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Federal

Judge Approves FES Bankruptcy Legal Fees and HB 6 Lobbying Expenses (Case No. 18-50757 N.D. Ohio)

Summary: The federal judge presiding over the FirstEnergy Solutions (FES) bankruptcy case has approved a final payment of \$68.9 million to the law firm of Akin Gump Strauss Hauer & Feld (Akin Gump) for their work on behalf of FES, including \$2.7 million for Akin Gump's lobbying efforts to enact the scandal-ridden HB 6.

The judge stated that Akin Gump's billing rates were "astoundingly high," but that alone was an "insufficient basis for the court to deny compensation to professionals who did their work at agreed-upon rates at the approval of their debtor clients with adequate disclosure to the court and to the public without serious objection."

AEP

PUCO Approves AEP Rate Case Settlement (Case Nos. 20-585-EL-AIR, et al.)

Summary: On Nov. 17, the PUCO approved a settlement joined by AEP, PUCO staff, OMAEG, and several other consumer groups resolving AEP's pending distribution rate case. Among other benefits, the settlement reduces AEP's requested revenue requirement by \$110.77 million; expands OMAEG's seats and the MW cap in the Basic Transmission Cost Rider Pilot Program; provides Distribution Investment Rider (DIR) data and data regarding specific distribution facilities to OMAEG; provides an aggregate reduction of the annual DIR caps for 2021-2024 of \$247.75 million; eliminates AEP's Decoupling Rider; and eliminates AEP's proposal to offer a \$40 million-a-year energy efficiency program to be paid for by customers through a non-bypassable charge. Environmental groups and retail electric suppliers are highly likely to challenge the PUCO's approval of the settlement.

AES Ohio (formerly DP&L)

**PUCO Approves Decrease to AES Ohio's Rider EDR
(Case No. 21-1034-EL-RDR)**

Summary: The PUCO has approved the following decreases to AES Ohio's non-bypassable Economic Development Rider (Rider EDR), effective upon a bills-rendered basis beginning with AES Ohio's first billing cycle for December 2021.

- **Secondary:** A decrease from \$0.0000377/kWh to \$0.0000364/kWh.
- **Primary:** A decrease from \$0.0000157/kWh to \$0.0000155/kWh.
- **Primary-Substation:** A decrease from \$0.0000039/kWh to \$0.0000037/kWh.

Duke

**PUCO Approves Duke's Request to Collect \$4.67M in AMI/Data Access Costs
(Case No. 20-666-EL-RDR)**

Summary: The PUCO approved Duke's request to recover \$4.67 million through its non-bypassable Power Future Initiatives Rider (Rider PF) for costs incurred through Dec. 31, 2019 for advanced metering infrastructure (AMI) and data access investments. Approximately 38% of Rider PF's revenue requirement will be allocated to non-residential customers, and Rider PF will be billed to customers by using a fixed percentage of their monthly distribution charges.