

**In The
SUPREME COURT OF OHIO**

Ohio Power Company,	:	
	:	
Appellant,	:	Case No. 14-1290
	:	
v.	:	On appeal from the Public Utilities
	:	Commission of Ohio, Case No. 12-
The Public Utilities Commission of	:	2050-EL-ORD, <i>In the Matter of the</i>
Ohio,	:	<i>Commission's Review of Chapter</i>
	:	<i>4901:1-10, Ohio Administrative Code,</i>
Appellee.	:	<i>Regarding Electric Companies.</i>

**JOINT STATUS REPORT
SUBMITTED ON BEHALF OF APPELLEE,
THE PUBLIC UTILITIES COMMISSION OF OHIO,
AND
APPELLANT, OHIO POWER COMPANY**

On November 24, 2014, the Court issued an Entry in this proceeding granting the parties' joint request for a stay of the briefing schedule. The Public Utilities Commission (Commission) continues to consider options for moving forward with the net metering rule. On March 13, 2015 the attorney examiner assigned to Case No. 12-2050-EL-ORD issued an Entry scheduling a workshop to be held on May 5, 2015 (Entry attached). The purpose of the workshop is to provide an opportunity for interested stakeholders, including appellant, Ohio Power Company, to offer input as to further potential revisions for the net metering rule at issue in this appeal. The Commission expects to take action on this matter as soon as is practical after the conclusion of the workshop. On that basis, the parties jointly request that the briefing stay be continued at this time and state that they intend to file another status report within sixty days of this filing.

Respectfully submitted,

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Ohio Attorney General

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Section Chief

/s/ Ryan P. O'Rourke

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**Counsel for Appellant,
Ohio Power Company**

PROOF OF SERVICE

I hereby certify that a true copy of the foregoing Joint Status Report, submitted on behalf of appellee, the Public Utilities Commission of Ohio, and appellant, Ohio Power Company, was served via electronic mail, upon the following parties of record, this 6th day of April, 2015.

/s/ Ryan P. O'Rourke

Ryan P. O'Rourke
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Parties of Record:

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BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Commission's Review)
of Chapter 4901:1-10, Ohio Administrative) Case No. 12-2050-EL-ORD
Code, Regarding Electric Companies.)

ENTRY

The attorney examiner finds:

- (1) R.C. 106.03 requires state agencies to conduct a review of their rules and to determine whether to continue their rules without change, amend their rules, or rescind their rules.
- (2) On January 15, 2014, the Commission issued its Finding and Order in this case adopting amended and no change rules contained in Ohio Adm.Code Chapter 4901:1-10. The Commission ordered that the amended and no change rules be filed with the Joint Committee on Agency Rule Review, the Secretary of State, and the Legislative Service Commission, in accordance with Divisions (D) and (E) of R.C. 111.15.
- (3) Thereafter, on February 14, 2014, Direct Energy Services, LLC (Direct Energy), the Ohio Hospital Association (OHA), The Dayton Power and Light Company (DP&L), Duke Energy Ohio, Inc. (Duke), the Ohio Power Company (Ohio Power), Ohio Edison Company, Toledo Edison Company, and the Cleveland Electric Illuminating Company (collectively, FirstEnergy), and IGS Energy (IGS) filed applications for rehearing. Memoranda contra the applications for rehearing were filed by the Interstate Renewable Energy Council, Inc. (IREC), Direct Energy, IGS, FirstEnergy, and the Ohio Consumers' Counsel (OCC). Many of the issues raised in the applications for rehearing related to the net metering provisions in Ohio Adm.Code 4901:1-10-28.
- (4) On March 12, 2014, the Commission issued an Entry on Rehearing granting rehearing for further consideration of the matters specified in the applications for rehearing. Thereafter, on May 28, 2014, the Commission issued a Second Entry on Rehearing granting, in part, and denying,

in part, the applications for rehearing filed by DP&L, FirstEnergy, Duke, Ohio Power, Direct Energy, and IGS. Additionally, the Commission denied the application for rehearing filed by OHA.

- (5) Subsequently, on June 27, 2014, FirstEnergy filed an application for rehearing asserting assignments of error related to the Commission's second entry on rehearing. Thereafter, on July 7, 2014, a memorandum contra to FirstEnergy's application for rehearing was filed by IGS. The assignment of error raised by FirstEnergy in its application for rehearing, and addressed by IGS in its memorandum contra, related exclusively to the net metering provisions in Ohio Adm.Code 4901:1-10-28.
- (6) On July 23, 2014, the Commission issued a Third Entry on Rehearing denying the application for rehearing filed by FirstEnergy.
- (7) At this time, the Commission finds that additional input from stakeholders would be beneficial for the Commission as it considers further potential revisions to Ohio Adm.Code 4901:1-10-28, regarding net metering. Accordingly, the attorney examiner finds that a workshop should be scheduled for May 5, 2015, at 10:00 a.m., at the offices of the Commission, 180 East Broad Street, 11th Floor, Hearing Room 11-B, Columbus, Ohio, 43215.
- (8) Interested stakeholders should come to the workshop prepared with necessary technical experts to provide appropriate feedback. After Staff has an opportunity to consider the feedback received at the workshop, proposed rule revisions may be issued by the Commission for comment and reply comment from interested stakeholders.

It is, therefore,

ORDERED, That a workshop be scheduled for May 5, 2015, at 10:00 a.m., at the offices of the Commission, 180 East Broad Street, 11th Floor, Hearing Room 11-B, Columbus, Ohio, 43215, in accordance with Finding (7). It is, further,

ORDERED, That a copy of this Entry be served upon all electric utilities in the state of Ohio, all certified competitive retail electric service providers in the state of Ohio, the Electric-Energy industry list-serve, and all other parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/Gregory Price

By: Gregory A. Price
Attorney Examiner

SEF/sc