

**BEFORE THE
OHIO UTILITY COMMISSION OF OHIO**

In the Matter of the Application of Duke)	
Energy Ohio, Inc. for a Certificate of)	
Environmental Compatibility and Public Need)	Case No. 16-0253-GA-BTX
For the V314V Central Corridor Pipeline)	
Extension Project.)	

PETITION FOR LEAVE TO INTERVENE OF COPROP INC.

Pursuant to Ohio Revised Code (R.C.) Section 4903.221 and Ohio Administrative Code (“OAC”) Rule 4906-2-12(A)(2), Coprop Inc., an Ohio Corporation in good standing, respectfully petitions the Ohio Power Sitting Board (“Board” or “OPSB”) for leave to intervene in the above captioned proceeding. As set forth in the attached Memorandum in Support, Coprop Inc. has a real, unique and substantial interest in the proceeding. Coprop Inc.’s interests are not adequately represented by any other party to this matter, and its participation will contribute to a just and expeditious resolution of the issues presented. Coprop Inc.’s participation will not unduly delay this proceeding or cause undue prejudice to any party.

For these reasons, as more fully set forth in the attached Memorandum in Support, Coprop Inc. respectfully requests that the Board grant its Petition for Leave to Intervene.

Respectfully Submitted on behalf of
Coprop Inc.

s/ Kent Bucciere
R. L. Kent Bucciere (0067776)
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MEMORANDUM IN SUPPORT

Coprop Inc. owns investment properties located on Kenwood Rd. In addition to owning investment properties, Coprop Inc. rents and manages both the Coprop owned investment properties, as well as other third-party investment properties located both on Kenwood Rd. and within the blast and burn zones of Duke’s proposed Primary Central Corridor Gas Pipeline Extension Project route.

Any disruption to the property, adjoining streets, and major thoroughfares during construction would materially affect Coprop Inc.’s investment properties as well as those third-party investment properties managed by Coprop Inc. Any disruption to the property, adjoining streets, and major thoroughfares during construction would jeopardize property access including that of First Responders and tenants and may significantly impact traffic flow on Kenwood Rd.

On September 13, 2016, Duke Energy Ohio, Inc. (Duke) filed an application to construct C314V Central Corridor Pipeline Extension, a 13 mile, 20-inch diameter pipeline. The Pipeline will pass through densely populated areas in more than 11 separate jurisdictions within Hamilton County. On January 20, 2017, Duke filed an Amended Application which was further supplemented on February 13, 2017, February 24, 2017, and March 3, 2017. The Pipeline route will follow the west border of the properties owned and managed by Coprop Inc.

For the purpose of considering a request for leave to intervene in a Commission proceeding, the Commission's rules provide that:

Upon timely motion, any person shall be entitled to intervene in a proceeding upon a showing that: (1) A statute of this state or of 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.

OAC 4901-1-11(A).

Coprop Inc. has a real, direct and substantial interest in the proceeding. Disposition of the proceeding, absent Coprop Inc.'s intervention, would impair or impede Coprop Inc.'s ability to protect its interest. Coprop Inc.'s interest is not adequately represented by the existing parties.

RC 4903.221(B) and AOC Rule 4906-2-12 set forth the Board's rule regarding intervention. In deciding whether to permit a parties intervention, OAC Rule 4906-2-12(B)(1) states that the Board or administrative law judge may consider:

- (1) The nature and extent of the person's interest.
- (2) The extent to which the person's interest is represented by existing parties.
- (3) The person's potential contribution to a just and expeditious resolution of the issues involved in the proceeding.
- (4) Whether granting the requested intervention would unduly delay the proceeding or unjustly prejudice an existing party.

Coprop Inc. meets the Board's criteria for intervention. Coprop Inc. has a significant interest in Duke's pending application. The Pipeline would likely have a significant negative impact on both Coprop Inc.'s owned and managed investment properties. The Pipeline construction would hinder, if not obstruct, First Responder access, tenant access and Kenwood Rd. traffic flow. The pipeline would result in a diminution of the value of both Coprop Inc.'s owned investment

properties and a diminution in value of the third party investment properties managed by Coprop Inc. and would result on a loss of investment income derived therefrom. Coprop Inc.'s interests are unique and no other party adequately represents Coprop Inc.'s interests. Coprop Inc.'s intervention would lead to the just and expeditious resolution of the issues involved in the proceeding and would not unduly delay the proceeding or unjustly prejudice an existing party.

For these reasons, no existing party to this proceeding is able to represent Coprop Inc.'s unique interests. Coprop Inc.'s intervention will not unduly prolong or delay the proceedings. Further, Coprop Inc.'s intervention will significantly contribute to the full development of the record and its resolution by informing the Board and the other parties of the Pipeline's impact upon the community.

For these reasons, Coprop Inc. respectfully request that its petition for Leave to Intervene be granted.

Respectfully Submitted on behalf of
Coprop Inc.

s/ Kent Bucciere
R. L. Kent Bucciere (0067776)
Counsel for Petitioner Coprop Inc.
The Bucciere Firm
10149 Kenwood Rd.
Blue Ash, Ohio 45242
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Petition for Leave to Intervene was served upon the parties of record listed below this 30th day of May 2017 via electronic mail.

s/ Kent Bucciere

R.L. Kent Bucciere

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The following parties have not been served via email notice and have been served by regular U.S. Mail on the same date as indicated above:

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Thomas A. and Patricia H. Kreitinger
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s/ Kent Bucciere

R.L. Kent Bucciere

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Summary: Petition for Leave to Intervene electronically filed by Mr. R.L. Kent Bucciare on behalf of Coprop Inc.