

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of The Application of Suvon, LLC)	
d/b/a FirstEnergy Advisors for Certification as an)	Case No. 20-0103-EL-AGG
Aggregator and Power Broker)	

**MOTION TO INTERVENE OF
THE ENERGY PROFESSIONALS OF OHIO**

The Energy Professionals of Ohio (EPO) hereby respectfully moves the Public Utilities Commission of Ohio (Commission) pursuant to Section 4903.221, Revised Code, and Rule 4901-1-11, Ohio Administrative Code (O.A.C.), for leave to intervene in the above-captioned matters. The EPO is a trade group comprised licensed power brokers and consultants who operate in Ohio's competitive marketplace and advise thousands of Ohio businesses on the procurement of power. Since the outcome of this proceeding will influence the continued operation of Ohio's competitive marketplace for power, the EPO has a real and substantial interest in this proceeding which is not adequately represented by the existing parties.

Respectfully Submitted,

/s/ Kevin Schmidt

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**MEMORANDUM IN SUPPORT OF
THE ENERGY PROFESSIONALS OF OHIO
MOTION TO INTERVENE OUT OF TIME**

Ohio Administrative Code 4901-1-11(A) states that “upon timely motion, any person shall be permitted to intervene in a proceeding up on a showing that ... [t]he 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.” O.A.C. 4901-1-11(A). In considering a motion to intervene, the Commission is directed by O.A.C. 4901-1-11(B) to certain criteria for consideration. Those are:

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 cases.
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.
5. The extent to which the person’s interest is represented by existing parties.

The EPO has a unique interest in this case because it is the only group representing businesses whose primary role is to serve retail customers through interpretation and consultation of products offered by Competitive Retail Electric Service (CRES) providers. Thus far, Ohio’s competitive marketplace has not had a participant with the direct and overlapping

employment ties to a regulated utility such as the case before us. This application for certification as an aggregator and power broker presents new and unique considerations that will have a lasting effect on Ohio's competitive retail marketplace directly affecting existing brokers and aggregators.

The EPO will not unduly prolong or delay the proceedings. The EPO's membership is comprised of individuals whose collective experience in electric utility issues spans decades and will significantly contribute to full development and equitable resolution of the factual issues.

Finally, as the sole statewide representative of licensed power brokers and aggregators, existing parties do not represent the EPO's interest.

Accordingly, the EPO has a real and substantial interest and is entitled to intervene in this action under O.A.C. 4901-1-11.

Respectfully Submitted,

/s/ Kevin Schmidt

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CERTIFICATE OF SERVICE

In accordance with O.A.C. 4901-1-05, the PUCO's e-filing system will electronically serve notice of the filing of this document upon the following parties. In addition, I hereby certify that a service copy of the foregoing Motion to Intervene was sent by the undersigned counsel to the following parties of record this 21st day of February 2020.

/s/ Kevin Schmidt

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Summary: Motion to Intervene of the Energy Professionals of Ohio electronically filed by Mr. Kevin R Schmidt on behalf of The Energy Professionals of Ohio