

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of Ohio Power Company's)
Implementation of the Tax Cuts and Jobs Act) Case No. 18-1007-EL-UNC
of 2017)

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

Pursuant to R.C. 4903.221 and Ohio Adm. Code 4901-1-11, the Ohio Manufacturers' Association Energy Group (OMAEG) respectfully moves the Public Utilities Commission of Ohio (Commission) to intervene in this matter with the full powers and rights granted to intervening parties. As demonstrated in the attached memorandum in support, OMAEG has real and substantial interests that this proceeding may adversely affect, and no existing parties adequately represent those interests. The Commission should grant this motion because OMAEG satisfies the standard for intervention set forth by statute and in the Commission's rules. A memorandum in support is attached.

Respectfully submitted,

/s/ Kimberly W. Bojko
Kimberly W. Bojko (0069402)
Brian W. Dressel (0097163)
Carpenter Lipps & Leland LLP
280 North High Street, Suite 1300
Columbus, Ohio 43215
Telephone: (614)-365-4100
Email: Bojko@carpenterlipps.com
Dressel@carpenterlipps.com
(willing to accept service by email)

Counsel for OMAEG

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MEMORANDUM IN SUPPORT

On June 8, 2018, the Ohio Power Company (AEP Ohio) began this proceeding by filing a Motion for a Procedural Schedule and Request for an Expedited Ruling with the Public Utilities Commission of Ohio (Commission).¹ AEP Ohio commenced this proceeding in order to resolve issues related to the impact of the changes to federal tax law provided for in the Tax Cuts and Jobs Act of 2017 (TCJA) on the rates and charges paid by customers. At this point, however, AEP Ohio has not yet filed any sort of application or any detailed proposal of the rate outcomes it is seeking in this proceeding. Nor has AEP Ohio given any indication as to how it proposes to resolve the outstanding issues currently being addressed in the Commission's investigation into the TCJA in Case No. 18-47-AU-COI. On June 12, 2018, the Commission established a June 22, 2018 deadline to intervene in this matter and set a procedural conference for July 11, 2018.² OMAEG hereby moves to intervene in this matter in order to ensure that the tax savings benefits of the TCJA are appropriately and fully realized by OMAEG members as the Commission considers how to address the impacts of the TCJA on the rates charged to customers by AEP Ohio.

Ohio Adm. Code 4901-1-11 permits intervention by an affected party that has a real and substantial interest in the proceeding and who is so situated that the disposition of the proceeding

¹ See Ohio Power Company's Motion for a Procedural Schedule and Request for Expedited Ruling (June 8, 2018).

² Entry at ¶ 5 (June 12, 2018).

may impair or impede its ability to protect that interest and whose interest is not adequately represented by an existing party. Similarly, R.C. 4903.221 authorizes intervention in accordance with Commission-established deadlines where a party: may be adversely affected by the proceeding; will contribute to a full development and equitable resolution of factual issues; and will not unduly prolong or delay the proceedings.

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 members and their representatives work 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 services from AEP Ohio and will see their bills impacted by any TCJA-related adjustments made in this proceeding.

OMAEG has been a participant in other cases before the Commission involving rates charged by AEP Ohio.³ Here, OMAEG has an interest in ensuring that the tax savings realized by AEP Ohio pursuant to the TCJA are passed on to customers fairly and promptly. Additionally, OMAEG has an interest in confirming that this proceeding addresses the entire effect of the TCJA. OMAEG is also troubled by the lack of information provided by AEP Ohio. AEP Ohio has asked for expedited treatment and an extremely-accelerated procedural schedule, and done so without submitting an application or giving any details as to how it plans to address

³ See, e.g., *In the Matter of the Application of the Ohio Power Company for Authority to Establish a Standard Service Offer Pursuant to R.C. 4928.143, in the Form of an Electric Security Plan, et al.*, Case Nos. 16-1852-EL-SSO, et al., Entry at ¶ 9 (March 22, 2017); *In the Matter of the Application of Columbus Southern Power Company and Ohio Power Company, Individually and, if Their Proposed Merger is Approved, as a Merged Company (collectively, AEP Ohio) for an Increase in Electric Distribution Rates, et al.*, Case Nos. 11-351-EL-AIR, et al., Entry at ¶ 5 (November 1, 2011).

the TCJA in its rates charged to customers. OMAEG hopes to ensure that all parties are not only afforded the opportunity to be heard on this important issue, but also that AEP Ohio customers have adequate time to assess all proposals and respond appropriately before the Commission renders a decision in this matter.

OMAEG has a direct, real, and substantial interest in the issues raised in this proceeding and is so situated that the disposition of the proceeding may, as a practical 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 issues in this proceeding. OMAEG's interest will not be adequately represented by other parties to the proceeding and its timely intervention will not unduly delay or prolong the proceeding.

As discussed above, OMAEG satisfies the criteria for intervention set out in R.C. 4903.221 and Ohio Adm. Code 4901-1-11. OMAEG, therefore, respectfully requests that the Commission grant this motion, allow OMAEG to intervene with the full powers and rights granted by the Commission to intervening parties, and make OMAEG a full party of record.

Respectfully submitted,

/s/ Kimberly W. Bojko
Kimberly W. Bojko (0069402)
Brian W. Dressel (0097163)
Carpenter Lipps & Leland LLP
280 North High Street, Suite 1300
Columbus, Ohio 43215
Telephone: (614)-365-4100
Email: Bojko@carpenterlipps.com
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Counsel for OMAEG

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing was served upon all parties of record via electronic mail June 13, 2018.

/s/ Brian W. Dressel_____
Brian W. Dressel

This foregoing document was electronically filed with the Public Utilities

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Case No(s). 18-1007-EL-UNC

Summary: Motion to Intervene of the Ohio Manufacturers' Association Energy Group electronically filed by Mr. Brian W Dressel on behalf of The Ohio Manufacturers' Association Energy Group