

In the Matter of the Motion to Modify the)
Exemption Granted to the East Ohio Gas) Case No. 18-1419-GA-EXM
Company d/b/a Dominion Energy Ohio.)

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Motion to Modify the)	
Exemption Granted to the East Ohio Gas)	Case No. 18-1419-GA-EXM
Company d/b/a Dominion Energy Ohio.)	

MOTION TO INTERVENE

Pursuant to R.C. 4903.221 and Ohio Adm.Code 4901-1-11, Interstate Gas Supply, Inc. ("IGS Energy" or "IGS") moves to intervene in the above-captioned proceeding, in which the Ohio Consumers' Counsel ("OCC") and Ohio Partners for Affordable Energy ("OPAE") have asked the Commission to modify an exemption provided to The East Ohio Gas Company d/b/a Dominion Energy Ohio ("DEO") in a previous proceeding. Together, these motions ask the Commission to establish the Standard Choice Offer ("SCO") as the default service for all customers and eliminate the Monthly Variable Rate ("MVR").

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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Inc.***

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MEMORANDUM IN SUPPORT

IGS has over 30 years of experience serving customers in Ohio's competitive natural gas and electric markets. IGS serves over 1 million customers nationwide in 11 states across more than 40 utility service territories. In Ohio, IGS serves natural gas customers of various sizes, including customers within the DEO service territory. The IGS family of companies also provides customer-focused energy solutions that complement IGS Energy's core commodity business including distributed generation, demand response, compressed natural gas refueling, and utility line protection.

In this proceeding, OCC asks the Commission to establish the SCO as the default service for all residential customers, which would eliminate the MVR for residential customers. OPAE supports OCC's motion, and further asks the Commission to establish the SCO as the default service for non-residential customer as well. 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, Ohio Adm.Code 4901-1-11(A) provides 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.

Further, R.C. 4903.221(B) and Ohio Adm.Code 4901-1-11(B), 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 intervener's interest;
- (2) The legal position advanced by the prospective intervener and its probable relation to the merits of the case;
- (3) Whether the intervention by the prospective intervener will unduly prolong or delay the proceedings;
- (4) Whether the prospective intervener will significantly contribute to full development and equitable resolution of the factual issues.

IGS has direct, real, and substantial interests in this proceeding. IGS is a certified competitive retail natural gas service ("CRNGS") provider in DEO's territory, as well as a participant in DEO's MVR program. As such, any modifications to the MVR program, especially those requested by OCC and OPAE, will impact IGS and its customers.

Additionally, IGS's intervention will not unduly delay this proceeding because IGS is within the deadline for intervention established by the procedural schedule. IGS is so situated that without IGS's ability to fully participate in this proceeding, it will be unable to protect its interests as a participant in the MVR program. It would be inappropriate to determine this proceeding without IGS's participation, as the other parties in the case cannot adequately represent and protect the interests of IGS or its customers in this proceeding. Further, IGS's experience as a participant in the MVR program will allow it to contribute to the full development and equitable resolution of the factual issues in this

case.

Finally, the Supreme Court of Ohio has held that intervention should be liberally allowed for those with an interest in the proceeding. See *Ohio Consumers' Counsel v. Pub. Util. Comm.*, 111 Ohio St. 3d 384, 2006-Ohio-5853, 856 N.E.2d 940, ¶ 20. In light of the liberal interpretation of the intervention rules, IGS 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/ Bethany Allen

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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 25th day of September 2019. The PUCO's e-filing system will electronically serve notice of the filing of this document on the following parties:

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Summary: Motion Motion to Intervene and Memorandum in Support of Interstate Gas Supply, Inc. electronically filed by Bethany Allen on behalf of Interstate Gas Supply, Inc.