

21-477-EL-RDR

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

Michael DeWine
GOVERNOR

FILE



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THE PUBLIC UTILITIES COMMISSION OF OHIO
SUBPOENA DUCES TECUM

TO: Ohio Valley Electric Corporation
c/o The Prentice-Hall Corporation System, Inc.
3366 Riverside Drive, Suite 103
Upper Arlington, Ohio 43221

Upon application of the Office of the Ohio Consumers' Counsel ("OCC"), Ohio Valley Electric Corporation ("OVEC") is hereby ordered to designate one or more of its officers, agents, employees, or other persons duly authorized to testify on its behalf, to be subject to oral examination at the evidentiary hearing in this case on October 31, 2023 at 10:00 a.m. at the Public Utilities Commission of Ohio, 180 East Broad Street, Hearing Room 11-A, Columbus, Ohio 43215.

OVEC's designee(s) shall be subject to cross-examination by OCC, one after the other and day-to-day until examination is completed, on the following matters known or reasonably available to OVEC:

- (1) Matters related to the documents requested by this subpoena; and
- (2) Matters contained in the London Economics International, LLC Audit Reports filed in this case on December 17, 2021.

OVEC shall produce at the evidentiary hearing, documents containing the following information, all pertaining to the audit of Legacy Generation Rider expenses charged to consumers during calendar year 2020 ("the audit period"), which are under review in this case:

- (1) The amounts charged to AEP, Duke and DP&L during the audit period by OVEC for their share of non-energy costs, including debt service and a return on equity;


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- (2) The policies and procedures used by OVEC employees to commit the plants into the PJM Day-Ahead Energy Market during the audit period;
- (3) The policies and procedures in place during the audit period related to operating the plants when OVEC's costs exceed market prices;
- (4) All economic analyses used to decide the unit commitment and dispatch decisions during the audit period for each OVEC unit (i.e., decisions regarding whether to self-schedule a generator in the day-ahead energy market or take them off-line for economic reasons), including all economic analyses to support the \$0 bids into the PJM capacity market;
- (5) The fuel supply contracts for the OVEC units in effect during all or part of the audit period;
- (6) All reports pertaining to instances in the audit period when the coal plants were taken offline;
- (7) All reports on the costs and benefits of switching any of the OVEC units to seasonal operation issued during the audit period;
- (8) All reports on the OVEC fuel cost policies that the coal plants operated under during the audit period;
- (9) All documents containing any requests or recommendations to change the Day-Ahead commitment policies or practices during the audit period; and
- (10) Copies of all minutes of the OVEC Operating Committee and Board of Directors meetings and conference calls held during the audit period.

The documents and evidentiary hearing relate to the proceeding entitled *In the Matter of the OVEC Generation Purchase Rider Audits Required by R.C. 4928.148 for Duke Energy Ohio, Inc., the Dayton Power and Light Company, and AEP Ohio*, Case No. 21-477-EL-RDR.

Dated at Columbus, Ohio, this 6th day of October 2023.



PUCO 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.