

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of)	
Columbus Southern Power Company and)	
Ohio Power Company for Authority to)	Case No. 11-346-EL-SSO
Establish a Standard Service Offer)	Case No. 11-348-EL-SSO
Pursuant to §4928.143, Ohio Rev. Code, in)	
the Form of an Electric Security Plan.)	
In the matter of the Application of)	
Columbus Southern Power Company)	Case No. 11-349-EL-AAM
And Ohio Power Company for Approval)	Case No. 11-350-EL-AAM
Of Certain Accounting Authority)	

**MOTION TO INTERVENE AND MEMORANDUM IN SUPPORT
BY
THE COUNCIL OF SMALLER ENTERPRISES (COSE)**

Pursuant to Section 4903.221 of the Ohio Revised Code (R.C.) and Rule 4901-1-11 of the Ohio Administrative Code (O.A.C.), the Council of Smaller Enterprises (“COSE”) hereby moves to intervene in the above captioned proceeding. The issues in this proceeding involves the Commission’s review of the proposed Standard Service Office (SSO) by the Ohio Power Company and Columbus Southern Power Company (together, “AEP”). COSE has a real and substantial interest in this proceeding, and is so situated that the disposition of this proceeding may, as a practical matter, impair or impede its ability to protect that interest. Further, COSE's interest in this proceeding is not represented by any existing party, and its participation in this proceeding will contribute to a just and expeditious resolution of the issues involved without unduly delaying the proceeding or unjustly prejudicing any existing party. For the reasons more

fully explained in the attached memorandum, COSE respectfully requests that the Commission grant this request to intervene.

Respectfully submitted,



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**MEMORANDUM IN SUPPORT
OF THE
COUNCIL OF SMALLER ENTERPRISES**

I. Background

The Council of Smaller Enterprises ("COSE"), one of Ohio's largest small business support organizations, strives to help small businesses grow and maintain their independence. Comprised of more than 14,000 member companies, COSE has a long history of fighting for the rights of all small business owners, whether it's through group purchasing programs in healthcare, workers' compensation, electricity, payroll services, shipping, or advocating for

specific changes in legislation or regulation. COSE also produces more than 120 networking and business education events each year - all focused on connecting our members to each other to increase their ability to succeed. In addition, we provide a variety of informational and educational resources to help small businesses better understand today's energy market to all of our 14,000 members.

COSE, a certified Competitive Retail Electric Service Provider, started a group electric aggregation program for our members in 1999. Since that time, we have enrolled more than 5,500 electric accounts, which provide annual electricity cost savings to participating COSE members and their employees. During the term of AEP's proposed Electric Security Plan (ESP), COSE will launch the COSE Energy Choice Program, which will offer small business owners a choice of electric utility providers on a statewide basis.

Since the enactment of Senate Bill 221, COSE recognized the need for small businesses to engage in energy efficiency and alternative energy technologies. COSE has developed products and programs to educate small business owners on the use and advantages of energy efficiency and alternative energy technologies within their work places and understand first hand the difficulty small commercial customers have in implementing energy efficiency and demand reduction programs within their businesses.

COSE's interests in expanding its electric aggregation, COSE Energy Choice and energy efficiency programs are wholly reliant on COSE's participation in this proceeding and its outcome. Further, not only does COSE satisfy the underlying statutory test for intervention in Commission proceedings, it also satisfies the standards governing intervention set forth in the Commission's rules.

II. Legal Authority

For purposes of considering a request for leave to intervene in a Commission proceeding, Rule 4901-1-11(A), OAC, provides, in pertinent part, as follows:

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 ability to protect that interest, unless the person's interest is adequately represented by existing parties.

Further, Section 4903.221(B), Revised Code and OAC Rule 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 intervenor's interest.
- (2) The legal position advanced by the prospective intervenor and its probable relation to the merits of the case.
- (3) Whether the intervention by the prospective intervenor will unduly prolong or delay the proceedings.
- (4) Whether the prospective intervenor will significantly contribute to the full development and equitable resolution of the factual issues.
- (5) The extent to which the person's interest is represented by existing parties.

III. Argument

COSE clearly meets the requirements for intervention as outlined above. Because of its interest in providing its energy and energy efficiency and demand reduction programs to current and future members and customers in AEP's service territory, COSE has a real and substantial interest in these proceedings. Additionally, without appropriate consideration of small commercial users, small businesses could be faced with higher energy costs and difficulty accessing energy efficiency and demand reduction programs, both of which could prove hazardous for their businesses.

As a true representative of small businesses, COSE's knowledge will assist the Commission in considering the issues in this case and, accordingly, COSE's participation will positively contribute to the full development and equitable resolution of the issues as they relate to small commercial customers. No other party participating in this case is able to adequately represent the needs of COSE as an organization, its members or small commercial users as a whole. Accordingly, COSE welcomes the ability to share their program experiences and unique small business perspectives with the Commission as it works with AEP and others to develop effective outcomes for this case.

COSE submits that no current party represents its interests, and disposition of this proceeding without COSE's participation will impair and impede its ability to advance and protect its interests as well as the interests of small commercial users in the State.

IV. Conclusion

Given the diverse and unique energy needs of its current and future members, and in order to protect the interests of small commercial customers in the state, COSE states that it has a

direct, real and substantial interest in the issues in this matter, which can only be protected by its participation. COSE respectfully requests that the Commission grant its motion to intervene with the full powers, rights and privileges granted by the Commission, by statute and by the provisions of the Ohio Administrative Code, to intervening parties.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Matt Cox", written in a cursive style.

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CERTIFICATE OF SERVICE

I certify that a copy of the foregoing document was served this 20th day of April, 2012 via electronic mail on the following persons.



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Summary: Motion to intervene and memorandum in support electronically filed by Mr. Matthew R Cox on behalf of Council of Smaller Enterprises (COSE)