

FILE

9

RECEIVED-DOCKETING DIV

BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

2012 FEB 28 PM 5:17

In the Matter of the Application of Ohio)
Power Company and Columbus Southern) Case No. 10-2376-EL-UNC
Power Company for Authority to Merge and)
Related Approvals.)

PUCO

In the Matter of the Application of Columbus)
Southern Power Company and Ohio Power) Case No. 11-346-EL-SSO
Company for Authority to Establish a) Case No. 11-348-EL-SSO
Standard Service Offer Pursuant to Section)
4928.143, Revised Code, in the Form of an)
Electric Security Plan.)

In the Matter of the Application of Columbus)
Southern Power Company and Ohio Power) Case No. 11-349-EL-AAM
Company for Approval of Certain) Case No. 11-350-EL-AAM
Accounting Authority.)

In the Matter of the Application of Columbus)
Southern Power Company and Ohio Power) Case No. 10-343-EL-ATA
Company to Amend Their Emergency) Case No. 10-344-EL-ATA
Curtailed Service Riders.)

In the Matter of the Commission Review of)
the Capacity Charges of Ohio Power) Case No. 10-2929-EL-UNC
Company and Columbus Southern Power)
Company.)

In the Matter of the Application of Columbus)
Southern Power Company and Ohio Power) Case No. 11-4920-EL-RDR
Company for Approval of Mechanisms to) Case No. 11-4921-EL-RDR
Recover Deferred Fuel Costs Ordered Under)
Section 4928.144, Revised Code.)

PUCO

2012 FEB 28 PM 5:17

RECEIVED-DOCKETING DIV

INTERSTATE GAS SUPPLY, INC.'S
MOTION TO INTERVENE


Pursuant to R.C. 4903.221 and Ohio Adm. Code 4901-1-11, Interstate Gas Supply, Inc. ("IGS") respectfully moves for intervention in the above-captioned dockets. The issues in these proceedings will directly impact the ability of suppliers to compete in the retail market. IGS, as a certified retail electric supplier, therefore, has a real and substantial interest in this proceeding

This is to certify that the images appearing are an
accurate and complete reproduction of a case file
document delivered in the regular course of business.
Clerk Date Processed 2/28/12

that is not adequately represented by the existing parties. Intervention should be granted for the reasons set forth in the accompanying Memorandum in Support.

Dated: February 28, 2012

Respectfully submitted,

A handwritten signature in black ink, reading "Melissa L. Thompson". The signature is written in a cursive style with a horizontal line underneath the name.

Mark A. Whitt (Counsel of Record)

Melissa L. Thompson

Whitt Sturtevant LLP

PNC Plaza, Suite 2020

155 East Broad Street

Columbus, Ohio 43215

Telephone: (614) 224-3911

Facsimile: (614) 224-3960

whitt@whitt-sturtevant.com

thompson@whitt-sturtevant.com

Vincent Parisi

Matthew White

Interstate Gas Supply, Inc.

6100 Emerald Parkway

Dublin, Ohio 43016

Telephone: (614) 659-5000

Facsimile: (614) 659-5073

vparisi@igsenergy.com

mswhite@igsenergy.com

ATTORNEYS FOR INTERSTATE GAS
SUPPLY, INC.

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Ohio)	
Power Company and Columbus Southern	)	Case No. 10-2376-EL-UNC
Power Company for Authority to Merge and)	
Related Approvals.)	

In the Matter of the Application of Columbus)	
Southern Power Company and Ohio Power	)	Case No. 11-346-EL-SSO
Company for Authority to Establish a	)	Case No. 11-348-EL-SSO
Standard Service Offer Pursuant to Section)	
4928.143, Revised Code, in the Form of an)	
Electric Security Plan.)	

In the Matter of the Application of Columbus)	
Southern Power Company and Ohio Power	)	Case No. 11-349-EL-AAM
Company for Approval of Certain	)	Case No. 11-350-EL-AAM
Accounting Authority.)	

In the Matter of the Application of Columbus)	
Southern Power Company and Ohio Power	)	Case No. 10-343-EL-ATA
Company to Amend Their Emergency	)	Case No. 10-344-EL-ATA
Curtailment Service Riders.)	

In the Matter of the Commission Review of)	
the Capacity Charges of Ohio Power	)	Case No. 10-2929-EL-UNC
Company and Columbus Southern Power)	
Company.)	

In the Matter of the Application of Columbus)	
Southern Power Company and Ohio Power	)	Case No. 11-4920-EL-RDR
Company for Approval of Mechanisms to	)	Case No. 11-4921-EL-RDR
Recover Deferred Fuel Costs Ordered Under)	
Section 4928.144, Revised Code.)	

**MEMORANDUM IN SUPPORT OF
INTERSTATE GAS SUPPLY, INC.'S
MOTION TO INTERVENE**

I. INTRODUCTION

The Commission's February 23, 2012 Entry on Rehearing in the above-captioned proceedings instructed the attorney examiners "to establish a new procedural schedule consistent

with AEP-Ohio's notice along with a new intervention deadline to enable interested persons who had not previously participated in this proceeding to intervene." Entry on Rehearing at Finding (21). Specifically, the attorney examiners were also directed "to establish a procedural schedule in the Capacity Charge Case." *Id.* On February 27, 2012, AEP-Ohio filed a Motion for Relief and Request for Expedited Ruling in the Capacity Charge Case, Case No. 10-2929-EL-UNC. Though the attorney examiners have not yet issued the procedural entries, IGS moves to intervene in the above-referenced proceedings to ensure it participates in these cases going forward.

II. ARGUMENT

For purposes of considering requests for leave to intervene in a Commission proceeding, Ohio Adm. Code 4901-1-11(A) provides:

Upon timely motion, any person shall be permitted to intervene in a proceeding upon a showing that:

....

(2) The person has a real and substantial interest in the proceeding, and the person is so situated that the disposition of the proceeding may, as a practical matter, impair or impede his or her ability to protect that interest, unless the person's interest is adequately represented by exiting parties.

In addition to establishing a direct interest, the Commission considers the additional factors of the nature of the intervenor's interest, the extent that interest is represented by existing parties, legal position advanced by the intervenor and its relation to the merits of the case, the intervenor's potential contribution to a just and expeditious resolution of the issues involved, and whether intervention would unduly prolong or delay of the proceeding. *See* Ohio Adm. Code 4901-1-11(B); *See also* R.C. 4903.221(B). IGS's intervention in these proceedings supports each of these factors.

IGS holds Certificate No. 11-403E(1) as a competitive retail electric supplier ("CRES") to engage in the competitive sale of retail electric service in Ohio.¹ Specifically, IGS currently provides retail electric service to small commercial and residential customers in AEP-Ohio's service territory. As such, IGS has a real and substantial interest that will be affected by the outcome of these proceedings. IGS will be forced to compete against the proposed AEP-Ohio SSO to attract customers. IGS also pays the capacity charge in question in order to serve existing customers, the amount and design of which affect IGS's ability to provide service to other customers. Therefore, IGS's direct and unique pecuniary interest cannot be represented by other intervenors in these proceedings.

IGS's participation will not unduly prolong or delay these proceedings, as it has moved expeditiously to intervene after the Commission's February 23, 2012 Entry on Rehearing. IGS also will significantly contribute to the full development and equitable resolution of the factual issues, based on its experience in the marketplace, including its years participating in the competitive gas market, and its general understanding of the competitive needs of Ohio local distribution companies. Denying IGS's intervention would be inconsistent with the Commission's stated policy "to encourage the broadest possible participation in its proceeding" to apply Ohio Adm. Code 4901-1-11(B)(5) in a manner that favors certain CRES providers over others. Thus, granting IGS intervenor status is consistent with the Revised Code and the Commission's rules.

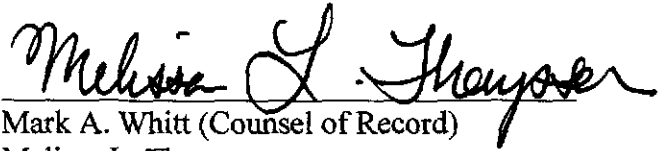
III. CONCLUSION

For the reasons set forth above, IGS respectfully requests that the Commission grant its motion to intervene and that it be made a full party of record.

¹ See Case No. 11-5326-EL-CRS for a copy of IGS's certificate.

Dated: February 28, 2012

Respectfully submitted,

A handwritten signature in black ink, reading "Melissa L. Thompson". The signature is written in a cursive style with a horizontal line underneath the name.

Mark A. Whitt (Counsel of Record)

Melissa L. Thompson

Whitt Sturtevant LLP

PNC Plaza, Suite 2020

155 East Broad Street

Columbus, Ohio 43215

Telephone: (614) 224-3911

Facsimile: (614) 224-3960

whitt@whitt-sturtevant.com

thompson@whitt-sturtevant.com

Vincent Parisi

Matthew White

Interstate Gas Supply, Inc.

6100 Emerald Parkway

Dublin, Ohio 43016

Telephone: (614) 659-5000

Facsimile: (614) 659-5073

vparisi@igsenergy.com

mswhite@igsenergy.com

ATTORNEYS FOR INTERSTATE GAS
SUPPLY, INC.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the Motion to Intervene of Interstate Gas Supply, Inc. was served to the following parties by electronic mail this 28th day of February, 2012:

Amy B. Spiller
Elizabeth H. Watts
Duke Energy Ohio
155 E. Broad Street, 21st Floor
Columbus, Ohio 43215
Email: amy.spiller@duke-energy.com
Email: elizabeth.watts@duke-energy.com

David F. Boehm
Michael L. Kurtz
Boehm, Kurtz & Lowry
36 E. Seventh Street, Suite 1510
Cincinnati, Ohio 45202
Email: dboehm@BKLawfirm.com
Email: mkurtz@BKLawfirm.com

John Jones
Steven Beeler
Ohio Attorney General's Office
Public Utilities Section
180 E. Broad Street, 9th Floor
Columbus, Ohio 43215-3793
Email: John.Jones@puc.state.oh.us
Email: Steven.Beeler@puc.state.oh.us

Greta See
Jonathan Tauber
Attorney Examiners
The Public Utilities Commission of Ohio
180 E. Broad Street
Columbus, Ohio 43215
Email: Greta.See@puc.state.oh.us
Email: Jonathan.Tauber@puc.state.oh.us

Samuel C. Randazzo
Frank P. Darr
Joseph E. Olier
McNees Wallace & Nurick
21 E. State Street, 17th Floor
Columbus, Ohio 43215
Email: sam@mwncmh.com
Email: fdarr@mwncmh.com
Email: jolier@mwncmh.com

Jeffrey L. Small
Joseph P. Serio
Melissa R. Yost
Office of Ohio Consumer's Counsel
10 West Broad Street, Suite 1800
Columbus, Ohio 43215
Email: small@occ.state.oh.us
Email: serio@occ.state.oh.us
Email: yost@occ.state.oh.us

Thomas J. O'Brien
Bricker & Eckler
100 South Third Street
Columbus, Ohio 43215
Email: tobrien@bricker.com

Colleen L. Mooney
Ohio Partners for Affordable Energy
231 W. Lima Street
Findlay, Ohio 45840
Email: cmooney2@columbus.rr.com

Trent A. Dougherty
Nolan Moser
E. Camille Yancey
Ohio Environmental Council
1207 Grandview Avenue, Suite 201
Columbus, Ohio 43212-3449
Email: trent@theoec.org
Email: Nolan@theoec.org
Email: Camille@theoec.org

Allison E. Haedt
Jones Day
325 John H. McConnell Boulevard
Suite 600
Columbus, Ohio 43215
Email: aehaedt@jonesday.com

James F. Lang
Laura C. McBride
N. Trevor Alexander
Calfee, Halter & Griswold, LLP
1400 KeyBank Center
800 Superior Avenue
Cleveland, Ohio 44114
Email: jlang@calfee.com
Email: lmcbride@calfee.com
Email: talexander@calfee.com

Lisa G. McAlister
Matthew W. Warnock
Bricker & Eckler LLP
100 South Third Street
Columbus, Ohio 43215
Email: lmcaster@bricker.com
Email: mwarnock@bricker.com

Tara C. Santarelli
Environmental Law & Policy Center
1207 Grandview Avenue, Suite 201
Columbus, Ohio 43212
Email: tsantarelli@elpc.org

Mary W. Christensen
Christensen & Christensen LLP
8760 Orion Place, Suite 300
Columbus, Ohio 43240
Email: mchristensen@columbuslaw.org

Mark A. Hayden
FirstEnergy Service Company
76 South Main Street
Akron, Ohio 44308
Email: haydenm@firstenergycorp.com

David A. Kutik
Jones Day
North Point
901 Lakeside Avenue
Cleveland, Ohio 44114
Email: dakutik@jonesday.com

Joseph M. Clark
Director of Regulatory Affairs and
Corporate Counsel
Vectren Retail, LLC d/b/a Vectren Source
6641 North High Street, Suite 200
Worthington, Ohio 43085
Email: jmclark@vectren.com

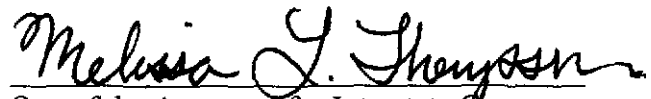
Douglas E. Hart
441 Vine Street
Suite 4192
Cincinnati, Ohio 45202
Email: dhart@douglasshart.com

M. Howard Petricoff
Michael J. Settineri
Stephen M. Howard
Vorys, Sater, Seymour & Pease LLP
52 East Gay Street
Columbus, Ohio 43216
Email: mhpeticoff@vorys.com
Email: mjsettineri@vorys.com
Email: smhoward@vorys.com

Gregory J. Poulos
EnerNOC, Inc.
101 Federal Street, Suite 1100
Boston, MA 02110
Email: gpoulos@enernoc.com

Steven T. Nourse
Matthew J. Satterwhite
Eric C. Miller
Anne M. Vogel
American Electric Power Service Corporation
1 Riverside Plaza, 29th Floor
Columbus, Ohio 43215
Email: stnourse@aep.com
Email: mjsatterwhite@aep.com
Email: ecmiller1@aep.com
Email: amvogel@aep.com

Daniel R. Conway
Porter Wright Morris & Arthur
Huntington Center
41 South High Street
Columbus, Ohio 43215
Email: dconway@porterwright.com


One of the Attorneys for Interstate Gas
Supply, Inc.