

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Duke Energy Ohio, Inc. for Approval to Modify Rider PSR.)	Case No. 17-872-EL-RDR
)	
In the Matter of the Application of Duke Energy Ohio, Inc. for Approval to Amend Rider PSR.)	Case No. 17-873-EL-ATA
)	
In the Matter of the Application of Duke Energy Ohio, Inc. for Approval to Change Accounting Methods.)	Case No. 17-874-EL-AAM
)	

**MOTION TO INTERVENE OF
RETAIL ENERGY SUPPLY ASSOCIATION**

In accordance with R.C. 4903.221 and Ohio Adm. Code 4901-1-11, the Retail Energy Supply Association (RESA) respectfully requests issuance of an order granting intervention in this proceeding. A Memorandum in Support follows.

Respectfully submitted,

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ATTORNEYS FOR RETAIL ENERGY
SUPPLY ASSOCIATION

MEMORANDUM IN SUPPORT

R.C. 4903.221 confers a right to intervene to any person who may be “adversely affected” by a Commission proceeding. In considering a request to intervene, the Commission must consider the nature of the intervenor’s interest, the extent that interest is represented by existing parties, the intervenor’s potential contribution to a just and expeditious resolution of the issues, and whether intervention would unduly delay the proceeding. *See* R.C. 4903.221(B)(1-4). *See also* Ohio Admin. Code 4901-1-11.

RESA meets all of the criteria for intervention. RESA is a non-profit 501(c)(6) organization headquartered in Harrisburg, Pennsylvania. Its member companies supply retail electricity and natural gas to residential, commercial, industrial, and governmental customers throughout the United States. In Ohio, RESA members serve customers throughout the state, including the service territory of Duke Energy Ohio, Inc. (Duke).¹ RESA is and has historically been active in many electric industry proceedings at the Commission since its inception, including in Case No. 14-841-EL-SSO, where Rider PSR was first requested and approved as a placeholder.

RESA’s Ohio members have existing and potential business interests in Duke’s service territory that will be affected by the outcome of this proceeding. The Commission will consider whether to approve noncompetitive generation expenses in a nonbypassable rider, which would have an impact on every customer of RESA members in Duke’s service area. These interests cannot be adequately represented by other parties. The Commission’s decision in this matter may

¹ RESA’s Ohio members are AEP Energy, APG&E, Calpine Energy Solutions, Champion Energy Services LLC, Constellation NewEnergy Inc, Crius, Direct Energy Services LLC, Dynegy, ENGIE Resources, IGS Energy, Just Energy, Liberty Power, NextEra Energy Services, Nordic Energy Services, LLC, NRG Energy Inc., Spark Energy, Starion Energy, and Stream Energy.

affect the continued viability of the competitive retail electric market in Duke's service territory, where RESA members provide electric power and other products and services to retail customers. RESA's participation in this proceeding will contribute to a just resolution of the issues affecting its members, and will not unduly prolong or delay the proceeding.

Accordingly, RESA respectfully requests that the Commission grant this Motion to Intervene and that it be made a full party of record.

Dated: May 5, 2017

Respectfully submitted,

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(Counsel willing to accept service by email)

ATTORNEYS FOR RETAIL ENERGY
SUPPLY ASSOCIATION

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion to Intervene and Memorandum in

Support was served by electronic mail this 5th day of May, 2017 to the following:

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/s/ Rebekah J. Glover

One of the Attorneys for Retail Energy Supply
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Case No(s). 17-0872-EL-RDR, 17-0873-EL-ATA, 17-0874-EL-AAM

Summary: Motion to Intervene and Memorandum in Support electronically filed by Ms. Rebekah J. Glover on behalf of Retail Energy Supply Association