Minutes of the Commission Meeting
January 15, 2020 - 1:30 p.m.

Present:
Sam Randazzo, Chairman
M. Beth Trombold, Commissioner
Lawrence K. Friedeman, Commissioner
Daniel R. Conway, Commissioner
Dennis P. Deters, Commissioner
Angela Hawkins, Legal Director
Gregory Price, Electric Section, Legal Department
Jeffrey Jones, Telephone and Water Sections, Legal Department
Sarah Parrot, Gas Section, Legal Department
Nicholas Walstra, Transportation Section, Legal Department
Mary Fischer, Legal Department

This meeting was convened pursuant to the regular agenda issued on January 9, 2020, for the week of January 13, 2020.

The minutes of the December 18, 2019, Commission Meeting were approved by the Commissioners.

The Commission met for the purpose of considering the following cases and to act upon the proposed Entries and Orders.
Signing Session: January 15, 2020, at 1:32 p.m.

All Utilities:

1. 19-01-AU-RPT Annual Reports for the 2018 Fiscal Assessment of All Utilities (Second finding and order concerning delinquent assessments) Stricken from the January 15, 2020 agenda.

Chairman Randazzo commended staff for their work with Annual Reports and noted that while the Commission has less delinquent filers at this juncture compared to previous years, we would like to further decrease that number by reaching out to the entities prior to ordering a delinquency assessment.

Electric:

Rehearing:

2. 16-395-EL-SSO Dayton Power and Light Company Approval moved and seconded, vote 3-0. Chairman Randazzo and Commissioner Friedeman recused themselves.
   16-396-EL-ATA (Entry considering application for rehearing)
   16-397-EL-AAM

3. 18-501-EL-FOR Ohio Power Company dba AEP Ohio Denied by operation of law.
   18-1392-EL-RDR (Entry considering application for rehearing)
   18-1393-EL-ATA

   (Entry considering application for rehearing)

Commissioner Conway stated that he believed in a periodic review of base rate cases in order to evaluate the Utilities' revenue requirements, and that not conducting regular reviews can result in an over-recovery of costs. Further he supports retaining the requirement that the FirstEnergy companies file a rate case prior to the end of their ESP and accordingly would grant the re-hearing applications, and, therefore dissents from this opinion. Commissioner Conway filed a dissenting opinion. Chairman Randazzo noted that this is an issue in which reasonable people might disagree; however, the decision on the reasonableness of compensation of a Utility is not entirely left to the Utility as the commission and individual parties have the opportunity to issue a complaint and prove that rates are unreasonable. Commissioner Conway concurred with the Chairman's statements but noted he would prefer an additional remedy that the requirement to file a rate case provided.

5. 19-1808-EL-UNC Net Legacy Generation Resource Costs Approval moved and seconded, vote 5-0.
   (Entry considering application for rehearing)

Tariff:

6. 18-1004-EL-RDR Ohio Power Company dba AEP Ohio Approval moved and seconded, vote 5-0.
   18-1759-EL-RDR (Entry considering issuance of request for proposal)

7. 19-2080-EL-ATA Ohio Edison Company, The Cleveland Electric Illuminating Approval moved and seconded, vote 5-0.
   Company, and The Toledo Edison Company
   19-2081-EL-AAM (Finding and order considering application)

Commissioner Conway sympathized with the staff's position in this matter, as detailed in the docket. Noting that HB6 is not a typical revenue decoupling mechanism and going forward we will diligently oversee the implementation of the mechanism and properly manage its impact on customers.
Commissioner Conway stated that he dissents in part, as he does not believe that AEP's conduct amounted to unreasonable service; and concurs in part, specifically agreeing with the second and third conclusions in the order and with the directive to evaluate the company's communications process in its next rate case. Commissioner Conway filed a dissenting opinion. Chairman Randazzo noted that the duration of time that it took for the customer to receive a response from AEP is not a model of reasonable behavior, and hopefully AEP has taken steps to provide better and timelier communications as a result. Further stating that the Commission will have an opportunity to review communications in the rate case.

Commissioner Conway thanked the staff and the parties for their efforts in this case which illustrates the benefits of reaching a joint solution and settlement. Chairman Randazzo added his compliments to the staff. Further noting that the settlement process resulted in a superior vegetation management program than what was in place prior and that this matter will help resolve a number of similar matters before the Commission.

<table>
<thead>
<tr>
<th>No.</th>
<th>Case ID</th>
<th>Description</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>18</td>
<td>18-1832-EL-CSS</td>
<td>Ohio Power Company dba AEP Ohio (Proposed opinion and order)</td>
<td>Stricken from the January 15, 2020 agenda.</td>
</tr>
<tr>
<td>19</td>
<td>18-1125-EL-REN</td>
<td>Beebe 1B Renewable Energy, LLC and Michigan Public Power Agency (Finding and order considering application)</td>
<td>Approval moved and seconded, vote 5-0.</td>
</tr>
<tr>
<td>20</td>
<td>18-1683-EL-WVR</td>
<td>Duke Energy Ohio, Inc. (Finding and order considering application)</td>
<td>Approval moved and seconded, vote 5-0.</td>
</tr>
<tr>
<td>21</td>
<td>19-1103-EL-REN</td>
<td>North American Natural Resources, Inc. (Finding and order considering application)</td>
<td>Approval moved and seconded, vote 5-0.</td>
</tr>
<tr>
<td>22</td>
<td>19-182-EL-CSS</td>
<td>Barbara Parsons v. Ohio Power Company dba AEP Ohio (Entry addressing motion to dismiss)</td>
<td>Stricken from the January 15, 2020 agenda.</td>
</tr>
<tr>
<td>23</td>
<td>19-1339-EL-CSS</td>
<td>Neil McGrew v. Ohio Edison Company (Entry addressing motion to dismiss)</td>
<td>Approval moved and seconded, vote 5-0.</td>
</tr>
<tr>
<td>24</td>
<td>19-1494-EL-CSS</td>
<td>Casey Prokow and Heather Rhoades v. The Toledo Edison Company (Entry addressing motion to dismiss)</td>
<td>Approval moved and seconded, vote 5-0.</td>
</tr>
<tr>
<td>25</td>
<td>19-2019-EL-CSS</td>
<td>Katie Ramgren v. Duke Energy Ohio, Inc. (Entry addressing motion to dismiss)</td>
<td>Approval moved and seconded, vote 5-0.</td>
</tr>
</tbody>
</table>

**Gas:**

**Tariff:**

| 26   | 19-664-GA-RDR  | Duke Energy Ohio, Inc. (Entry considering reissuance of request for proposal) | Approval moved and seconded, vote 5-0. |
| 27   | 19-1354-GA-ALT | Ohio Gas Company (Entry considering proposed tariffs)                         | Approval moved and seconded, vote 5-0. |

**Other:**

| 28   | 19-2004-PL-AEC | North Coast Gas Transmission LLC (Finding and order considering application) | Approval moved and seconded, vote 5-0. |

**Transportation:**

| 29   | 18-1614-RR-FED | CSX Transportation/Allen County (Entry considering request for more time to complete grade crossing project) | Approval moved and seconded, vote 5-0. |
| 30   | 18-1788-RR-FED | CSX Transportation/Lake County (Entry considering request to extend grade crossing project completion date) | Approval moved and seconded, vote 5-0. |
| 31   | 19-653-RR-FED  | CSX Transportation/Hancock County (Entry considering request for more time to complete grade crossing project) | Approval moved and seconded, vote 5-0. |

33. 19-1093-TR-CVF  Shunkor Khimmat (OH0519000602C)  (Finding and order considering proposed settlement agreement)  Approval moved and seconded, vote 5-0.

34. 19-1899-TR-CVF  Rex L. Gregg (OH3215010340D)  (Finding and order considering proposed settlement agreement)  Approval moved and seconded, vote 5-0.

35. 19-1554-TR-CVF  Yuriy Rudkovskiy (OH3250004587D)  (Entry addressing motion to dismiss)  Approval moved and seconded, vote 5-0.

36. 19-2132-TR-CVF  The Default of Motor Carriers and Drivers  (Proposed opinion and order)  Approval moved and seconded, vote 5-0.

Comments:

FERC Docket Nos.  Calpine Corporation, Dynegy, Inc., et al. v. PJM Interconnection, LLC
EL16-49-000  (Rehearing application)
EL18-178-000  (Consolidated)  Following clarifying comments and questions from Chairman Randazzo, Commissioner Trombold, and Commissioner Friedeman the Commission authorized the Assistant Attorneys General to file a motion for rehearing with the FCC. Vote 5-0.

There being no further business, the Commission Meeting adjourned at approximately 2:03 p.m.

[Signatures]

Chair  Secretary