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AEP

OMAEG Seeks Reconsideration of Unlawful and Discriminatory Data Center Tariffs (Case No. 24-508-EL-ATA)

Summary: OMAEG seeks reconsideration of the Public Utilities Commission of Ohio's (PUCO) order approving AEP's discriminatory tariff that (1) will impose numerous onerous requirements on certain large users (data centers) that will ultimately stymie economic development in Ohio, and (2) sets a dangerous precedent for allowing utilities to target certain industries and energy-intensive customers. Among other things, OMAEG emphasized that (1) AEP's tariff is unduly discriminatory on its face, which violates multiple Ohio laws, (2) the PUCO failed to find that AEP's self-imposed and unauthorized moratorium was unlawful, and (3) AEP failed to provide sufficient evidence supporting its claim that there is a transmission capacity constraint.

AES

Parties Reach a Settlement in Rate Case (Case Nos. 24-1009-EL-AIR, et al.)

Summary: As you may recall, last year AES filed an application for an increase in base rates seeking to increase rates by 75.43%, or \$235.2 million annually. This week, OMAEG agreed not to oppose a unanimous settlement that, among other things, (1) decreases the annual increase from \$235.2 million per year to \$167.8 million per year and (2) decreases the rate of return from 7.97% to 7.46% (decreases the return on equity from 10.15% to 9.999%).