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AEP

OMAEG Appeals Unlawful Fuel Cell Orders (Case Nos. 25-133-EL-AEC; 25-134-EL-AEC)

Summary: As you may recall, despite OMAEG's numerous arguments urging the Public Utilities Commission of Ohio (PUCO) to reject AEP's two applications to enter arrangements that would allow AEP to unlawfully own and operate fuel cells located on customer properties, the PUCO approved both agreements and subsequently refused to grant reconsideration of those unlawful decisions. OMAEG filed appeals with the Supreme Court of Ohio regarding both agreements, which violate Ohio's corporate separation laws, laws against AEP owning generation assets, and the State's deregulation policies.

OMAEG Continues Opposing Additional, Unlawful Coal Subsidies (Case No. 20-1118-EL-RDR)

Summary: The newly enacted House Bill 15 (HB 15) eliminated the last vestiges of the corrupt House Bill 6, including customer-funded coal subsidies used to support a pair of aging, 1950s-era coal plants. Among other provisions, HB 15 prohibits Ohio's electric distribution utilities, including AEP, from continuing to collect costs related to supporting the coal plants. The law also prohibits the PUCO from approving the collection of such funds through some other mechanism. Despite these clear statutory mandates, AEP filed a request with the PUCO to eventually collect from customers an additional \$35 million related to coal plants.

In response to AEP and other utilities' arguments supporting this unlawful collection, OMAEG and other stakeholders filed reply comments rebutting the utilities' arguments that not allowing the collection was somehow unconstitutional and against PUCO precedent. OMAEG further reiterated its request that the PUCO direct AEP to provide customers with a \$15 million credit, as the Company was previously ordered to do by both the PUCO and Supreme Court of Ohio.