

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re:) **Chapter 11**
)
IEH AUTO PARTS HOLDING LLC, et al.,) **Case No. 23-90054 (CML)**
)
Debtors.) **(Jointly Administered)**

**APPLICATION OF OHIO POWER COMPANY DBA AEP OHIO FOR ALLOWANCE
AND PAYMENT OF ADMINISTRATIVE EXPENSES**
[Relates To Docket No. 922]

THIS APPLICATION SEEKS AN ORDER THAT MAY ADVERSELY AFFECT YOU. IF YOU OPPOSE THE APPLICATION, YOU SHOULD IMMEDIATELY CONTACT THE APPLICANT TO RESOLVE THE DISPUTE. IF YOU AND THE APPLICANT CANNOT AGREE, YOU MUST FILE A RESPONSE IN WRITING AND SEND A COPY TO THE APPLICANT WITHIN 21 DAYS OF THE DATE THIS WAS SERVED ON YOU. YOUR RESPONSE MUST STATE WHY THE APPLICATION SHOULD NOT BE GRANTED. IF YOU DO NOT FILE A TIMELY RESPONSE, THE RELIEF MAY BE GRANTED WITHOUT FURTHER NOTICE TO YOU. IF YOU OPPOSE THE APPLICATION AND HAVE NOT REACHED AN AGREEMENT, YOU MUST ATTEND THE HEARING. UNLESS THE PARTIES AGREE OTHERWISE, THE COURT MAY CONSIDER EVIDENCE AT THE HEARING AND MAY DECIDE THE APPLICATION AT THE HEARING.

Ohio Power Company d/b/a AEP Ohio (“AEP Ohio”), an American Electric Power company, by counsel, a prepetition and post-petition creditor in the above-captioned bankruptcy proceedings, for its Application for Allowance and Payment of Administrative Expenses (the “Application), states as follows:

Jurisdiction and Venue

1. This Court has jurisdiction over this Application pursuant to 28 U.S.C. §§ 157 and 1334.
2. This matter is a core proceeding within the meaning of 28 U.S.C. § 157(b)(2).
3. Venue of this proceeding and for this Application is proper in this district pursuant to 28 U.S.C. §§ 1408 and 1409.



Procedural Facts

4. On January 31, 2023 (the “Petition Date”), the Debtors commenced their cases under Chapter 11 of Title 11 of the United States Code (the “Bankruptcy Code”) that are now pending with this Court. The Debtors continue to operate their businesses and manage their properties as debtors-in-possession pursuant to Bankruptcy Code Sections 1107(a) and 1108.

5. The Debtors’ Chapter 11 bankruptcy cases are being jointly administered.

6. On June 16, 2023, the Court entered an order [Docket No. 749] (the “Confirmation Order”) confirming the *Third Amended Combined Disclosure Statement and Joint Plan of Liquidation of IEH Auto Parts Holding LLC and Its Debtor Affiliates Pursuant to Chapter 11 of the Bankruptcy Code* [Docket No. 738] (the “Plan”).

7. The Effective Date of the Plan was October 6, 2023.

8. Pursuant to the *Notice of (I) Entry of Confirmation Order, (II) Occurrence of Effective Date, and (III) Related Bar Dates* [Docket No. 922] and the Plan, the deadline for filing an application for allowance of an administrative expense claim is November 5, 2023.

Facts Regarding AEP Ohio

9. AEP Ohio provided the Debtors with prepetition utility goods and/or services and has continued to provide the Debtors with utility goods and/or services since the Petition Date.

10. The Debtors owe a total of \$11,088.57 (the “Administrative Expense Claim”) to AEP Ohio for post-petition utility goods and/or services provided to the Debtors through the Effective Date, as set forth in **Exhibit 1** hereto. The applicable invoices have been sent to the Debtors in the ordinary course of business. AEP Ohio, by counsel, can also provide copies of the applicable invoices upon request.

11. Pursuant to the terms of that certain letter agreement dated March 7, 2023 entered into between the Debtors and certain utilities, including American Electric Power (the “Letter Agreement”), American Electric Power held a one-month cash deposit on the Debtors’ post-petition accounts in the sum of \$10,242 (the “Deposit”). The Administrative Expense Claim is the balance that remains on the Debtors’ accounts with AEP Ohio after fully applying the Deposit to the American Electric Power accounts.

Discussion

12. The post-petition goods/services provided by AEP Ohio are actual, necessary expenses of preserving the Debtors’ bankruptcy estates and are entitled to an administrative expense priority pursuant to § 503(b) of the Bankruptcy Code. *See In re Best Products, Co.*, 203 B.R. 51, 53 (E.D. Va. 1996).

13. Further, pursuant to section III.B. of the Letter Agreement, the Debtors agreed to pay all undisputed post-petition bills received from AEP Ohio for post-petition utility charges on or before the applicable due date on the invoice, which is a due date in accordance with AEP Ohio’s tariffs.

Reservation of Rights

14. AEP Ohio reserves all rights to modify, revise, update and amend this Application.

WHEREFORE, AEP Ohio respectfully requests that this Court enter an order:

- i. Allowing the Administrative Expense Claim in the amount set forth above in favor of AEP Ohio;
- ii. Requiring the Debtors immediately to tender payment to AEP Ohio in the full amount of the Administrative Expense Claim; and
- iii. Granting such other relief as is equitable and just.

October 27, 2023

/s/ Weldon L. Moore, III
Weldon L. Moore III, Esq. (TX 14380500)
Sussman & Moore, LLP
2911 Turtle Creek Blvd., Suite 1100
Dallas, Texas 75219
Telephone: (214) 378-8270
Facsimile: (214) 378-8290
E-mail: wmoore@csmlaw.net

and

Russell R. Johnson III, Esq.
Virginia State Bar No. 31468
John M. Craig
Virginia State Bar No. 32977
Law Firm of Russell R. Johnson III, PLC
2258 Wheatlands Drive
Manakin-Sabot, Virginia 23103
Telephone: (804) 749-8861
Email: russell@russelljohnsonlawfirm.com,
john@russelljohnsonlawfirm.com

*Co-Counsel for Ohio Power Company d/b/a AEP Ohio, an
American Electric Power company*

CERTIFICATE OF SERVICE

I hereby certify that on October 27, 2023, a true and correct copy of the foregoing *Application* was served via the Court's CM/ECF electronic notification system on all parties requesting same, and via email to the parties listed below.

Elizabeth C. Freeman
Law Office of Liz Freeman
Email: liz@lizfreemanlaw.com
Debtors' Counsel

Vienna Flores Anaya
Matthew D. Cavanaugh
Emily Flynn Meraia
Veronica A. Polnick
Jackson Walker LLP
Email: vanaya@jw.com, mcavanaugh@jw.com, emeraia@jw.com, vpolnick@jw.com
Debtors' Counsel

Jayson B. Ruff
Andres Jimenez
Office of the United States Trustee
Email: jayson.b.ruff@usdoj.gov, andres.jimenez@usdoj.gov

Joseph M. Coleman
JaKayla DaBera
Michael P Ridulfo
Kyle Woodard
Kane Russell Coleman Logan
Email: jcoleman@krcl.com, jdabera@krcl.com, mridulfo@krcl.com, kwoodard@krcl.com
Committee Counsel

Sean Thomas Wilson
Kelly Drye & Warren LLP
Email: swilson@kelleydrye.com
Committee Counsel

/s/ Weldon L. Moore, III
Weldon L. Moore, III

EXHIBIT 1

OPCO	POST-PETITION ACCT #	NAME	SERVICE ADDRESS	Balance
APCO	██████████98-31	UNI-SELECT USA INC	NEEDMORE BTM KEEN MOUNTAIN VA 24631	\$ -
APCO	██████████18-51	UNI-SELECT USA INC	NEEDMORE BTM KEEN MOUNTAIN VA 24631	\$ -
APCO	██████████33-17	UNI-SELECT USA INC	401 ABEMARLE AVE SE ROANOKE VA 24013	\$ -
APCO	██████████18-36	UNI-SELECT USA INC	NEEDMORE BTM KEEN MOUNTAIN VA 24631	\$ -
APCO Total				\$ -
AEP Ohio	██████████97-30	UNI-SELECT USA INC	218 WEST ST CALDWELL OH 43724	\$ 2,086.65
AEP Ohio	██████████53-10	UNI-SELECT USA INC	660 E MAIN ST POMEROY OH 45769	\$ 548.22
AEP Ohio	██████████66-40	UNI-SELECT USA INC	123 N CHESTNUT ST BARNESVILLE OH 43713	\$ 484.74
AEP Ohio	██████████02-23	UNI-SELECT USA INC	STATE ROUTE 339 WATERFORD OH 45786	\$ 982.72
AEP Ohio	██████████82-39	UNI-SELECT USA INC	600 E STATE ST APT 2 ATHENS OH 45701	\$ 85.33
AEP Ohio	██████████21-26	UNI-SELECT USA INC	TENNIS CENTER DR MARIETTA OH 45750	\$ 877.06
AEP Ohio	██████████77-24	UNI-SELECT USA INC	319 2ND ST MARIETTA OH 45750	\$ 5,264.40
AEP Ohio	██████████36-25	UNI-SELECT USA INC	121 TENNIS CENTER DR MARIETTA OH 45750	\$ 759.45
AEP Ohio	██████████59-23	UNI-SELECT USA INC	131 2ND ST MARIETTA OH 45750	\$ -
AEP Ohio Total				\$ 11,088.57
PSO	██████████43-30	MAIN AUTO PARTS	5416 S 103RD EAST AVE TULSA OK 74146	\$ -
PSO	██████████74-14	BRAD'S AUTO PARTS	102 N WILSON AVE SAND SPRINGS OK 74063	\$ (180.26)
PSO Total				\$ (180.26)
Grand Total				\$ 10,908.31

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In re:) **Chapter 11**
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IEH AUTO PARTS HOLDING LLC, et al.,) **Case No. 23-90054 (CML)**
)
Debtors.) **(Jointly Administered)**

**ORDER GRANTING APPLICATION OF OHIO POWER COMPANY DBA AEP OHIO
FOR ALLOWANCE AND PAYMENT OF ADMINISTRATIVE EXPENSES
[Relates To Docket No. ___]**

Upon the application (the “Application”) of Ohio Power Company dba AEP Ohio Power (“AEP Ohio”) for allowance and payment of administrative expenses, all as more fully set forth in the Application; and this Court having jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334; and that this Court may enter a final order consistent with Article III of the United States Constitution; and this Court having found that venue of this proceeding and the Motion in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and this Court having found that this is a core proceeding pursuant to 28 U.S.C. § 157(b); and this Court having found that AEP Ohio’s notice of the Application and opportunity for a hearing on the Application were appropriate under the circumstances and no other notice need be provided; and this Court having reviewed the Application and all responses thereto, if any, including all documents submitted therewith; and this Court having heard the statements of counsel presented with respect to the Application at a hearing, if any, before this Court (the “Hearing”); and this Court having determined that the legal and factual bases set forth in the Application and at the Hearing establish just cause for the relief granted herein; and upon all of the proceedings had before this Court; and after due deliberation and sufficient cause appearing therefor, it is **HEREBY ORDERED THAT:**

1. The Application is granted as set forth herein.

2. AEP Ohio shall have an allowed administrative expense claim against the Debtors in the sum of \$11,088.57 (the “Administrative Expense Claim”).

3. The Debtors shall tender payment to AEP Ohio in the full amount of the Administrative Expense Claim within seven (7) business days of the date of entry of this Order.

4. This Court retains exclusive jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this Order.

Signed: _____, 2023

HONORABLE CHRISTOPHER M. LOPEZ
UNITED STATES BANKRUPTCY JUDGE