

ORIGINAL

IN THE SUPREME COURT OF OHIO

In the Matter of the Application of	)	
Columbus Southern Power Company and	)	Case No. 2010-0722
Ohio Power Company to Adjust Their	)	
Economic Development Cost Recovery	)	On Appeal from the Public Utilities
Rider Rates.	)	Commission of Ohio
	)	Case No. 09-1095-EL-RDR

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**WAIVER OF ORAL ARGUMENT  
BY  
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**FILED**

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THE OFFICE OF THE OHIO CONSUMERS' COUNSEL**

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Pursuant to the Rules of Practice of the Supreme Court of Ohio, S.Ct. Prac.R.9.3(A), the Office of the Ohio Consumers' Counsel ("OCC") hereby notifies this Honorable Court and the parties to this proceeding that, because Columbus Southern Power Company and Ohio Power Company are not permitted to argue as an appellant in this case,<sup>1</sup> the OCC waives its oral argument and submits its case to the Supreme Court on the briefs.

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<sup>1</sup> See *In the Matter of the Application of Columbus Southern Power Company and Ohio Power Company to Adjust Their Economic Development Cost Recovery Rider Rates*, Case No. 2010-0722, Entry (January 10, 2011).

Respectfully submitted,

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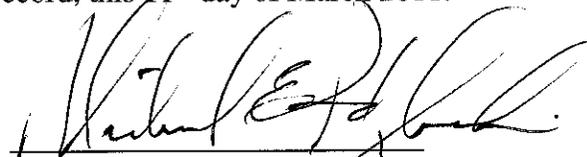
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## CERTIFICATE OF SERVICE

I hereby certify that copies of this Waiver of Oral Argument by Intervening Appellee, the Office of the Ohio Consumers' Counsel, has been served by first class mail, postage prepaid, to the following parties of record, this 11<sup>th</sup> day of March 2011.



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