

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of the Fuel)	
Adjustment Clauses for Columbus)	
Southern Power Company and Ohio)	Case No. 11-5906-EL-FAC
Power Company and Related Matters)	
)	
In the Matter of the Fuel Adjustment)	
Clauses for Columbus Southern Power)	Case No. 12-3133-EL-FAC
Company and Ohio Power Company)	
)	
In the Matter of the Fuel Adjustment)	Case No. 13-572-EL-FAC
Clauses for Ohio Power Company)	
)	
In the Matter of the Fuel Adjustment)	Case No. 13-1286-EL-FAC
Clauses for Ohio Power Company)	
)	
In the Matter of the Fuel Adjustment)	Case No. 13-1892-EL-FAC
Clauses for Ohio Power Company)	

**MOTION TO INTERVENE
AND MEMORANDUM IN SUPPORT OF IGS ENERGY**

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MOTION TO INTERVENE

Pursuant to R.C. 4903.221 and Rule 4901-1-11, Ohio Administrative Code (“OAC”), Interstate Gas Supply, Inc. (“IGS” or “IGS Energy”) moves to intervene in the above captioned proceedings, in which an auditor has submitted a recommendation regarding Ohio Power Company’s (“Ohio Power”) and Columbus Southern Power Company’s (“CSP”) (collectively, “AEP-Ohio”) potential double recovery of purchased power costs. To the extent that the Commission determines that AEP-Ohio has double recovered its purchased power costs, any improperly structured credit or refund could negatively impact competitive conditions in AEP-Ohio’s service territory.

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 proceedings, and that it is so situated that the disposition of these proceedings 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 these proceedings 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 these proceedings.

IGS's interests will not be adequately represented by other parties to these proceedings and therefore, IGS is entitled to intervene in these proceedings with the full powers and rights granted to intervening parties.

Respectfully submitted,

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MEMORANDUM IN SUPPORT

IGS has over 25 years of experience serving customers in Ohio's competitive markets. IGS serves over 1 million customers nationwide and sells natural gas and electricity to customers in 11 states and in over 40 utility service territories. In Ohio, IGS currently serves electric customers in the Ohio Power, Duke Energy Ohio, FirstEnergy and the Dayton Power & Light service territories. The IGS family of companies (which also include IGS Generation, IGS Home Services and IGS CNG Services) also provide customers focused energy solutions that complement IGS Energy's core commodity business including distributed generation, demand response, compressed natural gas refueling and utility line protection.

In this proceeding, the Commission will evaluate a substantial amount of

purchased power costs that AEP-Ohio potentially recovered twice over multiple years. The size and duration of any credit or refund could be significant. Thus, if the Commission determines to allocate the credit or refund exclusively to standard service offer ("SSO") customers, it could tilt the playing field in AEP-Ohio's service territory toward the SSO product.

IGS respectfully submits that it is entitled to intervene in these proceedings because IGS has a real and substantial interest in these proceedings, the disposition of which may impair or impede its ability to protect that interest.

For purposes of considering requests for leave to intervene in a Commission proceeding, the Commission's rules provide that:

Upon timely motion, any person shall be permitted to intervene in a proceeding upon a showing that: (1) A statute of this state or the United States confers a right to intervene. (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.¹

Further, RC 4903.221(B) and Rule 4901-1-11(B), OAC, 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 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 proceedings; (4) Whether the prospective intervenor will significantly contribute to full development and equitable resolution of the factual issues.

IGS's intervention also will not unduly delay these proceedings. Further, IGS is

¹ Rule 4901-1-11(A), OAC.

so situated that without IGS's ability to fully participate in these proceedings, its substantial interest will be prejudiced. Others participating in these proceedings do not represent IGS's interests. Inasmuch as others participating in these proceedings cannot adequately protect IGS's interests, it would be inappropriate to determine these proceedings without IGS's participation.

Finally, the Supreme Court of Ohio has held that intervention should be liberally allowed for those with an interest in the proceeding.² In light of the liberal interpretation of the intervention rules, IGS clearly meets the standards for intervention in these proceedings.

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

Respectfully submitted,

/s/ Matthew White
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² *Ohio Consumers' Counsel v. Pub. Util. Comm.*, (2006) 111 OhioSt.3d 384, 388.

CERTIFICATE OF SERVICE

I certify that this Motion to Intervene and Memorandum in Support of IGS Energy was filed electronically through the Docketing Information System of the Public Utilities Commission of Ohio on this 12th day of January 2015. The PUCO's e-filing system will electronically serve notice of the filing of this document on the following parties:

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/s/ Matthew White
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Case No(s). 11-5906-EL-FAC, 12-3133-EL-FAC, 13-0572-EL-FAC, 13-1286-EL-FAC, 13-1892-EL-FAC

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