

FILE

BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO

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PUCO

In the Matter of the Application of Duke Energy Ohio, Inc. for an Increase in Gas Rates.	)	Case No. 07-589-GA-AIR
	)	
	)	
In the Matter of the Application of Duke Energy Ohio, Inc. for Approval of an Alternative Rate Plan for its Gas Distribution Service.	)	Case No. 07-590-GA-ALT
	)	
	)	
In the Matter of the Application of Duke Energy Ohio, Inc. for Approval to Change Accounting Methods.	)	Case No. 07-591-GA-AAM

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MOTION TO INTERVENE BY  
PEOPLE WORKING COOPERATIVELY, INC.

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People Working Cooperatively, Inc. ("PWC") respectfully requests that the Public Utilities Commission of Ohio ("Commission") grant its motion requesting intervention in the above-named matters for the reasons set forth in the attached Memorandum in Support.

Respectfully submitted on behalf of  
PEOPLE WORKING COOPERATIVELY, INC.



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## **MEMORANDUM IN SUPPORT OF MOTION TO INTERVENE BY PWC**

PWC is a small, thirty-two year old non-profit organization that has served consumers in the Duke Energy Ohio (*fka* The Cincinnati Gas & Electric Company or CG&E) ("DE-Ohio") service territory by providing weatherization and energy management services to consumers of services provided by DE-Ohio. PWC provides weatherization services to DE-Ohio's customers of both electric and gas services with funding from DE-Ohio for both. While a small organization, it is the largest provider of these services in DE-Ohio's service territory. DE-Ohio's funding serves as seed money for PWC, by attracting contributions from the State of Ohio and others in the DE-Ohio service territory. And these contributions and special funding from sources in addition to DE-Ohio allow PWC to provide its services to even more of DE-Ohio's elderly and low-income individuals and families than PWC can serve with just DE-Ohio's contributions alone. In 2008 alone, PWC was able to provide over 1550 additional energy services to residential consumers of DE-Ohio's services because of funding from the State of Ohio, given in part because of the DE-Ohio seed money. And more services were possible with private contributions. The Staff Report of Investigation issued on December 20, 2007 in this proceeding identified PWC as a provider of weatherization services for residential gas customers with funding at this time from DE-Ohio.

PWC's mission is to provide essential repairs and services to its client's homes so that homeowners can remain in their homes, enjoying the opportunity

to better control their heating and cooling costs, living independently in a safe and sound environment. PWC has been a regular intervenor in the electric and gas cases of DE-Ohio since its participation in DE-Ohio's electric transition plan proceeding, PUCO Case No. 99-1658-EL-ETP. In the ETP proceeding it signed a stipulation accepted by the Commission providing for weatherization services during the market development period. Its participation in subsequent DE-Ohio cases has been important in protecting the initial funding and in some instances making possible an increase proposed by DE-Ohio for its funding for weatherization programs.

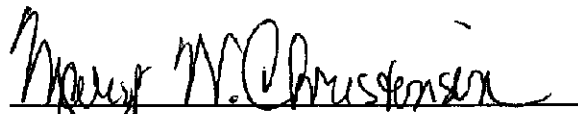
PWC meets the standards set forth in both the statute and the Commission's rules for intervention in this matter. PWC is, as described in Ohio Revised Code ("R.C.") Section 4903.221, a "person who may be adversely affected" by this proceeding insofar as any outcome in this proceeding may directly and indirectly affect the DE-Ohio funds available for and consumers' ability to enjoy weatherization services, including any provided by PWC. PWC intervenes in this proceeding to assure DE-Ohio-administered funding, as anticipated by the stipulations and Commission orders in preceding DE-Ohio cases, for the continuation of energy management, weatherization and DSM programs for consumers in DE-Ohio's service territory, which include PWC's clients. And to protect its "interest," R.C. Section 4903.221 (B)(1), in the funding of and its ability to provide weatherization and energy efficiency services to its clients, it should be allowed to participate as the Commission considers DE-Ohio's application in the instant case. There is no other party in this proceeding

whose interest in the continuation of funding of the weatherization and energy management services is as substantial as it is for PWC, and its participation has not in the past and will not in this case unduly delay the proceedings, R.C.

Section 4903.221 (B)(3). No other party in this proceeding can properly or rightfully represent PWC's interests or make a more relevant contribution to the proceeding regarding weatherization services at issue in this case.

Insofar as PWC's intervention meets the criteria of Section 4903.221, it satisfies the standards set forth in the PUCO's rule for intervention contained in Ohio Administrative Code Section 4901-1-11, including that its motion is timely and is made by a person with a real and substantial interest in the outcome of this proceeding. For the foregoing reasons, PWC requests that the Commission grant its request to intervene.

Respectfully submitted on behalf of  
PEOPLE WORKING COOPERATIVELY, INC.




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## CERTIFICATE OF SERVICE

I hereby certify that the foregoing Motion to Intervene and Memorandum in Support of People Working Cooperatively, Inc. has been served on the following parties of record in this proceeding by first-class, postage prepaid U.S. mail on this 16<sup>th</sup> day of January, 2008.

  
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