

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

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

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

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

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**OHIO PARTNERS FOR AFFORDABLE ENERGY'S  
MOTION TO INTERVENE AND MEMORANDUM IN SUPPORT**

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Ohio Partners for Affordable Energy ("OPAE") respectfully moves the Public Utilities Commission of Ohio ("Commission") for leave to intervene in the above-captioned matters pursuant to Revised Code §4903.221 and Rule 4901-1-11 of the Commission's Code of Rules and Regulations, with full powers and rights granted by the Commission specifically, by statute, or by the provisions of the Commission's Code of Rules and Regulations to intervening parties. The reasons for granting this motion to intervene are contained in the memorandum attached hereto and incorporated herein.

Respectfully submitted,

/s/Colleen Mooney

Colleen L. Mooney

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**MEMORANDUM IN SUPPORT OF MOTION TO INTERVENE**

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Ohio Partners for Affordable Energy (“OPAE”) should be permitted to intervene in these matters pursuant to Section 4903.22.1, Revised Code, and the Commission’s Rules and Regulations contained in Rule 4901-1-11 of the Ohio Administrative Code. The above-referenced applications made by Duke Energy Ohio, Inc. (“Duke”) are for authority to establish a standard service offer, to amend Duke’s certified supplier tariff, and defer vegetation management costs.

In determining whether to permit intervention, the following criteria are to be considered: the nature of the person’s interest; the extent to which that interest is represented by existing parties; the person’s potential contribution to a just and expeditious resolution of the proceedings; and whether granting the intervention will unduly delay or unjustly prejudice any existing party. OPAE meets all four criteria for intervention in these matters.

OPAE is an Ohio non-profit corporation with a stated purpose of advocating for affordable energy policies for low and moderate income Ohioans; as such, OPAE has a real and substantial interest in these matters. Additionally, OPAE includes as members non-profit organizations located in the service area that will be affected by the matters.<sup>1</sup> Moreover, many of OPAE's members are community action agencies. Under the federal legislation authorizing the creation and funding of these agencies, originally known as the Economic Opportunity Act of 1964, community action agencies are charged with advocating for low-income residents of their communities.

OPAE also provides essential services in the form of bill payment assistance programs and weatherization and energy efficiency services to low income customers of Duke. OPAE members are also non-residential ratepayers of Duke.

OPAE's primary interest in these matters is to protect the interests of low and moderate income residential customers of Duke and OPAE members whose provision of electric service will be affected by these applications. Further, OPAE has been recognized by the Commission in the past as an advocate for consumers and particularly low-income consumers, all of whom will be affected by the outcome of these cases.

For the above reasons, OPAE has a direct, real and substantial interest in these matters. The disposition of these matters may impair or impede the ability of OPAE to protect its interests. No other party to the matters will adequately represent the interests of OPAE. OPAE is a rare organization that serves as an advocate, service provider and non-profit customer group. No other party represents this group of interests. OPAE's participation in these matters will not

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<sup>1</sup> A list of OPAE members can be found on the website: [www.ohiopartners.org](http://www.ohiopartners.org).

cause undue delay, will not unjustly prejudice any existing party, and will contribute to the just and expeditious resolution of the issues raised by these matters.

Therefore, OPAE is entitled to intervene in these applications with the full powers and rights granted by statute and by the provisions of the Commission's Codes of Rules and Regulations to intervening parties.

Respectfully submitted,

/s/Colleen Mooney

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## **CERTIFICATE OF SERVICE**

A copy of the foregoing Motion to Intervene and Memorandum of Support will be served on this 21st day of June 2017 by the Commission's e-filing system to these parties who have electronically subscribed to these cases.

/s/Colleen Mooney  
Colleen L. Mooney

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Summary: Motion to Intervene and Memorandum in Support electronically filed by Colleen L Mooney on behalf of Ohio Partners for Affordable Energy