

**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 OF
THE OHIO MANUFACTURERS' ASSOCIATION ENERGY GROUP**

Pursuant to Section 4903.221, Revised Code, and Rule 4901-1-11, Ohio Administrative Code, the Ohio Manufacturers' Association Energy Group (OMAEG) hereby respectfully moves the Public Utilities Commission of Ohio (Commission) for leave to intervene in the above-captioned matters with the full powers and rights granted to intervening parties.

As demonstrated further in the attached Memorandum in Support, OMAEG has a real and substantial interest in these proceedings which may be adversely affected by the outcome of said proceedings and which cannot be adequately represented by any existing parties of record. Accordingly, OMAEG satisfies the standard for intervention set forth in the Commission's rules and by statute.

WHEREFORE, OMAEG respectfully requests that the Commission grant this motion for leave to intervene and that OMAEG be made a full party of record.

Respectfully submitted,

/s/ Rebecca L. Hussey

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MEMORANDUM IN SUPPORT

On August 8, 2012, the Commission modified and approved Ohio Power Company and Columbus Southern Power Company's (individually or collectively, AEP Ohio) application for an electric security plan, including a fuel adjustment clause (FAC) mechanism under which AEP Ohio may recover prudently incurred fuel and fuel-related costs.¹ Further, a new alternative energy rider was established to enable AEP Ohio to recover alternative energy costs previously recovered through the FAC. Annual audits are to be performed of AEP Ohio's fuel costs, fuel management practices, and alternative energy costs.

On December 4, 2013, in the above-captioned proceedings, the Commission selected Energy Ventures Analysis, Inc. (EVA) to perform the annual audit of AEP Ohio's fuel and

¹ See In re Columbus Southern Power Company and Ohio Power Company, Case No. 11-346-EL-SSO, et al., Opinion and Order at 18 (August 8, 2012).

alternative energy costs for 2012, 2013, and 2014. EVA filed its report regarding the management/performance and financial audits of AEP Ohio's FAC for 2012 and 2013 on May 9, 2014.² By Entry issued in the above-captioned proceedings on May 21, 2014, the Commission selected Baker Tilly Virchow Krause, LLP (Baker Tilly) to investigate AEP Ohio's alleged double recovery of certain capacity-related costs, and to recommend to the Commission a course of action based on the auditor's findings. On October 6, 2014, Baker Tilly filed an audit report regarding AEP Ohio's recovery of certain capacity-related costs.

By Entry dated January 9, 2015 (Entry), the attorney examiners established a procedural schedule applicable to the Commission's review of the audit reports filed by EVA and Baker Tilly. Although a subsequent entry suspended the majority of the procedural schedule established in the Entry, the intervention deadline was maintained.

Section 4903.221, Revised Code, and Rule 4901-1-11, Ohio Administrative Code, establish the standard for intervention in the above-captioned proceeding. Section 4903.221, Revised Code, provides, in part, that any person "who may be adversely affected" by a Commission proceeding is entitled to seek intervention in that proceeding. Section 4903.221(B), Revised Code, further requires the Commission to consider the nature and extent of the prospective intervenor's interest, the legal position advanced by the prospective intervenor and its probable relation to the merits of the case, whether intervention by the prospective intervenor will unduly prolong or delay the proceeding, and the prospective intervenor's potential contribution to a just and expeditious resolution of the issues involved.

² See *In the Matter of the Fuel Adjustment Clauses for Ohio Power Company*, Case No. 13-1892-EL-FAC, Report of the Management/Performance and Financial Audits of the Fuel and Purchased Power Rider and the Alternative Energy Rider of the Ohio Power Company (May 9, 2014).

Rule 4901-1-11, Ohio Administrative Code, permits intervention to a party who has a real and substantial interest in the proceeding and who is so situated that the disposition of the proceeding may impair or impede its ability to protect that interest and whose interest is not adequately represented by an existing party.

OMAEG is a non-profit entity that strives to improve business conditions in Ohio and drive down the cost of doing business for Ohio manufacturers. OMAEG works directly with elected officials, regulatory agencies, the judiciary, and the media to provide education and information to energy consumers, regulatory boards and suppliers of energy; advance energy policies to promote an adequate, reliable, and efficient supply of energy at reasonable prices; and advocate in critical cases before the Commission. OMAEG members purchase electric power services from AEP Ohio and will be affected by the Commission's determination in these matters. OMAEG has also been involved in other matters, including previous AEP Ohio FAC cases and other cases, which have had a bearing upon the issues under consideration in the instant proceedings. OMAEG has a continuing interest in ensuring that its members' interests are reflected and considered by the Commission in the above-captioned matters.

OMAEG has a direct, real, and substantial interest in the issues raised in this proceeding and is so situated that the disposition of the proceeding may, as a practical matter, impair or impede its ability to protect that interest. OMAEG is regularly and actively involved in Commission proceedings and, as in previous proceedings, OMAEG's unique knowledge and perspective will contribute to the full development and equitable resolution of the factual issues in this proceeding. Further, OMAEG's interest will not be adequately represented by other parties to the proceeding. Finally, this timely intervention will not unduly delay or prolong the proceeding.

OMAEG satisfies the criteria set forth in Section 4903.221, Revised Code, and Rule 4901-1-11, Ohio Administrative Code, and is, therefore, authorized to intervene with the full powers and rights granted by the Commission to intervening parties.

WHEREFORE, OMAEG respectfully requests that the Commission grant this motion for leave to intervene and that OMAEG be made a full party of record.

Respectfully submitted,

/s/ Rebecca L. Hussey

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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 January 16, 2015.

/s/ Rebecca L. Hussey _____

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This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

1/16/2015 3:21:40 PM

in

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 and Memorandum in Support of Ohio Manufacturers'
Association Energy Group electronically filed by Ms. Rebecca L Hussey on behalf of OMAEG