

ADMINISTRATIVE PROCEEDING
FILE NO. 3-11616

UNITED STATES OF AMERICA
before the
SECURITIES AND EXCHANGE COMMISSION
August 9, 2005

In the Matter of

American Electric Power Company, Inc.

ORDER DIRECTING FILING OF ADDITIONAL BRIEFS

On May 24, 2005, American Electric Power Company, Inc. ("AEP") and the Division of Investment Management petitioned for review of an administrative law judge's decision denying AEP's application for approval of its acquisition of Central and South West Corporation ("CSW") under the Public Utility Holding Company Act of 1935 ("PUHCA"). ^{1/} The law judge determined that the combined AEP/CSW system did not constitute a "single integrated public-utility system" as required for Commission approval under PUHCA. The law judge found that, although the combined system satisfied the "interconnection" requirement for an integrated public-utility system, the combined system did not satisfy the "single area or region" requirement.

Intervenors National Rural Electric Cooperative Association and American Public Power Association filed a cross-petition for review of the finding that the proposed acquisition satisfied the interconnection requirement. Limited participant Public Citizen, Inc. also sought review of the law judge's finding that the interconnection requirement was satisfied, and was granted leave to continue participating in the proceeding on a limited basis.

On August 8, 2005, President Bush signed into law the Energy Policy Act of 2005 (the "Act"). Section 1263 of the Act repeals PUHCA. ^{2/} The Act makes this repeal effective six months after the date of enactment. ^{3/} In light of these provisions in the Act, the parties and limited participant in this proceeding are directed to file briefs, not to exceed 20 pages, that discuss the implications of the repeal of PUHCA for the Commission's consideration of this

^{1/} American Electric Power Company, Inc., Initial Decision Rel. No. 283 (May 3, 2005), ___ SEC Docket ___.

^{2/} Pub. L. No. 109-___, Title XII, Subtitle F, § 1263, ___ Stat. __, __ ("The Public Utility Holding Company Act of 1935 (15 U.S.C. 79 et seq.) is repealed.").

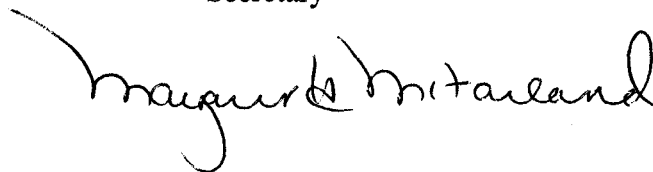
^{3/} Id. § 1274(a).

matter, including issues of mootness, procedure, and the Commission's authority to dispose of AEP's application. This order supersedes the order issued on August 4, 2005, extending the briefing schedule until 14 days after the President acts on the Energy Policy Act of 2005.

Accordingly, it is ORDERED that any party or limited participant to this proceeding shall file a brief in accordance with this order by August 30, 2005.

For the Commission, by the Office of the General Counsel, pursuant to delegated authority.

Jonathan G. Katz
Secretary

A handwritten signature in black ink, appearing to read "Margaret H. McFarland". The signature is written in a cursive style with a large initial 'M' and a long, sweeping underline.

By: Margaret H. McFarland
Deputy Secretary