable of
318 providing AEP-Ohio with fiber service and those are the companies who should be owning,
319 operating and investing in installing new major fiber runs and dark fiber lines. This business
320 venture should not be supported by captive electric rate payers.

321 **Q. Do you have any closing remarks?**

322 A. Yes. I started One Energy 13 years ago. I've raised capital, I've built a world class team,
323 and I've delivered a number of first of their kind DER projects. I did all of this without the
324 protections of any exclusive service rights and without captive customers required to maintain
325 my financial integrity. I am just one of many entrepreneurs who are working on how to
326 continuously improve satisfaction of customers' delivered price, reliability and sustainability
327 needs through investment of private capital and bilateral commerce. Authorizing AEP-Ohio to, at
328 the expense of captive customers, enter into lines of business where resources (including capital)
329 can be efficiently and effectively allocated through the interaction of willing buyers and sellers
330 is, I believe, incompatible with Ohio's pro-competitive electric policy and legal framework. In
331 my view, AEP-Ohio and the compensation it obtains from captive customers should be focused
332 on providing reliable, comparable and non-discriminatory noncompetitive retail electric service
333 and nothing else.

334 **Q. Does that conclude your direct testimony?**

335 A. Yes, based on the information I have reviewed prior to the submission of my direct
336 testimony. I reserve the opportunity to supplement my testimony based on additional
337 information received.

Respectfully submitted on behalf of
ONE ENERGY ENTERPRISES INC.

/s/ Marion H. Little, Jr.

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CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing document is being served, via email, this 9th day of June, 2023 upon the persons listed below.

/s/ Marion H. Little, Jr.

Marion H. Little, Jr.

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Marion H. Little on behalf of One Energy Enterprises Inc..