

**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 Authority to Provide a Standard	)	Case No. 14-1297-EL-SSO
Service Offer Pursuant R.C. 4925.143 in the	)	
Form of an Electric Security Plan.	)	
	)	

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**MOTION TO INTERVENE  
OF  
ENERNOC, INC.**

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EnerNOC, Inc. ("EnerNOC") respectfully requests permission to intervene in the above-captioned case.<sup>1</sup> EnerNOC provides demand response and energy efficiency programs to Ohio retail customers. EnerNOC has an interest in advocating for equal opportunities for demand response providers to participate in the procurement of electric services in northeast Ohio.

The reasons the Public Utilities Commission of Ohio ("Commission") should grant EnerNOC's Motion are further set forth in the attached Memorandum in Support.

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<sup>1</sup> EnerNOC's request is made pursuant to Ohio Revised Code §4903.221 and Ohio Adm. Code §4901-1-11.

Respectfully submitted,



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**MEMORANDUM IN SUPPORT**

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EnerNOC is a leading developer and provider of clean and intelligent energy solutions to commercial, institutional, and industrial end-use customers, as well as electric power grid operators and utilities. EnerNOC's technology-enabled demand side response and energy management solutions help both customers and grid operators optimize the balance of electric supply and demand. We are a leading provider of third-party demand response ("DR") and energy efficiency ("EE") programs on behalf of public agencies, electric and gas utilities. EnerNOC is currently managing over 24 GW of load sourced from over 14,000 commercial and industrial sites across markets in North America, Asia, Europe, Australia, and New Zealand, offering much of this load into energy, capacity, and ancillary services markets of varied designs.

EnerNOC also provides EE turnkey solutions as a third-party contractor to public agencies and utilities delivering building commissioning services for commercial and institutional facilities and customized EE projects for all types of manufacturing industries. Our EE programs have produced more than 500 million kWh of savings for commercial, institutional and industrial customers throughout the United States.

This case may impact the opportunities for EnerNOC and customers of Ohio Edison Company, The Cleveland Electric Illuminating Company, and the Toledo Edison Company (collectively, FirstEnergy) to participate through curtailment service providers, like EnerNOC, in wholesale market demand side programs established by PJM Interconnection, LLC ("PJM"). EnerNOC provides EE and DR programs for utilities and we have customers in the FirstEnergy service territory. Therefore, EnerNOC has a direct interest in, and may be adversely affected by, the outcome of this case. The opportunities offered by FirstEnergy as part of the electric security plan should not provide competitive advantages or competitive disadvantages to any party.

R.C. 4903.221 provides, in part, that any person "who may be adversely affected" by a PUCO proceeding is entitled to seek intervention in that proceeding. EnerNOC's interests may be adversely affected by this case because of plan offerings and the terms and conditions placed on the programs proposed by FirstEnergy. Therefore, this element of the intervention standard in R.C. 4903.221 is satisfied.

R.C. 4903.221(B) requires the Commission to consider the following criteria in ruling on motions to intervene:

- (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 proceeding; and
- (4) Whether the prospective intervenor will significantly contribute to the full development and equitable resolution of the factual issues.

First, the nature and extent of EnerNOC's interest is to provide demand response and energy efficiency services to the customers of FirstEnergy. This interest is different from that of any other party and especially different from that of the utility.

Second, EnerNOC's legal position relates to how demand response and energy efficiency services should be provided to Ohio retail customers. Ohio retail customers should be allowed to participate in any programs offered in Ohio and there should be no additional financial incentive for retail customers to participate in FirstEnergy's programs over others. This position is directly related to the merits of the case pending before the Commission.

Third, EnerNOC's intervention will not unduly prolong or delay the proceedings. EnerNOC's issues in this proceeding are narrow. In addition, EnerNOC has extensive experience practicing before the state and federal commissions. This will allow for the efficient processing of the case.

Fourth, EnerNOC's intervention will contribute to the full development and equitable resolution of the factual issues. EnerNOC has and will develop information that this Commission should consider for equitably and lawfully deciding the case in the public interest.

EnerNOC meets the criteria set forth in Ohio R.C. §4903.221, Ohio Adm. Code §4901-1-11, and the Commission should grant EnerNOC's Motion to Intervene.

Respectfully submitted,



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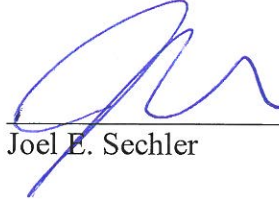
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## CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing was served upon the following parties via electronic mail on October 1, 2014.



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**This foregoing document was electronically filed with the Public Utilities**

**Commission of Ohio Docketing Information System on**

**10/1/2014 3:41:11 PM**

**in**

**Case No(s). 14-1297-EL-SSO**

Summary: Motion to Intervene and Memorandum in Support electronically filed by Mr. Joel E Sechler on behalf of EnerNOC, Inc.