

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Duke)	
Energy Ohio, Inc. for Approval of a Grid)	Case No. 14-1160-EL-UNC
Modernization Opt-Out Tariff and for a)	Case No. 14-1161-EL-AAM
Change in Accounting Procedures)	
Including a Cost Recovery Mechanism.)	

**MOTION TO INTERVENE
BY
OHIO PARTNERS FOR AFFORDABLE ENERGY**

Ohio Partners for Affordable Energy (“OPAE”) moves to intervene in these proceedings considering the applications of Duke Energy Ohio, Inc. (“Duke”) for approval of a grid modernization opt-out tariff and a change in accounting procedures including a cost recovery mechanism. The reasons the Public Utilities Commission of Ohio (“Commission”) should grant OPAE’s Motion to Intervene are further set forth in the attached Memorandum in Support.

Respectfully submitted,

/s/Colleen L. Mooney
Colleen L. Mooney
Ohio Partners for Affordable Energy
231 West Lima Street
Findlay, OH 45839-1793
Telephone: (419) 425-8860
or (614) 488-5739
FAX: (419) 425-8862
e-mail: cmooney@ohiopartners.org

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Duke)	
Energy Ohio, Inc. for Approval of a Grid)	Case No. 14-1160-EL-UNC
Modernization Opt-Out Tariff and for a)	Case No. 14-1161-EL-AAM
Change in Accounting Procedures)	
Including a Cost Recovery Mechanism.)	

**MEMORANDUM IN SUPPORT
OF MOTION TO INTERVENE**

Ohio Partners for Affordable Energy (“OPAE”) requests permission to intervene in these matters pursuant to Section 4903.22.1, Revised Code, and the Commission’s Rules contained in Section 4901-1-11 of the Ohio Administrative Code. The Commission, in ruling upon a motion to intervene in its proceedings, shall consider the following criteria:

- (1) The nature and extent of the intervenor’s interest.
- (2) The legal position advanced by the prospective intervenor and its probable relationship to the merits of the case.
- (3) Whether the intervention by the prospective intervenor will unduly prolong or delay the proceeding.
- (4) Whether the prospective intervenor will significantly contribute to the full development and equitable resolution of the factual issues.

On June 27, 2014, Duke filed these applications seeking Commission approval of a new tariff establishing charges and terms of service for residential customers who do not want an advanced electric meter installed at their homes. Duke is also seeking accounting authority to defer and collect from opt-out residential customers various alleged costs associated with the residential customers who do not want advanced electric meters at their homes.

If the Commission approves the deferral authority, Duke proposes to charge opt-out residential customers a one-time fee of \$126.70 to remove the advanced meter and install a non-advanced meter. If the Commission does not approve the deferral authority sought by Duke, Duke proposes to set the one-time charge for opt-out residential customers at \$1,073.10 to remove the advanced meter and install a non-advanced meter. Residential customers who take service under the opt-out tariff would be charged \$40.63 per month, regardless of whether the Commission approves the deferral authority. Application 1-4.

As an Ohio non-profit corporation with a stated purpose of advocating for affordable energy policies for low and moderate income Ohioans, OPAE has a real and substantial interest in these proceedings. Residential customers, including OPAE's low-income bill payment assistance and weatherization clients, may be "adversely affected" by Duke's applications involving the establishment of charges and terms of service for residential customers who do not want an advanced electric meter installed at their homes. OPAE is concerned that the proposed tariffs include rates and charges that are more than what is reasonable and lawful under Ohio law. Therefore, OPAE has an interest in these proceedings.

OPAE's participation in these matters 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. Furthermore, other parties to the proceedings will not adequately represent the interests of OPAE. The extensive background of OPAE and its membership in

advocacy for low-income residential consumers provides a unique and important viewpoint on matters at issue in these dockets.

Therefore, OPAE is entitled to intervene in these proceedings with the full powers and rights granted specifically by statute and by the provisions of the Commission's Code of Rules and Regulations to intervening parties.

Respectfully submitted,

/s/Colleen L. Mooney

Colleen L. Mooney
Ohio Partners for Affordable Energy
231 West Lima Street
Findlay, OH 45839-1793
Telephone: (419) 425-8860
or (614) 488-5739
FAX: (419) 425-8862
e-mail: cmooney@ohiopartners.org

CERTIFICATE OF SERVICE

I hereby certify that a copy of this Motion to Intervene was served on the persons stated below via electronic transmission, this 17th day of August 2015.

/s/Colleen L. Mooney
Colleen L. Mooney

SERVICE LIST

William Wright
Chief, Public Utilities Section
Attorney General's Office
180 East Broad Street, 6th Floor
Columbus, Ohio 43215
william.wright@puc.state.oh.us

Amy B. Spiller
Elizabeth H. Watts
Duke Energy Ohio, Inc.
139 E. Fourth Street
Cincinnati, Ohio 45201-0960
Amy.Spiller@duke-energy.com
Elizabeth.Watts@duke-energy.com

Terry L. Etter
Assistant Consumers' Counsel
Office of the Ohio Consumers' Counsel
10 West Broad Street, Suite 1800
Columbus, Ohio 43215-3485
Terry.Etter@occ.ohio.gov

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

8/17/2015 3:10:22 PM

in

Case No(s). 14-1160-EL-UNC, 14-1161-EL-AAM

Summary: Motion to Intervene and Memorandum in Support electronically filed by Colleen L Mooney on behalf of Ohio Partners for Affordable Energy