

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Regulation of The)	
Purchased Gas Adjustment Clause)	
Contained Within the Rate Schedules of)	Case No. 18-0218-GA-GCR
Duke Energy Ohio, Inc. and Related)	
Matters.)	

**MOTION TO INTERVENE
AND MEMORANDUM IN SUPPORT OF IGS ENERGY**

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September 27, 2018

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MOTION TO INTERVENE

Pursuant to R.C. 4903.221 and Rule 4901-1-11, Ohio Administrative Code ("OAC"), Interstate Gas Supply, Inc. ("IGS" or "IGS Energy") moves to intervene in the above captioned proceeding, in which Duke Energy Ohio ("Duke") is seeking to justify its purchased gas adjustment clause and its gas purchasing practices in addition to a review of gas policies and other related matters. The changes in this proceeding will impact all customers within the Duke service territory who receive natural gas service.

As set forth in the attached Memorandum in Support, IGS submits that it has a direct, real, and substantial interest in the issues and matters involved in the above-captioned proceeding, and that it is so situated that the disposition of this proceeding without IGS's participation may, as a practical matter, impair or impede IGS's ability to protect that interest. IGS further submits that its participation in this proceeding will not cause undue delay, will not unjustly prejudice any existing party, and will contribute to the just and expeditious resolution of the issues and concerns raised in this proceeding.

IGS's interests will not be adequately represented by other parties to this proceeding and therefore, IGS is entitled to intervene in the proceeding with the full powers and rights granted to intervening parties.

Respectfully submitted,

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MEMORANDUM IN SUPPORT

IGS has over 28 years of experience serving customers in Ohio’s competitive gas and electric markets. IGS serves over 1 million customers nationwide and sells natural gas and electricity to customers in 11 states and in over 40 utility service territories. In Ohio, IGS currently serves natural gas customers in the Columbia, Duke, Vectren, and Dominion East Ohio service territories. The IGS family of companies (which also include IGS Solar, IGS Generation, IGS Home Services, and IGS CNG Services) also provide customers focused energy solutions that complement IGS Energy’s core commodity business including distributed generation, demand response, compressed natural gas refueling, back-up generation, and utility line protection.

In this proceeding, the Commission has ordered that a management audit be conducted specifically to address Duke’s gas purchasing practices and other gas related policies identified throughout the audit process. Following the audit, a public hearing will be held in which the findings and proposed changes will be discussed. IGS serves thousands of gas customers across the Duke service territory. Several matters in this proceeding, including but not limited to Duke’s rates, capacity assets, storage assets, propane assets, balancing tariffs and rates, and design day model will directly impact IGS’

customers and business operations.

IGS respectfully submits that it is entitled to intervene in this proceeding because IGS has a real and substantial interest in this proceeding, the disposition of which may impair or impede its ability to protect that interest.

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

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

Further, RC 4903.221(B) and Rule 4901-1-11(B), OAC, provide that the Commission, in ruling upon applications to intervene in its proceedings, shall consider the following criteria:

- (1) The nature and extent of the prospective intervenor's interest;
- (2) The legal position advanced by the prospective intervenor and its probable relation to the merits of the case;
- (3) Whether the intervention by the prospective intervenor will unduly prolong or delay the proceedings;
- (4) Whether the prospective intervenor will significantly contribute to full development and equitable resolution of the factual issues.

IGS has direct, real, and substantial interests in this proceeding. IGS's intervention will not unduly delay this proceeding. Further, IGS is so situated that without IGS's ability to fully participate in this proceeding, its substantial interest will be prejudiced. Others

¹ Rule 4901-1-11(A), OAC.

participating in this proceeding do not represent IGS's direct interests. Inasmuch as others participating in this proceeding cannot adequately protect IGS's interests, it would be inappropriate to determine this proceeding without IGS's participation.

Finally, the Supreme Court of Ohio has held that intervention should be liberally allowed for those with an interest in the proceeding.² In light of the liberal interpretation of the intervention rules, IGS clearly meets the standards for intervention in this proceeding.

For the reasons set forth above, IGS respectfully requests the Commission grant this Motion to Intervene.

Respectfully submitted,

/s/ Joseph Olikier
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² *Ohio Consumers' Counsel v. Pub. Util. Comm.*, (2006) 111 OhioSt.3d 384, 388.

CERTIFICATE OF SERVICE

I certify that this Motion to Intervene and Memorandum in Support of *Interstate Gas Supply, Inc.* was filed electronically through the Docketing Information System of the Public Utilities Commission of Ohio on this 27th day of September 2018. The PUCO's e-filing system will electronically serve notice of the filing of this document on the following parties:

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/s/ Joseph Olikier
Joseph Olikier

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in

Case No(s). 18-0218-GA-GCR

Summary: Motion Motion to Intervene and Memorandum in Support electronically filed by Mr. Evan F Betterton on behalf of Interstate Gas Supply, Inc.