

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

<b>In the Matter of the Application of Ohio</b>	)	
<b>Edison Company, The Cleveland Electric</b>	)	
<b>Illuminating Company and The Toledo</b>	)	<b>Case No. 14-1297-EL-SSO</b>
<b>Edison Company for Authority to Provide</b>	)	
<b>for a Standard Service Offer Pursuant to</b>	)	
<b>R.C. § 4928.143 in the Form of an Electric</b>	)	
<b>Security Plan</b>	)	

**JOINT MOTION FOR LEAVE TO INTERVENE OF  
THE PJM POWER PROVIDERS GROUP  
AND  
THE ELECTRIC POWER SUPPLY ASSOCIATION**

Pursuant to Section 4903.221, Revised Code and Rule 4901-1-11 of the Ohio Administrative Code, the PJM Power Providers Group ("P3") and the Electric Power Supply Association ("EPSA") jointly move the Public Utilities Commission of Ohio ("Commission") for intervention in this proceeding as a full party of record as further explained in the attached Memorandum in Support.

WHEREFORE, P3 and EPSA (herein after "Wholesale Suppliers") given the like interest shall litigate as one party and respectfully request that the Commission grant this motion for joint intervention.

Respectfully Submitted,



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Attorneys for the PJM Power Providers Group and the  
Electric Power Supply Association

**MEMORANDUM IN SUPPORT OF THE MOTION TO INTERVENE OF  
THE PJM POWER PROVIDERS GROUP AND  
THE ELECTRIC POWER SUPPLY ASSOCIATION**

The PJM Power Providers Group (“P3”) is a nonprofit trade association whose corporate members<sup>1</sup> are engaged in electric generation and sales in the PJM Regional Transmission Organization. P3<sup>2</sup> strongly believes that properly designed and well-functioning competitive markets are the most effective means of insuring a reliable supply of power to the PJM region, facilitating investments in energy generation of all types, and promoting prices that will allow consumers to enjoy the benefits of competitive electricity markets. Combined, P3 members own over 75,000 megawatts of power, own over 51,000 miles of transmission lines, serve nearly 12.2 million customers and employ over 55,000 people in the PJM region – encompassing 13 states and the District of Columbia.

The Electric Power Supply Association (“EPSA”) is a national trade association representing competitive power generators and suppliers.<sup>3</sup> EPSA members own or operate 480 generation facilities totaling over 200,000 MW of capacity. That is nearly 40% of all the installed generation capacity in the United States. EPSA members include many of the premier generation companies utilizing innovative environmental and cost effective generation technology. Many of EPSA’s members own or operate facilities in Ohio and are market participants in PJM Interconnection, L.L.C. (“PJM”). EPSA seeks to bring the benefits of competitive generation to all power customers.

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<sup>1</sup> P3 is a nonprofit corporation dedicated to promoting policies that will allow the PJM region to fulfill the promise of its competitive wholesale electricity markets. For more information on P3, visit [www.p3powergroup.com](http://www.p3powergroup.com)

<sup>2</sup> The positions taken in this proceeding by P3 represent the position of P3 as an organization, but not necessarily the views of any particular member with respect to any issue.

<sup>3</sup> See the EPSA website at [www.epsa.org](http://www.epsa.org) for details on membership, mission statements and association activities. The views expressed in this pleading represent the position of EPSA and are not necessarily the views of any particular member with respect to any particular issue.

P3 and EPSA (jointly “Wholesale Suppliers”) seek intervention as a full party of record in this proceeding out of concern that the application filed in the matter at bar may have an adverse affect on the wholesale and retail markets both in Ohio and throughout the PJM regional system.

The standard for intervention at the Ohio Commission is governed by Rule 4901-1-11 of the Ohio Administrative Code, promulgated pursuant to Section 4903.221, Revised Code. 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.

To determine a direct interest, the factors that 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 Section 4903.221(B), Revised Code). A review of the intervention criteria in light of the following facts supports granting the Wholesale Suppliers’ intervention.

In its application, Ohio Edison Company, The Cleveland Electric Illuminating Company and The Toledo Edison Company (collectively, “FirstEnergy”) are requesting Commission approval of a standard service offer (“SSO”) pursuant to Section 4928.141, Revised Code. FirstEnergy proposes to implement an Electric Security Plan (“ESP IV”) to provide generation service pricing for the period June 1, 2016, through May 31, 2019. The plan includes a wholesale auction for standard service power procurement and a non bypassable stabilization rider based on wholesale power revenues. FirstEnergy alleges that although many existing benefits from its current ESP will

continue, including the use of a competitive bid and the use a staggered or laddered schedule of procurements, a wholesale price stabilization rider is necessary with a term independent of the ESP IV. The ESP IV is for three years, the proposed wholesale price stability rider is for fifteen years.

The Wholesale Suppliers are an interested party to this proceeding. Specifically, the two trade associations' member companies may be potential participants in any wholesale auction that results from this proceeding. The Wholesale Suppliers intervention and participation will promote the public interest in viable and competitive wholesale markets. FirstEnergy's application for a wholesale price stabilization plan is unique and raises factual and legal issues which the Commission must fully understand prior to making a decision. Since the Wholesale Suppliers' members are wholesale market participants in the Ohio and PJM market, the Wholesale Suppliers can assist the Commission by providing evidence for the record which contains information and a practical perspective which only those active in the wholesale market can provide. The Wholesale Suppliers through its members have a unique interest in this proceeding that cannot be represented by existing parties, pursuant to Rule 4901-1-11(B)(5) of the Ohio Administrative Code. Finally, the Wholesale Suppliers' request for intervention is timely coming prior to the intervention deadline established in the Attorney Examiner's Entry.

For the reasons listed above, the Wholesale Providers respectfully submit that it meets the criteria set forth in Section 4903.221, Revised Code and Rule 4901-1-11 of the Ohio Administrative Code for intervention, and it has met the established intervention deadline.

For purposes of receiving service in the proceeding, in addition to the undersigned, P3 requests that the following individuals be placed on the official service list:

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WHEREFORE, Wholesale Suppliers respectfully request that the Commission grant its motion for leave to intervene and that it 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 1<sup>st</sup> day of October, 2014, by electronic mail upon the persons listed below.



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Summary: Motion Joint Motion for Leave to Intervene electronically filed by M HOWARD PETRICOFF on behalf of The PJM Power Providers Group and The Electric Power Supply Association