

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application for)	
Approval of a Pilot Program Regarding)	
Mercantile Applications for Special)	Case No. 10-834-EL-POR
Arrangements with Electric Utilities and)	
Exemptions from Energy Efficiency and)	
Peak Demand Reduction Riders.)	

**MOTION TO INTERVENE AND MEMORANDUM IN SUPPORT
OF PLUG SMART**

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June 27, 2011

ATTORNEYS FOR PLUG SMART

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MOTION TO INTERVENE OF PLUG SMART

Plug Smart hereby respectfully moves the Public Utilities Commission of Ohio ("Commission"), pursuant to Section 4903.221, Revised Code, and Rule 4901-1-11, Ohio Administrative Code, for leave to intervene in the above-captioned matter(s) with the full powers and rights granted by the Commission, specifically by statute or by the provisions of the Ohio Administrative Code, to intervening parties.

On June 16, 2010, the Commission initiated a proceeding to establish a pilot program regarding mercantile applications for special arrangements with electric utilities and exemptions from energy efficiency and peak demand reduction riders. On September 15, 2010, the Commission adopted an Entry creating a pilot program to expedite the review and approval process for applications filed by mercantile customers under Rule 4901:1-39-05, O.A.C. On May 25, 2011, the Commission issued a Second Entry on Rehearing clarifying the scope of the program and the approval process.

As demonstrated further in the Memorandum in Support attached hereto and incorporated herein, Plug Smart has a direct, real, and substantial interest in the issues and matters involved in the above-captioned proceeding, and is so situated that the disposition of this proceeding may, as a practical matter, impair or impede its ability to

protect that interest. Plug Smart believes that its participation will not unduly prolong or delay this proceeding and that it will significantly contribute to the full development and equitable resolution of the factual and other issues in the proceeding. The interests of Plug Smart will not be adequately represented by other parties to the proceeding and, as such, Plug Smart is entitled to intervene with the full powers and rights granted by the Commission, specifically by statute and by the provisions of the Ohio Administrative Code, to intervening parties.

Respectfully submitted,

/s/ Joseph E. Olikier

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MEMORANDUM IN SUPPORT

In support of this Motion to Intervene, Plug Smart states that it is an energy services company that helps commercial, industrial, non-profit, institutional, and utility companies implement a broad range of technology and energy solutions on both sides of the utility meter. Plug Smart's core capabilities include helping clients implement self-funding energy efficiency projects, leverage renewable energy resources, lower power generation and energy supply costs, and reclaiming investments in energy efficiency projects.

The Public Utilities Commission of Ohio ("Commission") has recognized the important role that energy services companies serve in the mercantile pilot program. September 15, 2010 Entry at ¶ 9. Plug Smart intends to file mercantile applications on behalf of several public schools and the Ohio State University.

Plug Smart's Motion to Intervene is timely. The Commission has not set the matter for hearing or established a deadline for intervention. Moreover, Plug Smart's participation will not unduly prolong or delay this proceeding.

Plug Smart has a real and substantial interest inasmuch as this proceeding may directly or indirectly impact the price, adequacy, and reliability of electric service to Plug

Smart's clients. Plug Smart's ability to assist its clients in reclaiming investments in energy efficiency projects will be directly impacted by the disposition of this proceeding, and no other party in this proceeding represents the interests of Plug Smart.

Respectfully submitted,

/s/ Joseph E. Oliker

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing *Motion to Intervene and Memorandum in Support of Plug Smart*, was served upon the following parties of record this 27th day of June, 2011, via first class mail, postage prepaid.

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Summary: Motion to Intervene and Memorandum in Support electronically filed by Mr. Joseph E. Oliker on behalf of Plug Smart