

In the Matter of the Application of)
Globe Metallurgical, Inc. for Approval of a) Case 16-737-EL-AEC
Reasonable Arrangement for its Beverly, Ohio)
Plant

Pursuant to Rules 4901-1-11 and 4901:1-38-05(F), Ohio Administrative Code (O.A.C.), Ohio Power Company (AEP Ohio) hereby moves the Public Utilities Commission of Ohio (Commission) to intervene in this proceeding. A memorandum in support is attached.

/s/ Steven T. Nourse
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MEMORANDUM IN SUPPORT

On April 11, 2016, Globe Metallurgical, Inc. (Globe) filed an application for approval of an amendment to the reasonable arrangement between Globe and AEP Ohio. AEP Ohio respectfully requests that it be permitted to intervene in this proceeding. Section 4901-1-11 (A) (2), Ohio Admin. Code, provides:

- (A) Upon timely motion, any person shall be permitted to intervene in a proceeding upon a showing that:
 - (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.

Further, §4901-1-11 (B), Ohio Admin. Code provides:

- (B) In deciding whether to permit intervention under paragraph (A) (2) of this rule, the commission, the legal director, the deputy legal director, or an attorney examiner shall consider:
 - (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.
 - (5) The extent to which the person's interest is represented by existing parties.¹

Regarding these criteria, AEP Ohio's clear and direct interest is as the party to the contract. AEP Ohio's intervention will not prolong or delay this proceeding. Further, AEP Ohio has a vital interest in ensuring full recovery of foregone revenues (aka delta

¹ Factors (B) (1) – (4) are consistent with §4903.221 (B), Ohio Rev. Code.

revenues) related to the proposal. Moreover, as the party to the proposed amended contract AEP Ohio will be in a unique position to contribute to the full development and equitable resolution of any factual issues that might arise in the proceeding.

Respectfully submitted,

/s/ Steven T. Nourse

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CERTIFICATE OF SERVICE

In accordance with Rule 4901-1-05, Ohio Administrative Code, the PUCO's e-filing system will electronically serve notice of the filing of this document upon the following parties. In addition, I hereby certify that a service copy of the foregoing *Motion of Ohio Power Company to Intervene* was sent by, or on behalf of, the undersigned counsel to the following parties of record this 14th day of April 2016, via electronic transmission.

/s/ Steven T. Nourse

Steven T. Nourse

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Case No(s). 16-0737-EL-AEC

Summary: Motion of Ohio Power Company to Intervene electronically filed by Mr. Steven T Nourse on behalf of Ohio Power Company