

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Duke Energy Ohio, Inc., for an Increase in Gas Rates.)	Case No. 12-1685-GA-AIR
)	
In the Matter of the Application of Duke Energy Ohio, Inc. for Tariff Approval.)	Case No. 12-1686-GA-ATA
)	
In the Matter of the Application of Duke Energy Ohio, Inc., for Approval of an Alternative Rate Plan for Gas Distribution Service.)	Case No. 12-1687-GA-ALT
)	
In the Matter of the Application of Duke Energy Ohio, Inc., for Approval to Change Accounting Methods.)	Case No. 12-1688-GA-AAM
)	

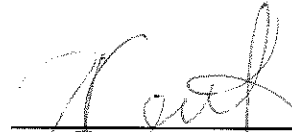
**INTERSTATE GAS SUPPLY, INC.'S MOTION TO INTERVENE
AND MEMORANDUM IN SUPPORT**

Pursuant to O.R.C. § 4903.221 and O.A.C. 4901-1-11, Interstate Gas Supply, Inc. ("IGS") moves to intervene in the above captioned proceeding, in which Duke Energy Ohio, Inc. ("Duke Ohio") seeks approval of its proposed application for an increase in gas rates ("AIR").

As set forth in the attached Memorandum in Support, IGS submits that it has a direct, real, and substantial interest in the issues and matters involved in the above-captioned proceeding, and that it is so situated that the disposition of this proceeding without IGS's participation may, as a practical matter, impair or impede IGS's ability to protect that interest. IGS further submits that its participation in this proceeding will not cause undue delay, will not unjustly prejudice any existing party, and will contribute to the just and expeditious resolution of the issues and concerns raised in this proceeding.

IGS's interests will not be adequately represented by other parties to the proceeding, and therefore, IGS is entitled to intervene in this proceeding with the full powers and rights granted to intervening parties.

Respectfully submitted,



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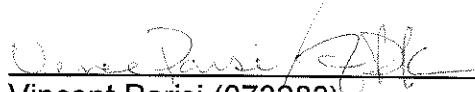
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MEMORANDUM IN SUPPORT

IGS respectfully submits that it is entitled to intervene in these proceedings because IGS has a real and substantial interest in the proceedings, the disposition of which may impair or impede IGS's ability to protect that interest. For purposes of considering requests for leave to intervene in a Commission proceeding, the Ohio Administrative Code provides that:

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.

OAC 4901-1-11(A).

Further, RC § 4903.221(B) and OAC 4901-1-11(B) provide that the Commission, in ruling upon applications to intervene in its proceedings, shall consider the following criteria:

(1) The nature and extent of the prospective intervenor's interest; (2) The legal position advanced by the prospective intervenor and its probable relation to the merits of the case; (3) Whether the intervention by the prospective intervenor will unduly prolong or delay the proceedings; (4) Whether the prospective intervenor will significantly contribute to full development and equitable resolution of the factual issues.

IGS is a certified retail natural gas supplier that serves a substantial customer base in the Duke Energy of Ohio, Inc. service territory. In the above-captioned proceeding, Duke Ohio is seeking, *inter alia*, approval from the Commission of its application for an increase in gas rates ("AIR"). IGS moves to intervene in the above-referenced cases to protect its interests and the interests of its customers in the Duke Ohio service territory. Accordingly, IGS has a direct, real and substantial interest in this

proceeding.

IGS's intervention will not unduly delay this proceeding. Further, IGS is so situated that without IGS's ability to fully participate in this proceeding, IGS's substantial interest will be prejudiced. Others participating in this proceeding do not represent IGS's interests. Inasmuch as others participating in this proceeding cannot adequately protect IGS's interests, it would be inappropriate to determine this proceeding without IGS's participation.

Finally, the Supreme Court of Ohio has held that intervention should be liberally allowed for those with an interest in the proceeding.¹ In light of the liberal interpretation of the intervention rules, IGS clearly meets the standards for intervention in this proceeding.

CONCLUSION

For the reasons set forth above, IGS respectfully requests the Commission grant this Motion to Intervene.

Respectfully submitted,



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¹ *Ohio Consumers' Counsel v. Pub. Util. Comm.*, (2006) 111 OhioSt.3d 384, 388.



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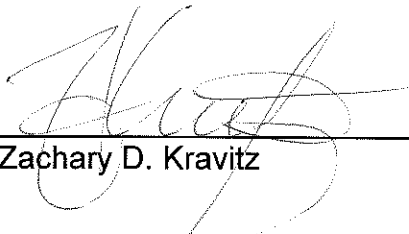
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing *Interstate Gas Supply, Inc.'s Motion to Intervene and Memorandum in Support* was served this 14th day of June, 2012 via electronic mail upon the following:

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Summary: Motion Interstate Gas Supply, Inc.'s Motion to Intervene and Memorandum in Support electronically filed by Mr. Zachary D. Kravitz on behalf of Interstate Gas Supply, Inc.