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## **AEP**

### **OMAEG Joins Settlement Resolving AEP Ohio's Data Center Tariff Application Case (Case No. 24-508-EL-RDR)**

**Summary:** As you may recall, without supporting data, AEP Ohio filed an application seeking to create two new classifications of customers and to implement two new tariffs applicable to certain energy-intensive customers (data centers with monthly demand of more than 25 MW) and cryptocurrency/mobile data centers with monthly demand of 1 MW or greater). Both tariffs would require significant additional financial and operational obligations regardless of whether an actual transmission constraint exists and regardless of whether transmission infrastructure would need to be built by AEP Ohio's affiliate. Among other things, the new classes of customers will be required to: (1) enter into electric service agreements for a term of 10 years; (2) participate in the PJM Emergency Demand Response program or AEP-declared emergency event and be subject to disconnection; (3) pay all base rates and rider rates that other General Service customers pay; (4) be subjected to an unreasonable minimum demand charge (90% of their contract capacity for data centers; 95% of their contract capacity for mobile data centers); (5) be subjected to an unreasonable exit fee; and (6) be subjected to unreasonable heightened collateral requirements. AEP Ohio's tariff language seems to limit behind-the-meter generation for these customers, which would reduce their reliance on the grid, and would prioritize these customers for interruptions. AEP Ohio's proposal also allows the distribution company to collect these additional revenues without requiring the revenues to be offset against transmission costs or be refunded to customers in violation of corporate separation rules between affiliated companies.

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OMAEG and numerous other parties reached a settlement that does not discriminate against a particular business type and treats all large energy-intensive customers the same if those customers are trying to locate new load in constrained areas, requires new customers to pay their fair share for required transmission upgrades and infrastructure, encourages transparency in AEP's interconnection process, and holds AEP Ohio accountable to demonstrate the need for constructing any claimed transmission infrastructure as customers have already given AEP billions to upgrade the transmission system through supplemental transmission projects. The settlement also adheres to corporate separation principles by requiring any funds collected under the new tariff by the distribution utility (AEP Ohio) to offset existing transmission charges or be returned to customers. A summary of the settlement can be found [here](#).

AEP Ohio remains stubbornly opposed to the customer settlement and OMAEG's attempts to reach a reasonable and equitable resolution to this case.

### **PUCO Upholds Decision Deeming AEP's 2018–2019 OVEC Costs Prudent Case (Case No. 18-1004-EL-RDR)**

**Summary:** The PUCO denied OMAEG's request for review of the decision approving the collection of over \$74.5 million from Ohio customers to subsidize two aging, uneconomic coal plants—one of which is in Indiana—during the audit period. The PUCO also refused to reconsider the matter of admitting evidence related to PUCO Staff's communications with the auditor asking her to "tone down" language in the audit report stating that running the coal plants is not in the best interest of customers. This case is now appealable to the Supreme Court of Ohio.

### **Statewide**

### **Public Utilities Commission of Ohio (PUCO) Upholds Decision Deeming Duke, AEP, and AES' 2020 OVEC Costs Prudent (Case No. 21-477-EL-RDR)**

**Summary:** The PUCO denied OMAEG's request for review of the decision approving the collection of \$115 million in coal plant subsidies from Ohio customers during the audit period. This case is now appealable to the Supreme Court of Ohio.