OMA ENERGY GROUP
WEEKLY BRIEFING

The Ohio Manufacturers' Association

Volume 11, Issue 12 • March 25, 2022

This Summary Contains Confidential and Privileged Information Pursuant to a Confidentiality Agreement and the Attorney-Client Privilege.
DO NOT DISTRIBUTE OR SHARE WITH NON-MEMBERS.

AEP Ohio

PUCO Approves Adjustment to AEP Ohio's Economic Development Rider (EDR) (Case No. 22-88-EL-RDR)

Summary: On Feb. 1, 2022, in the above-captioned case, AEP Ohio filed an application to adjust its EDR rate from 2.79073% to 4.73099%. AEP Ohio explained that the proposed EDR rate is based on estimated cost under-recoveries as evidenced by the projected 2022 delta revenues, as well as the actual and projected delta revenues associated with the company's reasonable arrangements with customers. The PUCO found that AEP Ohio's proposed EDR rate of 4.73099% was reasonable and should be approved.

OMAEG Opposes Ohio Valley Electric Corporation (OVEC) Subsidization (Case No. 18-1004-EL-RDR)

Summary: The OMAEG filed its post-hearing brief in the above-captioned case, objecting to AEP Ohio's continued subsidization of the uneconomic, aging OVEC coal plants through the Power Purchase Agreement Rider (PPA Rider). The OMAEG argued that certain costs included in the PPA Rider have been unreasonable or prudently incurred, and that the audit filed in this case did not meet the burden of proof to demonstrate that these costs should be recovered from customers. As such, the OMAEG requested that the Commission disallow costs associated with the OVEC plants and not allow AEP Ohio to pass through nearly $74.5 million to customers through the rider.

FirstEnergy

FirstEnergy Lawyers Identify Who Paid Bribes (Case No. 5:20-cv-1743-JRA)

Summary: A federal judge presiding over the FirstEnergy Corp. shareholders' derivative lawsuit directed the shareholders' attorneys to identify, under oath, which

individuals paid millions of dollars in bribes on behalf of FirstEnergy. In an affidavit filed Wednesday, the shareholders' attorneys identified former CEO Charles Jones and former Vice President Michael Dowling as the individuals who paid the bribes. FirstEnergy fired both executives in October 2020, although neither has been charged with any crime.

FirstEnergy Seeks to Limit Audit
(Case No. 17-974-EL-UNC)

Summary: In the PUCO review of FirstEnergy's corporate separation plan, FirstEnergy filed two pleadings this week seeking to limit the scope of the proceedings. First, FirstEnergy filed a memorandum contra a motion to continue the hearing and procedural schedule. In the motion filed March 14, the OMAEG and other consumer groups requested that the Commission delay the hearing date and expand the scope of discovery. FirstEnergy also filed a motion to quash a subpoena seeking to depose FirstEnergy Chief Ethics and Compliance Officer Antonio Fernandez.