

FILE



SEC

STAND ENERGY
CORPORATION

1077 Celestial Street • Rookwood Bldg. • Suite 110
Cincinnati, Ohio 45202-1629
(513) 621-1113
(800) 598-2046
(513) 621-3773 Fax

RECEIVED-DOCKETING DIV

2012 JUN 13 AM 11:10

PUCO

June 12, 2012

VIA UPS Next Day Air Saver

Public Utilities Commission of Ohio
Docketing Division
13th Floor
180 East Broad Street
Columbus, OH 43215-3793

Re: Case No. 12-1685-GA-AIR
12-1686-GA-ATA
12-1687-GA-ALT
12-1688-GA-AAM

Ladies and Gentlemen:

Enclosed for filing are an original and ten copies of Stand Energy Corporation's *Motion To Intervene* in the above-captioned case. A memorandum in support of the motion is attached.

Sincerely,

John M. Dosker
General Counsel

Enclosures

This is to certify that the images appearing are an
accurate and complete reproduction of a case file
document delivered in the regular course of business.
Technician 5 Date Processed JUN 13 2012

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Duke Energy Ohio, Inc., for an Increase in Gas Rates.)))	Case No. 12-1685-GA-AIR
In the Matter of the Application of Duke Energy Ohio, Inc., for Tariff Approval.)))	Case No. 12-1686-GA-ATA
In the Matter of the Application of Duke Energy Ohio, Inc., for Approval of an Alternative Rate Plan for Gas Distribution Service.))))	Case No. 12-1687-GA-ALT
In the Matter of the Application of Duke Energy Ohio, Inc., for Approval to Change Accounting Methods.)))	Case No. 12-1688-GA-AAM

MOTION TO INTERVENE OF STAND ENERGY CORPORATION

Stand Energy Corporation, by and through the undersigned counsel, pursuant to R.C.
4903.221, Ohio Administrative Code Rule 4901-1-11, moves the Commission for Leave to
Intervene in the above-styled and numbered matter relating to an increase in natural gas rates for
the Duke Energy Ohio, Inc. natural gas delivery system in Ohio. A Memorandum in Support of
this motion is attached.

Respectfully submitted,

STAND ENERGY CORPORATION

By: 

A. Brian McIntosh (0067295)

McIntosh & McIntosh
1136 Saint Gregory Street
Suite 100
Cincinnati, Ohio 45202
(513) 929-4040 (Phone)
e-mail: brian@mcintoshlaw.com

June 12, 2012

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Duke Energy Ohio, Inc., for an Increase in Gas Rates.)))	Case No. 12-1685-GA-AIR
In the Matter of the Application of Duke Energy Ohio, Inc., for Tariff Approval.)))	Case No. 12-1686-GA-ATA
In the Matter of the Application of Duke Energy Ohio, Inc., for Approval of an Alternative Rate Plan for Gas Distribution Service.))))	Case No. 12-1687-GA-ALT
In the Matter of the Application of Duke Energy Ohio, Inc., for Approval to Change Accounting Methods.)))	Case No. 12-1688-GA-AAM

**MEMORANDUM IN SUPPORT OF
STAND ENERGY CORPORATION'S MOTION TO INTERVENE**

Stand Energy Corporation ("Stand Energy"), is a Kentucky Corporation, with its primary office located at 1077 Celestial Street, Suite #110, Cincinnati, Ohio 45202-1629. Stand Energy is engaged in the marketing of natural gas to numerous end use customers throughout Ohio, including industrial and commercial customers served natural gas by Duke Energy Ohio, Inc. Stand Energy requests full intervenor powers and rights from the Commission.

On June 7, 2012 Duke Energy Ohio, Inc. filed a Motion expressing its intention to file an application, in this docket, to raise natural gas rates. The company also filed for approval of certain accounting authorities.

Stand Energy seeks leave to intervene in this proceeding to protect the interests of Stand Energy and its commercial and industrial natural gas customers on the Duke Energy Ohio, Inc.

system. Stand Energy has a real and substantial interest in the issues and matters involved in these proceedings. Because of differing commercial goals and direction, Stand Energy avers that no other actual or potential participant can adequately represent its interests in this case.

Pursuant to RC §4903.221 and OAC §4901-1-11, Stand Energy respectfully requests that the Commission grant it full Intervenor status. For purposes of considering requests for leave to intervene, OAC 4901-1-11(A) provides that:

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.

Further, RC 4903.221 (B) provides 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 full development and equitable resolution of the factual issues.

OAC 4901-1-11 (B) also provides for the following factors to be considered:

(1) The nature of the person's interest; (2) The extent to which the person's interest is represented by existing parties; (3) The person's potential contribution to a just and expeditious resolution of the issues involved in the proceeding; and (4) Whether granting the requested intervention would unduly delay the proceeding or unjustly prejudice any existing party.

The disposition of issues without Stand Energy's participation would impair or impede Stand Energy's ability to protect its interests. No other party participating in these proceedings can adequately protect Stand Energy's interests or those of its customers, and accordingly, Stand Energy respectfully asserts that it would be inappropriate to resolve these issues without Stand Energy's participation. Stand Energy's interests and operational experience are substantially and

directly related to these issues and the merits of this proceeding. Stand Energy's intervention will contribute to the full and equitable resolution of these matters, and will assist in the expeditious resolution of these issues. Lastly, Stand Energy's intervention will not unduly delay or unjustly prejudice any existing party.

WHEREFORE, Stand Energy Corporation respectfully submits that the Commission should grant its request to intervene in the above-referenced dockets.

Respectfully submitted,
STAND ENERGY CORPORATION

By: 
A. BRIAN MCINTOSH (0067295)
McIntosh & McIntosh
1136 Saint Gregory Street
Suite 100
Cincinnati, Ohio 45202
(513) 929-4040 (Phone)
e-mail: brian@mcintoshlaw.com

CERTIFICATE OF SERVICE

I hereby certify that a copy of Stand Energy Corporation's Motion to Intervene and Memorandum in Support was served upon the following parties of record via ordinary U.S. Mail postage prepaid on June 12, 2012.

Duke Energy Ohio, Inc.
139 East Fourth Street
Cincinnati, Ohio 45202


A. BRIAN MCINTOSH