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SECRETARY OF THE  
COMMISSION

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2008 NOV -4 P 2:22

FEDERAL ENERGY  
REGULATORY COMMISSION

November 4, 2008

Honorable Kimberly D. Bose  
Secretary  
Federal Energy Regulatory Commission  
888 First Street, N.E.  
Washington, D.C. 20426

Monique Rowtham-Kennedy  
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**Re: American Electric Power Service Corporation  
Compliance Filing  
Docket No. OA08-39-000**

Dear Secretary Bose:

In compliance with the October 3, 2008 letter order (“Letter Order”) issued in the captioned docket accepting the Order No. 890 Attachment R Transmission Planning Process Compliance Filing of American Electric Power Service Corporation (AEP) Participating in the PJM Interconnection, L.L.C. (PJM) (AEP-East Zone) and Southwest Power Pool (SPP) (AEP-West Zone) Regional Transmission Organizations, and the requirements of Order No. 890-A<sup>1</sup>, American Electric Power Service Corporation submits for filing revised tariff sheets to its Open Access Transmission Tariff designated as Operating Companies of the American Electric Power System FERC Electric Tariff, Third Revised Volume No. 6 (the “AEP OATT”) adopting the Order 890-A pro forma language on rollover rights.

### **I. Background and Description of filing**

On December 7, 2007, AEP filed its transmission planning principles, Attachment R to the AEP OATT, to comply with the Commission’s directives its Order No. 890.<sup>2</sup>

<sup>1</sup> *Preventing Undue Discrimination and Preference in Transmission Service, Order No. 890-A*, 121 FERC ¶ 61,297 (2007)

<sup>2</sup> *Preventing Undue Discrimination and Preference in Transmission Service, Order No. 890*, 118 FERC ¶ 61,119 (2007). (“Order No. 890”); see also *Preventing Undue Discrimination and Preference in Transmission Service, Order Extending Compliance Action Date and Establishing Technical Conferences*, 120 FERC ¶ 61,103 (2007).

On October 3, 2008, the Commission issued the Letter Order accepting AEP's submittal, "subject to the outcome of PJM and SPP's Order No. 890 coordinated and regional transmission planning principles compliance filings in Docket Nos. OA08-32-000 and OA08-61-000 respectively, effective December 7, 2007, as requested."

The instant filing satisfies the requirement of Order 890-A which obligates AEP to submit a compliance filing modifying Section 2.2 of the AEP OATT to adopt the Order 890-A *pro forma* rollover provisions within thirty days after AEP's transmission planning principles have been approved by the Commission.

## **II. Contents of this Filing**

AEP submits herewith:

- This transmittal letter
- Clean and Redlined Tariff Sheets marked to show the changes to section 2.2 of the AEP OATT required by Order No. 890-A.

## **III. Requested Effective Date**

Consistent with the requirements of Order No. 890-A, AEP requests an effective date of November 3, 2008 for the revised Tariff Sheets.

## **IV. Requested Waivers**

AEP respectfully requests waiver of the requirements of Order No. 890-A to the extent necessary to adopt proposed changes to the AEP OATT.<sup>3</sup>

## **V. Persons On Whom This Filing Is Being Served**

AEP has served a copy of this filing to AEP's OATT customers, PJM, SPP, the Ohio Public Utilities Commission, Indiana Utility Regulatory Commission, Kentucky Public Service Commission, Public Service Commission of West Virginia, Michigan Public Service Commission, Tennessee Regulatory Authority, Virginia State Corporation Commission, Oklahoma Public Service Commission, Louisiana Public Service Commission, Arkansas Public Service Commission, New Mexico Public Utility Commission, Missouri Public Service Commission, and the Public Utilities Commission of Texas by providing a copy of this filing to the above listed parties and by electronic posting on AEP's website at: <http://www.AEP.com/go/OAT>. Electronic service is

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<sup>3</sup> In particular, AEP requests waiver of the 30 day filing requirement for the proposed changes. The instant filing is one day late due to administrative oversight.

permitted as of November 3, 2008, under the Commission's regulations<sup>4</sup> pursuant to Order No. 714<sup>5</sup> and the Commission's Notice of Effectiveness of Regulations issued on October 28, 2008, in Docket No. RM01-5-000. .

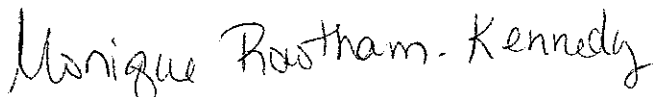
**VIII. Persons To Whom Correspondence Should Be Addressed**

Persons to whom correspondence and communications regarding this filing should be addressed to are as follows:

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Respectfully submitted,



Monique Rowtham-Kennedy  
Senior Counsel  
American Electric Power Service Corporation


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<sup>4</sup> See 18 CFR §§ 35.2, 154.2, 154.208 and 341.2

<sup>5</sup> Federal Energy Regulatory Commission, Order No. 714, 124 FERC ¶ 61,270

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served the foregoing document on each party on the official service list compiled by the Secretary in this proceeding.



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Dated: November 4, 2008

**REDLINED TARIFF SHEETS**

## **2 Initial Allocation and Renewal Procedures**

2.1 Not Applicable.

**2.2 Reservation Priority For Existing Firm Service Customers:** Existing firm service customers (wholesale requirements and transmission-only, with a contract term of one year or more and retail, irrespective of term), have the right to continue to take transmission service from the Transmission Provider when the contract expires, rolls over or is renewed. This transmission reservation priority is independent of whether the existing customer continues to purchase capacity and energy from the Transmission Provider or elects to purchase capacity and energy from another supplier. If at the end of the contract term, the Transmission Provider's Transmission System cannot accommodate all of the requests for transmission service, the existing firm service customer must agree to accept a contract term at least equal to the longest competing request by any new Eligible Customer and to pay the current just and reasonable rate, as approved by the Commission, for such service; provided that, the firm service customer shall have a right of first refusal at the end of such service only if the new contract is for five years or more. The existing firm service customer must provide notice to the Transmission Provider whether it will exercise its right of first refusal no less than one year prior to the expiration date of its transmission service agreement. This transmission reservation priority for existing firm service customers is an ongoing right that may be exercised at the end of all firm contract terms of one year or longer. Service agreements subject to a right of first refusal entered into prior to

November 3, 2008 or associated with a transmission service request received prior to July 13, 2007, unless terminated, will become subject to the five year/one year requirement on the first rollover date after November 3, 2008; provided that , the one-year notice requirement shall apply to such service agreements with five years or more left in their terms as of November 3, 2008.

Issued by: J. Craig Baker, Senior Vice President-Regulation  
and Public Policy

Effective: November 3, 2008

Issued on: November 4, 2008

Filed to comply with Order No. 890-A of the Federal Energy Regulatory Commission in Docket  
Nos. RM05-17-002, RM05-25-002, and OA08-7.

**CLEAN TARIFF SHEETS**

## **2 Initial Allocation and Renewal Procedures**

2.1 Not Applicable.

**2.2 Reservation Priority For Existing Firm Service Customers:** Existing firm service customers (wholesale requirements and transmission-only, with a contract term of one year or more and retail, irrespective of term), have the right to continue to take transmission service from the Transmission Provider when the contract expires, rolls over or is renewed. This transmission reservation priority is independent of whether the existing customer continues to purchase capacity and energy from the Transmission Provider or elects to purchase capacity and energy from another supplier. If at the end of the contract term, the Transmission Provider's Transmission System cannot accommodate all of the requests for transmission service, the existing firm service customer must agree to accept a contract term at least equal to the longest competing request by any new Eligible Customer and to pay the current just and reasonable rate, as approved by the Commission, for such service; provided that, the firm service customer shall have a right of first refusal at the end of such service only if the new contract is for five years or more. The existing firm service customer must provide notice to the Transmission Provider whether it will exercise its right of first refusal no less than one year prior to the expiration date of its transmission service agreement. This transmission reservation priority for existing firm service customers is an ongoing right that may be exercised at the end of all firm contract terms of one year or longer. Service agreements subject to a right of first refusal entered into prior to

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