

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of Application Not for an)
Increase in Rates Pursuant to Section)
4901.18, Revised Code, of Ohio Power) Case No. 14-2124-EL-ATA
Company to Update Existing Tariff)
Language

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

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March 5, 2015

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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 proceeding, in which Ohio Power Company (“AEP Ohio”) seeks to “add language to address providing interval customer energy usage data (CEUD) to CRES providers per the order in Case No. 12-3151-EL-COI.” Application at 1.

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 proceeding, and that it is so situated that the disposition of this proceeding 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 this proceeding 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 this proceeding.

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

Respectfully submitted,

/s/ Joseph Olikier

Joseph Olikier

Counsel of Record

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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 Company, 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, energy efficiency and utility line protection.

CRES providers must have access to interval data to offer customers time-of-use products and services. This proceeding proposes to establish terms and conditions for transferring interval data. Thus, IGS respectfully submits that it is entitled to intervene in this proceeding because IGS has a real and substantial interest in this proceeding, 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 has a substantial interest in the resolution of this proceeding, which pertains to the expansion of smart meter technology deployment and access to interval data in Ohio Power's service territory. IGS's intervention will not unduly delay this proceeding. Further, IGS is so situated that without IGS's ability to fully participate in this proceeding, its substantial interest will be prejudiced. Others participating in this proceeding do not represent IGS's interests. Inasmuch as others participating in this proceeding cannot adequately protect IGS's interests, it would be inappropriate to determine this proceeding 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 this

¹ Rule 4901-1-11(A), OAC.

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

proceeding.

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

Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing *Motion to Intervene and Memorandum in Support of IGS Energy* was served this 5th day of March 2015 via electronic mail upon the following:

/s/ Joseph Olikar

Joseph Olikar

Steven T. Nourse American Electric Power Service Corporation 1 Riverside Plaza, 29th Floor Columbus, Ohio 43215 stnourse@aep.com Counsel for Ohio Power Company	William Wright Chief, Public Utilities Section Public Utilities Section 180 East Broad Street, 6th Floor Columbus, Ohio 43215 William.wright@puc.state.oh.us Counsel for Staff of the Public Utilities Commission of Ohio
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Summary: Motion to Intervene and Memorandum in Support electronically filed by Mr. Joseph E. Oliker on behalf of IGS Energy