

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

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| In the Matter of the Joint Motion to Modify |) | |
| the December 2, 2009 Opinion and Order |) | |
| and the September 7, 2011 Second |) | Case No. 12-2637-GA EXM |
| Opinion and Order in Case No. 08-1344- |) | |
| GA-EXM |) | |

INTERSTATE GAS SUPPLY, INC.'S MOTION TO INTERVENE

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. 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.

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

In the above-captioned proceeding, Columbia Gas of Ohio ("COH"), Commission Staff, the Ohio Gas Marketers Group, Retail Energy Supply Association and Dominion Retail, Inc. (collectively "Joint Movants") are requesting to modify the terms and conditions set forth in the Commission Order in Case No. 08-1344-GA-EXM which authorized COH to eliminate its gas cost recovery mechanism and replace it with an

auction process (“Exemption Order”). Specifically, and among other things, the Joint Movants in this proceeding are asking to modify the Exemption Order to set forth a plan for COH to exit the merchant function if certain market preconditions are met.

IGS is a certified Ohio retail natural gas (CRNG) and electric (CRES) supplier headquartered in Dublin Ohio. As a CRNG supplier IGS serves hundreds of thousands of natural gas customers in Ohio including in the COH territory. IGS has a substantial interest in this proceeding, insofar as this proceeding will directly affect the COH competitive market place in which IGS is an active participant and conducts its business.

Accordingly, IGS has direct, real, and substantial business interests in this proceeding. IGS’s intervention will not unduly delay this proceeding and is filed in accordance with this Commission’s procedural Order in this case dated October 18, 2012. 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, and inasmuch as others have similar interests in this proceeding to IGS, IGS has unique business interests separate from those that will already be participating in this proceeding. 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.

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

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing Motion to Intervene and Memorandum in support was served by electronic mail upon the following parties this 5th day of November, 2012:

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Case No(s). 12-2637-GA-EXM

Summary: Motion to Intervene and Memorandum in Support electronically filed by Mr. Matthew White on behalf of IGS Energy