

**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 Pursuant to R.C.	)	Case No. 23-23-EL-SSO
4928.143 in the Form of an Electric	)	
Security Plan.	)	

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

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**MEMORANDUM CONTRA IGS’ MOTION TO STRIKE TESTIMONY OF OCC  
EXPERT WITNESS RAMTEEN SIOSHANSI  
BY  
OFFICE OF THE OHIO CONSUMERS’ COUNSEL**

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Interstate Gas Supply, LLC’s (“IGS”) motion to strike the direct testimony of all intervenors filed prior to the stipulation is without merit and should be denied. IGS claims that this testimony is now irrelevant. IGS is wrong. The PUCO often admits into evidence direct testimony filed before a settlement in addition to testimony supporting and opposing the settlement<sup>1</sup>. Parties’ litigation positions are directly relevant to the bargain struck among the parties signing the settlement and whether the settlement satisfies the PUCO’s three-part test for considering settlements.

IGS seeks a wholesale exclusion of intervenor direct testimony<sup>2</sup> yet “acknowledges that there may be parts of pre-filed intervenor testimony that may still be

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<sup>1</sup> See, e.g., *In the Matter of the Application of Columbia Gas of Ohio, Inc. for Authority to Amend its Filed Tariffs to Increase the Rates and Charges for Gas Services and Related Matters*, Case No. 21-637-GA-AIR, et al., Proceedings, November 16, 2022; *In the Matter of the Application of Duke Energy Ohio, Inc., for an Increase in Electric Distribution Rates*, Case No. 21-887-EL-AIR, et al., Proceedings, Vol. II, October 5, 2022.

<sup>2</sup> *In the Matter of the Application of Ohio Power Company for Authority to Establish a Standard Service Offer Pursuant to §4928.143 Ohio Rev.Code, in the Form of an Electric Security Plan*, Case No. 23-23-EL-SSO, et al., Motion of Interstate Gas Supply, LLC to Strike Testimony, at p. 1.

relevant to the case.”<sup>3</sup> IGS has the burden to demonstrate how the testimony is “irrelevant.” IGS has failed.

The June 9, 2023 Direct Testimony of OCC’s expert Ramteen Sioshansi was incorporated into his testimony in opposition to the Settlement and is directly relevant to this matter and should not be excluded. On September 20, 2023, OCC expert Ramteen Sioshansi filed his Testimony Recommending Modification of the Stipulation (“Testimony Recommending Modification”).

Dr. Sioshansi’s Direct Testimony is relevant to this proceeding and was expressly incorporated by reference into his Testimony Recommending Modification.<sup>4</sup> In his Direct Testimony, Dr. Sioshansi reached conclusions, among others, that costs for AEP’s electric transportation plan (“ETP”) and/or fiber-optic infrastructure installation were “unjust and unreasonable for AEP Ohio’s electricity consumers,”<sup>5</sup> “unlikely to maximize net benefits to consumers,”<sup>6</sup> “created perverse cross subsidies to individuals with above average incomes” (as to the ETP),<sup>7</sup> could result in “substantially higher costs for all AEP Ohio electricity consumers,”<sup>8</sup> and “AEP Ohio electricity consumers should not be made to bear the costs of infrastructure that is not demonstrated to be in their best interests.”<sup>9</sup>

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<sup>3</sup> *Id.* at p. 5 of the Memorandum in Support.

<sup>4</sup> *In the Matter of the Application of Ohio Power Company for Authority to Establish a Standard Service Offer Pursuant to §4928.143 Ohio Rev.Code, in the Form of an Electric Security Plan*, Case No. 23-23-EL-SSO, et al., Testimony Recommending Modification of the Stipulation of Ramteen Sioshansi, September 20, 2023 at p. 1.

<sup>5</sup> *In the Matter of the Application of Ohio Power Company for Authority to Establish a Standard Service Offer Pursuant to §4928.143 Ohio Rev.Code, in the Form of an Electric Security Plan*, Case No. 23-23-EL-SSO, et al., Direct Testimony of Ramteen Sioshansi, September 20, 2023 at p. 4.

<sup>6</sup> *Id.*

<sup>7</sup> *Id.* at p. 5.

<sup>8</sup> *Id.*

<sup>9</sup> *Id.* at 6.

These reasoned opinions are relevant to the PUCO's consideration of whether to adopt or modify the Settlement.

Finally, IGS is wrong in broadly claiming that direct testimony filed prior to a settlement is no longer relevant once a settlement is filed.<sup>10</sup> If IGS believes that portions of direct testimony should not be admitted, IGS can specify the purported irrelevant sections. IGS cannot, however, exclude the entirety of OCC's or other parties' direct testimony based on broad conclusory and unsupported claims of irrelevancy.

For these reasons, the PUCO should summarily deny IGS's motion to strike.

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<sup>10</sup> See, e.g., *In the Matter of the Application of Columbia Gas of Ohio, Inc. for Authority to Amend its Filed Tariffs to Increase the Rates and Charges for Gas Services and Related Matters*, Case No. 21-637-GA-AIR, et al., Proceedings, November 16, 2022; *In the Matter of the Application of Duke Energy Ohio, Inc., for an Increase in Electric Distribution Rates*, Case No. 21-887-EL-AIR, et al., Proceedings, Vol. II, October 5, 2022.

Respectfully submitted,

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## **CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing Memorandum Contra IGS' Motion to Strike Testimony of OCC Expert Witness Ramteen Sioshansi was served via electronic transmission upon the parties this 10<sup>th</sup> day of October 2023.

*/s/ William J. Michael*

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Summary: Memorandum Memorandum Contra IGS' Motion to Strike Testimony of  
OCC Expert Witness Ramteen Sioshansi by Office of the Ohio Consumers'  
Counsel electronically filed by Ms. Alana M. Noward on behalf of Michael, William  
J..