

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

The Office of the Ohio Consumers'	)	
Counsel,	)	Case No. 16-0782-EL-CSS
Complainant,	)	
v.	)	
Ohio Power Company,	)	
Respondent.	)	

**MOTION FOR LIMITED INTERVENTION  
OF NATIONWIDE ENERGY PARTNERS, LLC**

Pursuant to Rule 4901-1-11 of the Ohio Administrative Code ("OAC"), Nationwide Energy Partners, LLC respectfully moves for limited intervention in this proceeding for the sole purpose of responding to the April 27, 2016 Ohio Power Company Motion for Tariff Amendment and Memorandum in Support.

The reasons supporting the requested limited intervention are contained in the accompanying memorandum in support.

WHEREFORE, Nationwide Energy Partners, LLC respectfully requests that it be granted limited intervention in this complaint case for the sole purpose of responding to the Ohio Power Company's April 27, 2016 Motion for Tariff Amendment and Memorandum in Support.

Respectfully submitted,



---

Michael J. Settineri (0073369)  
Gretchen L. Petrucci (0046608)  
Ilya Batikov (0087968)  
Vorys, Sater, Seymour and Pease LLP  
52 East Gay Street, P.O. Box 1008  
Columbus, Ohio 43216-1008  
(614) 464-5462 / Fax: 614.719.5146  
E-mail: [mjsettineri@vorys.com](mailto:mjsettineri@vorys.com)  
[glpetrucci@vorys.com](mailto:glpetrucci@vorys.com)  
[ibatikov@vorys.com](mailto:ibatikov@vorys.com)

*Counsel for Nationwide Energy Partners, LLC*

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

The Office of the Ohio Consumers'	)	
Counsel,	)	Case No. 16-0782-EL-CSS
	)	
Complainant,	)	
	)	
v.	)	
	)	
Ohio Power Company,	)	
	)	
Respondent.	)	

**MEMORANDUM IN SUPPORT**

On April 12, 2016, the Office of the Ohio Consumers' Counsel ("OCC") filed a complaint against Ohio Power Company ("Ohio Power Company" or "AEP Ohio") in this case. In its prayer for relief, OCC asked the Commission to find that AEP Ohio's tariffs are unjust and unreasonable to the extent that the tariffs do not expressly prohibit the resale and redistribution of electric utility services to residential consumers by submetering entities or third party agents who are not landlords. OCC also asked that the Commission direct AEP Ohio to amend and enforce its tariffs so that AEP Ohio would be prohibited from reselling and redistributing electric services to residential customers by submetering entities or third party agents that are neither landlords nor consumers of utility service.

On April 27, 2016, AEP Ohio filed its answer and also filed a Motion for Tariff Amendment and Memorandum in Support. AEP Ohio stated in its Motion for Tariff Amendment that it did not agree with key aspects of the complaint, but did agree with the complaint's assertion that the practice of "submetering" has proliferated in recent years and has caused substantial harm to customers in AEP Ohio's territory. AEP Ohio proposed to amend its tariff to provide that it would not provide electric service to any submetered premises where a

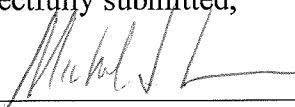
landlord, condominium association, “submetering company,” or any other entity assesses a mark-up or separate charge to individual tenants or occupants.

Nationwide Energy Partners, LLC (“NEP”) provides energy-related support services to apartment and condominium properties in central Ohio as well as tools that help developers and property managers efficiently administer these services to tenants and unit owners. NEP is a respondent in Case No. 15-697-EL-CSS and has filed comments in the Commission’s investigation of submetering in the State of Ohio in Case No. 15-1594-AU-COI. For these reasons, NEP is an interested stakeholder on the issue of submetering in Ohio, will be affected by the proposed tariff amendment and has a real and substantial interest in responding to AEP Ohio’s April 27, 2016 Motion for Tariff Amendment.

Rule 4901-1-11(D)(1) of the OAC permits the Commission, the Legal Director, the Deputy Legal Director, or an Attorney Examiner to grant limited intervention which would permit a person to participate with respect to one or more specific issues. NEP seeks limited intervention for the sole purpose of responding to AEP Ohio’s Motion for Tariff Amendment. NEP has a legal position that is different than that of the Complainant or the Respondent in this case and its position is related to the merits of the AEP Ohio Motion for Tariff Amendment. NEP will not unduly prolong or delay the proceeding, and will significantly contribute to the full development and equitable resolution of the factual issues and other issues in this proceeding. Moreover, NEP’s interest is not represented by any other party to this proceeding. Accordingly, NEP’s limited intervention is warranted in this proceeding and may be granted.

WHEREFORE, Nationwide Energy Partners, LLC respectfully requests that it be granted limited intervention for the purpose of responding to the April 27, 2016 Ohio Power Company Motion for Tariff Amendment and Memorandum in Support.

Respectfully submitted,




---

Michael J. Settineri (0073369)  
Gretchen L. Petrucci (0046608)  
Ilya Batikov (0087968)  
Vorys, Sater, Seymour and Pease LLP  
52 East Gay Street, P.O. Box 1008  
Columbus, Ohio 43216-1008  
(614) 464-5462 / Fax: 614.719.5146  
E-mail: [mjsettineri@vorys.com](mailto:mjsettineri@vorys.com)  
[glpetrucci@vorys.com](mailto:glpetrucci@vorys.com)  
[ibatikov@vorys.com](mailto:ibatikov@vorys.com)

*Counsel for Nationwide Energy Partners, LLC*

**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 document was sent by or on behalf of the undersigned counsel to the following parties of record this 12<sup>th</sup> day of May, 2016 via electronic transmission.

  
\_\_\_\_\_  
Michael J. Settineri

Kyle.kern@occ.ohio.gov  
bojko@carpenterlipps.com  
stnourse@aep.com  
slessor@calfee.com  
jlang@calfee.com  
tallexander@calfee.com  
fdarr@mwncmh.com  
mpritchard@mwncmh.com

**This foregoing document was electronically filed with the Public Utilities**

**Commission of Ohio Docketing Information System on**

**5/12/2016 4:16:17 PM**

**in**

**Case No(s). 16-0782-EL-CSS**

Summary: Motion For Limited Intervention of Nationwide Energy Partners, LLC electronically filed by Mr. Michael J. Settineri on behalf of Nationwide Energy Partners, LLC