

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Ohio)	Case No. 13-729-EL-ATA
Power Company to Amend Its Supplier)	
Coordination Tariff and Related Contracts)	

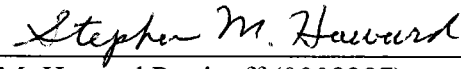
**MOTION FOR LEAVE TO INTERVENE OF THE
RETAIL ENERGY SUPPLY ASSOCIATION AND
REQUEST FOR A PROCEDURAL SCHEDULE**

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. Because the changes proposed are of such a detailed nature that they will have very real and practical consequences for the members of RESA, it is requested that the Commission establish a procedural schedule so that the parties and the Commission can better evaluate the proposed changes and their impact.

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

¹ RESA's members include: Champion Energy Services, LLC; ConEdison Solutions; Constellation New Energy, 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 TryEagle 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.

Respectfully Submitted,



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**MEMORANDUM IN SUPPORT OF
THE MOTION TO INTERVENE AND
REQUEST FOR A PROCEDURAL SCHEDULE BY
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).

RESA is a broad and diverse group of energy retail 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 Ohio Power Company's service area.

On March 22, 2013, Ohio Power Company (“Ohio Power”) filed an application to amend its Supplier Coordination Tariff and related contracts in this case. According to Exhibit C-3 attached to the application, Ohio Power alleges that this tariff filing is designed to make necessary changes to its Supplier Tariff to provide greater clarity regarding the registration requirements in terms of service applicable to the Competitive Retail Electric Service Providers (“CRES Providers”) as well as more consistency in standardization among utilities, in advancement of Rule 4901: 1-10-29(B) of the Ohio Administrative Code. Ohio Power alleges that the proposed Supplier Tariff will update settlement and pricing services offered by Ohio Power, revised supplier registration requirements, and update other sections that reflect Ohio Power’s assessment of “best practices” found in the tariffs of other utilities offering services under an Ohio Retail Access Program. Ohio Power alleges that these changes provide clear and more concise information for suppliers operating within Ohio Power’s service territory and better reflect the proper level of settlement services that Ohio Power offers with respect to operation in PJM and the pricing mechanisms of Ohio Power’s Ohio Retail Access Program. Ohio Power states that the revisions include both language changes and changes in pagination. It also alleges that it has updated its Electric Distribution Utility/Competitive Retail Electric Service Provider Agreement consistent with the changes proposed to the Supplier Tariff. Exhibit D to the application contains the proposed Electric Service Provider Agreement. Ohio Power proposes that upon approval of Exhibit D, CRES Providers will be migrated from their existing agreements to the new updated agreement.

RESA’s members have existing and potential business interest in the State that will be affected by the outcome of this proceeding. RESA believes that the proposed application, if approved, may adversely affect its members. Several of the RESA members are currently

offering competitive electric service to customers in the Ohio Power service area. This application would potentially affect the economics of those services both to the retail customer and to the RESA members. This includes residential as well as commercial and industrial customers.

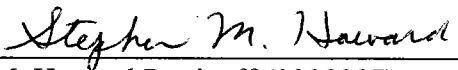
No deadline for intervention has yet been established. One other party has intervened in this case. RESA and its members have a real and substantial interest in this case which are not being adequately represented by any other party. RESA's Motion to Intervene is timely and should not unduly delay the instant proceedings.

A review of the application in this matter reveals that the changes proposed by Ohio Power are more than cosmetic or merely updating language but involve changes in details that will have significant and practical consequences for CRES providers. For example, significant changes are proposed in Section 9 "CRES Provider Registration with the Company"; Section 10 "CRES Provider Credit Requirements"; Section 17 "Consolidated Billing by the Company"; Section 18 "Metering and Load Profiling"; Section 20 "Liability and Indemnification"; Section 23 "Billing Services"; Section 24 "Customer Payment Processing and Collections for Consolidated Billing"; Section 25 "CRES Provider Billing Terms and Conditions"; Section 26 "Default, Suspension and Termination of a CRES Provider"; and Section 27 "Voluntary Withdrawal by a CRES Provider". In addition, Ohio Power is proposing Exhibit D to its application which is an Electric Distribution Utility/Competitive Retail Electric Service Provider Agreement for Ohio Power Company's Ohio Retail Access Program. The current Supplier Terms and Conditions of Service contained in Exhibit A which consists of 17 pages is being proposed in Exhibit B-1 to expand to 32 pages. While most of these changes are not changes in policy but rather changes in detail, the proposed change in detail has significant and practical

consequences for CRES Providers. Because of the detail being proposed and its potential significant impact on its members, RESA respectfully proposes that the Commission establish a procedural schedule which would involve scheduling a “workshop” where the changes could be explained by Ohio Power personnel, providing a comment period for all intervenors, including RESA and its members to explain in detail the impact of such proposed changes and to provide in some instances alternatives, a mediation or settlement conference in which all of the stakeholders could meet to try to achieve a consensus on language followed by a hearing on any issues not able to be resolved. Such a procedural schedule is likely to produce a more efficient and workable end result than if the Commission were to simply attempt to rule on the details of the application without such a process.

RESA respectfully requests that its motion to intervene be granted, that it be made a full party of record, and the Commission establish a procedural schedule which would include a “workshop”, comment period, settlement conference, and if necessary, a hearing.

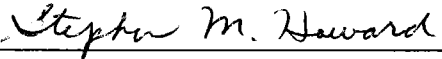
Respectfully Submitted,


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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and accurate copy of the foregoing document was served this 19th day of April, 2013 by electronic mail upon the persons listed below.


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Summary: Motion Motion to Intervene electronically filed by Mr. Stephen M Howard on behalf of Ohio Power Company