

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application Seeking	)	
Approval of Ohio Power Company's	)	
Proposal to Enter into an Affiliate	)	Case No. 14-1693-EL-RDR
Power Purchase Agreement for	)	
Inclusion in the Power Purchase	)	
Agreement Rider	)	

In the Matter of the Application of	)	
Ohio Power Company for Approval of	)	Case No. 14-1694-EL-AAM
Certain Accounting Authority	)	

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**MOTION TO INTERVENE  
OF  
THE ENERGY PROFESSIONALS OF OHIO**

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The Energy Professionals of Ohio (EPO) hereby respectfully moves the Public Utilities Commission of Ohio (Commission) pursuant to Section 4903.221, Revised Code, and Rule 4901-1-11, Ohio Administrative Code (O.A.C.), for leave to intervene in the above-captioned matters. The EPO is a trade group comprised licensed power brokers and consultants who exist in Ohio's competitive marketplace and advise thousands of Ohio businesses on the procurement of power. Since the outcome of this proceeding will have an effect on the continued operation of Ohio's competitive marketplace for power, the EPO has a real and substantial interest in this proceeding which is not adequately represented by the existing parties.

Respectfully Submitted,



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**MEMORANDUM IN SUPPORT OF  
THE ENERGY PROFESSIONALS OF OHIO  
MOTION TO INTERVENE**

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On October 3, 2014 the Ohio Power Company (Company) filed its application seeking approval of the Company's proposal to enter into an affiliate Power Purchase Agreement (PPA) for inclusion in the proposed Power Purchase Agreement Rider contained in its pending ESP application<sup>1</sup>.

Ohio Administrative Code 4901-1-11(A) states that "upon timely motion, any person shall be permitted to intervene in a proceeding up on a showing that ... [t]he 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." O.A.C. 4901-1-11(A). In considering a motion to intervene, the Commission is directed by O.A.C. 4901-1-11(B) to certain criteria for consideration. Those are:

1. The nature and extent of the prospective intervenor's interest.

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<sup>1</sup> PUCO Case Nos. 13-2385 and 13-2386.

2. The legal position advanced by the prospective intervenor and its probable relation to the merits of the cases.
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.
5. The extent to which the person's interest is represented by existing parties.

The EPO has a unique interest in this case because it is the only group representing businesses whose primary role is the interpretation of products offered in the deregulated electricity market for retail customers. This proposal by AEP of a direct PPA changing how 2,671 MW of power<sup>2</sup> operates in the deregulated market is of vital interest to the EPO and its members. The EPO will not unduly prolong or delay the proceedings. The EPO's membership is comprised of individuals whose collective experience in electric utility issues spans decades and, therefore, will significantly contribute to full development and equitable resolution of the factual issues. Finally, existing parties do not represent the EPO's interest.

Accordingly, the EPO has a real and substantial interest and is entitled to intervene in this action under O.A.C. 4901-1-11.

Respectfully Submitted,

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<sup>2</sup> See Direct Testimony of Pablo Vegas at 6

## **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that this motion to intervene out of time has been served by electronic service to the parties identified below this 20<sup>th</sup> day of October, 2014.



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Summary: Motion to Intervene of the Energy Professionals of Ohio electronically filed by Mr. Kevin R Schmidt on behalf of The Energy Professionals of Ohio