

BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of Duke Energy Ohio for Authority to Establish a Standard Service Offer Pursuant to Section 4928.143, Revised Code, in the Form of an Electric Security Plan, Accounting Modifications and Tariffs for Generation Service.) Case No. 11-3549-EL-SSO


In the Matter of the Application of Duke Energy Ohio for Authority to Amend its Certified Supplier Tariff, P.U.C.O No. 23) Case No. 11-3550-EL-ATA

In the Matter of the Application of Duke Energy Ohio for Authority to Amend its Corporate Separation Plan.) Case No. 11-3551-EL-UNC

MOTION TO INTERVENE BY
PEOPLE WORKING COOPERATIVELY, INC.

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

PWC is a small, non-profit organization that has served consumers in the Duke Energy-Ohio (*fka* The Cincinnati Gas & Electric Company or "CG&E" and "Cinergy") ("DE-Ohio") service territory for over thirty-five years by providing weatherization and energy management services to low-income residential consumers of services provided by DE-Ohio. It owns and maintains the necessary tools and equipment to deliver its services and employs a full-time staff of skilled construction and administrative personnel, both of which greatly enhance PWC's ability to provide excellent and cost-efficient services to its clients. PWC provides weatherization services to DE-Ohio's electric and gas customers 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 others, including government agencies, foundations, businesses and individuals, in the DE-Ohio service territory.

PWC's mission is to provide essential home repairs and services so that low-income homeowners, who are often also elderly and/or living with mobility issues, can remain in their homes, enjoying the opportunity to better control their heating and cooling costs and pay their energy bills, and living independently in a safe and sound environment. The preservation of this community infrastructure and occupancy of PWC's clients' homes provides the community at large with direct and acknowledged benefits. Essentially, the provision of proper weatherization services gives PWC's clients the capability of lowering their energy bills. All funding that PWC attracts is used for the provision of these services for its low-income residential electric and gas company clients.

PWC has been a regular intervenor in the electric cases of DE-Ohio, including DE-Ohio's first ESP proceeding, Case No. 08-790-EL-SSO, its more recent MRO, Case No. 10-2586-EL-SSO and the most recent gas rate increase proceeding of DE-Ohio, Case No. 07-589-TP-AIR. PWC participation in the DE-Ohio cases began with DE-Ohio's electric transition plan proceeding, Case No. 99-1658-EL-ETP, in which it signed a stipulation that was accepted by the Commission in that case that made provision for continued funding from CG&E for weatherization programs during the period of the Commission's order in that proceeding. Since then, subsequent cases have included DE-Ohio commitments to funding for energy efficiency and weatherization services.

PWC meets the standards set forth in both the statute and the Commission's rules for intervention in this matter. It 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 funds available for and consumers' ability to enjoy the services PWC provides to low-income residential electric service consumers. While the Commission-approved stipulations in a number of cases have provided for DE-Ohio's continued funding of weatherization and energy efficiency services for electric service customers through 2010, a portion of which is used for funding to PWC projects, PWC intervenes in this proceeding to assure DE-Ohio-administered funding, as anticipated by the stipulations and Commission orders in the preceding cases, and for the continuation and implementation of robust and efficacious energy management, weatherization and DSM programs as anticipated under Senate Bill 221 for residential 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 continued funding of such 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 efficiency and 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).

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.

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CERTIFICATE OF SERVICE

I hereby certify that this Motion to Intervene has been served upon the parties of record and other interested parties who are listed on the attached service list by first class, postage prepaid U.S. Mail this 28th day of June 2011.


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