

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

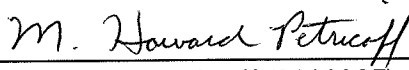
In the Matter of the Application of Ohio Edison)	
Company, The Cleveland Electric Illuminating)	
Company and The Toledo Edison Company for)	Case Nos. 12-1230-EL-SSO
Authority to Provide for a Standard Service)	
Offer Pursuant to R.C. § 4928.143 in the Form)	
of an Electric Security Plan.)	

**MOTION FOR LEAVE TO INTERVENE OF
THE RETAIL ENERGY SUPPLY ASSOCIATION**

Now comes the Retail Energy Supply Association (RESA)¹, who, pursuant to Section 4903.221, Revised Code and Rule 4901-1-11 of the Ohio Administrative Code, moves for intervention in the above styled proceeding as a full party of record. The reasons supporting the intervention are contained in the accompanying Memorandum in Support.

WHEREFORE, RESA respectfully requests that the Commission grant this motion for leave to intervene and that RESA be made a full party of record.

Respectfully Submitted,


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¹ RESA's members include: Champion Energy Services, LLC; ConEdison Solutions; Constellation NewEnergy, Inc.; Direct Energy Services, LLC; Energy Plus Holdings, LLC; Exelon Energy Company; GDF SUEZ Energy Resources NA, Inc.; Green Mountain Energy Company; Hess Corporation; Integrys Energy Services, Inc.; Just Energy; Liberty Power; MXenergy; NextEra Energy Services; Noble Americas Energy Solutions LLC; PPL EnergyPlus; Reliant Energy Northeast LLC and TriEagle Energy, L.P.. The comments expressed in this filing represent the position of RESA as an organization but may not represent the views of any particular member of RESA.

**MEMORANDUM IN SUPPORT OF
THE MOTION TO INTERVENE OF
THE RETAIL ENERGY SUPPLY ASSOCIATION**

Section 4903.221, Revised Code and Rule 4901-1-11 of the Ohio Administrative Code, establish the standard for intervention in the above-styled proceeding as a full party of record.

Rule 4901-1-11 of the Ohio Administrative Code states in part:

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 existing parties.

In addition to establishment of a direct interest, the factors that the Public Utilities Commission of Ohio (the "Commission") considers in implementing the above rule are the nature of the intervenor's interest, the extent that interest is represented by existing parties, the intervenor's potential contribution to a just and expeditious resolution of the issues involved, and whether intervention would result in an undue delay of the proceeding. (See also R.C. 4903.221(B) upon which the above rule is authorized). A review of these factors in light of following facts supports granting RESA's intervention.

RESA is a broad and diverse group of retail energy suppliers who share the common vision that competitive retail energy markets deliver a more efficient, customer-oriented outcome than regulated utility structure. Several RESA members are certificated as competitive retail electric service providers and active in the Ohio retail electric and natural gas markets providing service to residential, commercial, industrial and governmental customers. In addition, some of RESA's members currently provide CRES service to retail customers in the FirstEnergy service area.

On April 13, 2012, Ohio Edison Company, The Cleveland Electric Illuminating Company and The Toledo Edison Company (collectively, “FirstEnergy”) filed an application pursuant to Section 4928.141, Revised Code to provide for a Standard Service Offer (SSO) commencing as early as May 2, 2012, but no later than June 20, 2012, and ending May 31, 2016. The application is for an Electric Security Plan (ESP) in accordance with Section 4928.143, Revised Code, and the application includes a stipulation agreed to by various parties regarding the terms of the proposed ESP (ESP 3).

FirstEnergy proposes to implement this ESP, which is essentially a two-year extension of its current ESP, but which has added features designed to provide additional customer benefits.

The signatory parties to the Stipulation allege that the following additional advantages of implementing an ESP 3 at this time exist: (1) potentially enabling the Companies to bid demand response resource and energy efficiency resources into the PJM 2015-2016 Base Residual Auction thereby adding to supply in that auction, which may in turn increase low-cost capacity supply in that auction; (2) modifying the bid schedule previously approved in the Companies’ current ESP so that the bids to occur in October 2012 and January 2013 will be for a three year period rather than a one year period in an attempt to capture the currently historically lower generation prices and blend them with potentially higher prices occurring over the life of the ESP 3 plan, thereby smoothing out generation prices and mitigating volatility in generation pricing for customers through May 31, 2016; (3) extending the recovery period for renewable energy credit costs over the life of the ESP 3 plan in order to lower the rider charge that otherwise would have been in place for customers related to compliance with statutory benchmarks for renewable energy resources; and (4) to maintain the benefits gained and now being realized from the 2010 ESP Stipulation for an additional two years, thus enhancing the stability and predictability of rate levels and tariff revisions for customers.

RESA's members have existing and potential business interests in the State that will be affected by the outcome of the proceeding. The Commission's decision in this matter will affect the viability of the competitive retail electric market in FirstEnergy's service territory, in which some of the RESA members provide electric power and other products and services to retail service customers.

This motion to intervene meets the April 30, 2012 deadline established by the Attorney Examiner's Entry of April 19, 2012.

WHEREFORE, the Retail Energy Supply Association respectfully requests that the Commission grant this motion for leave to intervene and that RESA be made a full party of record.

Respectfully Submitted,




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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and accurate copy of the foregoing document was served this 27th day of April, 2012 by electronic mail or, where indicated, by regular U.S. mail, postage prepaid, upon the persons listed below.


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Case No(s). 12-1230-EL-SSO

Summary: Motion Motion for Leave to Intervene of the Retail Energy Supply Association
electronically filed by M HOWARD PETRICOFF on behalf of Retail Energy Supply Association