

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Duke)
Energy Ohio, Inc., for Authority to Establish a)
Standard Service Offer Pursuant to Section)
4923.143, Revised Code, in the Form of an) Case No. 17-1263-EL-SSO
Electric Security Plan, Accounting)
Modifications and Tariffs for Generation)
Service.)

In the Matter of Application of Duke Energy)
Ohio, Inc., for Authority to Amend its) Case No. 17-1264-EL-ATA
Certified Supplier Tariff, P.U.C.O. No. 20.)

In the Matter of the Application of Duke)
Energy Ohio, Inc., for Authority to Defer) Case No. 17-1265-EL-AAM
Vegetation Management Costs.)

**MOTION TO INTERVENE OF
THE OHIO MANUFACTURERS' ASSOCIATION ENERGY GROUP**

Pursuant to Section 4903.221, Revised Code, and Rule 4901-1-11, Ohio Adm. Code, the Ohio Manufacturers' Association Energy Group (OMAEG) respectfully moves the Public Utilities Commission of Ohio (Commission) for leave to intervene in the above-captioned matters with the full powers and rights granted to intervening parties. As demonstrated in the attached Memorandum in Support, OMAEG has a real and substantial interest in these proceedings which may be adversely affected by the outcome herein, and which cannot be adequately represented by any other existing parties. Accordingly, OMAEG satisfies the standard for intervention set forth in Ohio statutes and regulations.

Therefore, OMAEG respectfully requests that the Commission grant this motion to intervene and that OMAEG be made a full party of record in these proceedings.

Respectfully submitted,



Kimberly W. Bojko (0069402) (Counsel of Record)
James D. Perko, Jr. (0093312)
Carpenter Lipps & Leland LLP
280 Plaza, Suite 1300
280 North High Street
Columbus, Ohio 43215
(614) 365-4100
Bojko@carpenterlipps.com
Perko@carpenterlipps.com
(willing to accept service by email)

Counsel for the OMAEG

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MEMORANDUM IN SUPPORT

On June 1, 2017, Duke Energy Ohio, Inc. (Duke) filed an application in Case Nos. 17-1263-EL-SSO, et al., to establish a standard service offer (SSO) in the form of an electric security plan (ESP).¹ Duke’s third and current ESP expires on May 31, 2018. In its Application, Duke’s fourth ESP as proposed, will be effective from June 1, 2018 through May 31, 2024.² As explained in more detail below, OMAEG has a real and substantial interest in the outcome of these proceedings.

Section 4903.221, Revised Code, and Rule 4901-1-11, Ohio Adm. Code, establish the standard for intervention in the above-captioned proceedings. Section 4903.221, Revised Code, provides, in part, that any person “who may be adversely affected” by a Commission proceeding is entitled to seek intervention in that proceeding. Section 4903.221(B), Revised Code, further

¹ Application of Duke Energy Ohio, Inc. at 1 (June 1, 2017) (Application).

² Id.

requires the Commission to consider the nature and extent of the prospective intervenor's interest, the legal position advanced by the prospective intervenor and its probable relation to the merits of the case, whether the intervention by the prospective intervenor will unduly prolong or delay the proceeding, and the prospective intervenor's potential contribution to a just and expeditious resolution of the issues involved.

Rule 4901-1-11, Ohio Adm. Code, permits intervention by a party who demonstrates a real and substantial interest in the proceeding and who is so situated that the disposition of the proceeding may impair or impede its ability to protect that interest and whose interest is not adequately represented by an existing party.

OMAEG is a non-profit entity that strives to improve business conditions in Ohio and drive down the cost of doing business for Ohio manufacturers. OMAEG works directly with elected officials, regulatory agencies, the judiciary, and the media to provide education and information to energy consumers, regulatory boards and suppliers of energy; advance energy policies to promote an adequate, reliable, and efficient supply of energy at reasonable prices; and advocate in critical cases before the Commission. OMAEG members purchase electric power services from Duke, have previously participated in proceedings involving Duke,³ and will be affected by the Commission's determination in these proceedings.

Therefore, OMAEG has a direct, real, and substantial interest in the issues raised in these proceedings and is so situated that the disposition of these proceedings may, as a practical

³ See, e.g., *In the Matter of the Application of Duke Energy Ohio, Inc. for Approval to Continue Cost Recovery Mechanism for Energy Efficiency Programs through 2016*, Case No. 14-1580-EL-RDR; *In the Matter of the Application of the Duke Energy Ohio for Authority to Establish a Standard Service Officer Pursuant to Section 4928.143, Revised Code, in the Form of an Electric Service Plan, Accounting Modifications and Tariffs for Generation Service et al.*, Case Nos. 14-841-EL-SSO et al.; *In the Matter of the Application of Duke Energy Ohio, Inc. for a Waiver to File a New Energy Efficiency and Peak Demand Reduction Portfolio Application*, Case No. 16-576-EL-WVR; and *In the Matter of the Application of Duke Energy Ohio, Inc. for an Increase in its Electric Distribution Rates*, Case No. 17-0032-EL-AIR.

matter, impair or impede its ability to protect that interest. OMAEG is regularly and actively involved in Commission proceedings and, as in previous proceedings, OMAEG's unique knowledge and perspective will contribute to the full development and equitable resolution of the factual issues in these proceedings. OMAEG's interest will not be adequately represented by other parties to these proceedings and its timely intervention will not unduly delay or prolong these proceedings.

Because OMAEG satisfies the criteria set forth in Section 4903.221, Revised Code, and Rule 4901-1-11, Ohio Adm. Code, it is authorized to intervene with the full powers and rights granted by the Commission to intervening parties. Accordingly, OMAEG respectfully requests that the Commission grant this motion for leave to intervene and that OMAEG be made a full party of record.

Respectfully submitted,



Kimberly W. Bojko (0069402) (Counsel of Record)
James D. Perko, Jr. (0093312)
Carpenter Lipps & Leland LLP
280 Plaza, Suite 1300
280 North High Street
Columbus, Ohio 43215
(614) 365-4100
Bojko@carpenterlipps.com
Perko@carpenterlipps.com
(willing to accept service by email)

Counsel for the OMAEG

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing was served upon the following parties via electronic mail on June 19, 2017.


James D. Perko, Jr.

Amy.spiller@duke-energy.com
Jeanne.kingery@duke-energy.com
Elizabeth.Watts@duke-energy.com
Rocco.D'Ascenzo@duke-energy.com
William.wright@ohioattorneygeneral.gov
fdarr@mwncmh.com
mpritchard@mwncmh.com
mkurtz@bkllawfirm.com
jkylercohn@bkllawfirm.com
william.michael@occ.ohio.gov
Kevin.moore@occ.ohio.gov

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Case No(s). 17-1263-EL-SSO, 17-1264-EL-ATA, 17-1265-EL-AAM

Summary: Motion To Intervene Of The Ohio Manufacturers' Association Energy Group electronically filed by Debra A Gaunder on behalf of Ohio Manufacturers' Association Energy Group