

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

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| In the Matter of the Application of Ohio |) | |
| Power Company for an Increase in Electric |) | Case No. 20-585-EL-AIR |
| Distribution Rates. |) | |
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| In the Matter of the Application of Ohio |) | Case No. 20-586-EL-ATA |
| Power Company for Tariff Approval. |) | |
| | | |
| In the Matter of the Application of Ohio |) | |
| Power Company for Approval to Change |) | Case No. 20-587-EL-AAM |
| Accounting Methods. |) | |

**MOTION TO INTERVENE OF
NATIONWIDE ENERGY PARTNERS, LLC**

Now comes Nationwide Energy Partners, LLC (“NEP”) who, pursuant to Ohio Revised Code Section 4903.221 and Ohio Administrative Code Rule 4901-1-11, moves to intervene in the above-styled proceedings as a full party of record. The reasons supporting the intervention are contained in the accompanying Memorandum in Support. NEP respectfully requests that the Commission grant this motion to intervene and that NEP be made a full party of record.

Respectfully Submitted,

/s/ Gretchen L. Petrucci
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**MEMORANDUM IN SUPPORT OF
THE MOTION TO INTERVENE**

Ohio Revised Code Section (“R.C.”) 4903.221 and Ohio Administrative Code Rule (“Rule”) 4901-1-11 establish the standard for intervention in the above-styled proceedings as a full party of record. Rule 4901-1-11 states in part:

(A) 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 (the “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 also* R.C. 4903.221(B) upon which the above rule is authorized. A review of these factors in light of the following facts supports granting intervention to Nationwide Energy Partners, LLC (“NEP”).

In this proceeding, Ohio Power Company (“AEP”) seeks approval to increase its electric distribution rates. AEP also proposes to change some terms and conditions in its tariffs and retain others. NEP has a direct interest in participating in these proceedings to ensure that AEP’s rates and tariffs are just and reasonable. NEP provides meter reading, billing, collection and data analytic services related to utility service for property owners, managers and developers of apartment complexes and condominium buildings. Many of NEP’s customers are in the AEP

service territory, and at its warehouse, NEP itself receives electric service from AEP Ohio. NEP is knowledgeable and experienced in the energy industry. It has participated and contributed its voice in numerous Commission proceedings including the *Commission-Ordered Investigation of Submetering in the State of Ohio*, Case 15-1594-AU-COI.

The tariffs proposed in these proceedings seek to include language that is not only harmful to AEP's customers for whom NEP provides services, in some instances it is not consistent with Ohio law. For example, AEP seeks to revise the Resale of Energy terms and conditions (Section 18, Sheet 103-14 of Schedule E-2.1 Part 1) to allow resale only after the Commission has reviewed and authorized the resale (except in landlord/tenant situations). Ohio law permits resale in scenarios other than landlord/tenant situations – such as condominiums. Additionally, Ohio law does not mandate that the Commission preapprove resale scenarios. As proposed, Section 18 of the terms and conditions should be rejected.

A second example is the language proposed for the residential service schedule (Schedule RS, Sheet 210-1 of Schedule E-2.1 Part 1) to redefine residential units and areas in a manner that will unreasonably require multiple utility meters and will unreasonably charge various electric rates within a building that has multiple residential units. AEP's proposed language should not be accepted.

A third example is the impact of the billing demand in AEP's General Service tariff (Schedule GS, Sheet 220-2 of Schedule E-2.1 Part 1). After an AEP service outage (regardless of the reason), commercial customers often see demand peak. As the billing demand is designed in the tariff, AEP uses that demand peak as the billing demand and bills at an increased rate even when the outage was outside the customer's control. This tariff language unfairly harms the commercial customer and should not be allowed to continue.

NEP's interests in these proceedings are to ensure that AEP's rates and tariffs are just and reasonable in all customer scenarios, including those in which the electric service is submetered. NEP's interests are not represented by AEP and Staff. Additionally, no entity with a pending motion to intervene represents NEP's interests. Importantly, NEP intends to protect its interests in this proceeding as well as in any settlement negotiations that occur between AEP, Staff and other parties in the proceeding. NEP's motion is timely filed and thus, NEP's participation will not unduly prolong or delay the proceedings. Additionally, NEP is knowledgeable of AEP's market and the issues involved with rate setting and tariffs. NEP will contribute significantly to the full development and equitable resolution of the factual and legal issues.

For all of these reasons, NEP satisfies the requirements for intervention in these Commission proceedings. NEP respectfully requests that the Commission grant this motion to intervene and that NEP be made a full party of record.

Respectfully Submitted,

/s/ Gretchen L. Petrucci

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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 certifies that a courtesy copy of the foregoing document is also being served (via electronic mail) on the 8th day of October 2020 upon all persons/entities listed below:

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Summary: Motion to Intervene and Memorandum in Support electronically filed by Mrs. Gretchen L. Petrucci on behalf of Nationwide Energy Partners, LLC