

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

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

**MOTION TO INTERVENE OF  
THE OHIO CABLE TELECOMMUNICATIONS ASSOCIATION**

The Ohio Cable Telecommunications Association ("OCTA"), representing the interests of Ohio's cable telecommunications industry, moves for intervention in the above-styled proceeding as a full party of record pursuant to Section 4903.221, Revised Code and Rule 4901-1-11, Ohio Administrative Code. Supporting reasons are set forth in the accompanying Memorandum in Support.

WHEREFORE, the OCTA respectfully requests that the Public Utilities Commission of Ohio grant this motion to intervene and make the OCTA a full party of record.

Respectfully Submitted,

/s/ Gretchen L. Petrucci  
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Gretchen L. Petrucci (0046608)  
VORYS, SATER, SEYMOUR AND PEASE LLP  
52 East Gay Street  
P.O. Box 1008  
Columbus, Ohio 43216-1008  
Tel. (614) 464-5407  
[glpetrucci@vorys.com](mailto:glpetrucci@vorys.com)

*Attorneys for the Ohio Cable Telecommunications  
Association*

**MEMORANDUM IN SUPPORT OF  
THE MOTION TO INTERVENE OF  
THE OHIO CABLE TELECOMMUNICATIONS ASSOCIATION**

Section 4903.221, Revised Code, and Rule 4901-1-11, Ohio Administrative Code, establish the standard for intervention in the above-styled proceeding. Rule 4901-1-11, Ohio Administrative Code, states in part:

Upon timely motion, any person shall be permitted to intervene in a proceeding upon a showing that:

\* \* \*

(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.

In addition to establishment of a direct interest, the factors that the Public Utilities Commission of Ohio ("Commission") considers in implementing the above rule are 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 involved, and whether intervention would result in an undue delay of the proceeding. *See*, Section 4903.221(B), Revised Code, upon which the above rule is authorized. A review of these factors in light of following facts supports granting the OCTA's intervention in this matter.

Ohio Power Company initiated this proceeding earlier this month to consider how it will implement the impacts of the Tax Cuts and Jobs Act of 2017 ("TCJA") and pass the benefits on to ratepayers. Ohio Power Company's June 8, 2018 filing reflects that it intends to have this proceeding address all remaining TCJA issues beyond the one issue identified by the Commission on May 24, 2018 in *In the Matter of the Commission's Investigation of the Financial Impact of the Tax Cuts and Jobs Act of 2017*, Case No. 18-47-AU-COI, Entry at ¶9 ("whether the utilities should be required to establish a deferred tax liability, effective January 1,

2018”).

The TCJA affects the pole attachment rates of Ohio Power Company as taxes are a component of the pole attachment rate-setting formula approved by the Commission. The Commission’s decision in this matter, therefore, could affect the company’s pole attachment tariffs. The OCTA represents the cable telecommunications industry in Ohio. The OCTA’s members pay Ohio Power Company’s pole attachment rates, and will be directly and substantially affected by the outcome of this proceeding. Access to the poles is a vitally important aspect of the OCTA’s members’ provision of a variety of communications services, including video, voice, and Internet access services in Ohio Power Company’s service territory. The OCTA and its members, therefore, have a direct and significant stake in ensuring that the benefits of the TCJA are recognized in those rates, and that those rates are just and reasonable.

The OCTA seeks to intervene in this case to protect the interests of its members. The OCTA’s motion is timely filed. In addition, the OCTA has unique knowledge and perspective that will contribute to a just and expeditious resolution of the issues involved in this proceeding, particularly as to pole attachment tariffs which are established under a special formula and process, apart from other rates of Ohio Power Company. The OCTA’s intervention will not result in an undue delay of the proceeding. Finally, the OCTA’s interests are not represented by any other party in this proceeding.

WHEREFORE, for all of the foregoing reasons, the OCTA respectfully requests that the Commission grant this motion to intervene and that the OCTA be made a full party of record.

Respectfully Submitted,

/s/ Gretchen L. Petrucci

Gretchen L. Petrucci (0046608)

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P.O. Box 1008

Columbus, Ohio 43216-1008

Tel. (614) 464-5407

[glpetrucci@vorys.com](mailto:glpetrucci@vorys.com)

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## **CERTIFICATE OF SERVICE**

The Public Utilities Commission of Ohio's e-filing system will electronically serve notice of the filing of this document on the parties referenced on the service list of the docket card who have electronically subscribed to the case. In addition, the undersigned hereby certifies that a copy of the foregoing document is also being served (via electronic mail) on the 22nd day of June 2018 upon the entities and persons listed below.

/s/ Gretchen L. Petrucci  
Gretchen L. Petrucci

Ohio Power Company	stnourse@aep.com cmblend@aep.com
Industrial Energy Users - Ohio	fdarr@mwncmh.com mpritchard@mwncmh.com
Ohio Energy Group	mkurtz@bkllawfirm.com kboehm@bkllawfirm.com jkylercohn@bkllawfirm.com
The Kroger Company	paul@carpenterlipps.com
The Ohio Manufacturers Association Energy Group	bojko@carpenterlipps.com dressel@carpenterlipps.com
Ohio Partners for Affordable Energy	cmooney@ohiopartners.org
Ohio Consumers' Counsel	christopher.healey@occ.ohio.gov bryce.mckenney@occ.ohio.gov

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Summary: Motion to Intervene electronically filed by Mrs. Gretchen L. Petrucci on behalf of Ohio Cable Telecommunications Association