

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Joint Motion to Modify)	
the June 18, 2008 Opinion and Order in)	Case No. 12-1842-GA-EXM
Case No. 07-1224-GA-EXM)	

**MOTION TO INTERVENE OF
DIRECT ENERGY SERVICES, LLC AND DIRECT ENERGY BUSINESS, LLC**

Pursuant to Section 4903.221, Revised Code and Rule 4901-1-11 of the Ohio Administrative Code, Direct Energy Services, LLC and Direct Energy Business, LLC (“Direct Energy”) moves for intervention in the above-styled proceeding as a full party of record. The reasons supporting the intervention are contained in the accompanying Memorandum in Support.

WHEREFORE, Direct Energy respectfully requests that the Commission grant this Motion to Intervene such that Direct Energy Services, LLC and Direct Energy Business, LLC be made a full party of record.

Respectfully Submitted,

/s/ Joseph M. Clark
Joseph M. Clark
6641 North High Street, Suite 200
Worthington, Ohio 43085
Tel. (614) 781-1896
Fax (614) 760-8723
joseph.clark@directenergy.com

Attorney for Direct Energy Services, LLC and
Direct Energy Business, LLC

**MEMORANDUM IN SUPPORT OF
THE MOTION TO INTERVENE OF
DIRECT ENERGY SERVICES, LLC AND DIRECT ENERGY BUSINESS, LLC**

Section 4903.221, Revised Code and Rule 4901-1-11 of the Ohio Administrative Code, establish the standard for intervention in the above-styled proceeding as a full party of record.

Rule 4901-1-11 of the Ohio Administrative Code states in part:

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 following facts supports granting Direct Energy's intervention.

Direct Energy holds Certificate No. 02-024G(5) as a certified retail natural gas services ("CRNGS") provider from the Commission to engage in the competitive sale of natural gas service to retail customers in Ohio. Direct Energy currently provides service to retail natural gas customers in the Dominion East Ohio service territory. Direct Energy has a real and substantial interest in this proceeding. Direct Energy is also a participating member of the Ohio Gas Marketers Group ("OGMG"), which is a signatory to the Joint Motion in this proceeding.

The issues impacting Direct Energy, as identified above, demonstrate the depth of Direct Energy's real and substantial interest in this case. Direct Energy will advance legal positions which are directly relevant to the merits of the case and Direct Energy's position. Additionally, Direct Energy's intervention is timely and will not unduly delay the instant proceedings. Direct Energy's unique expertise and participation in the competitive retail and wholesale markets in Ohio and across the country will significantly contribute to the development of a full and complete record to assist the Commission in its consideration of the Application. Finally, Direct Energy's individual interest in this proceeding cannot be represented by other intervenors.

WHEREFORE, Direct Energy respectfully requests that the Commission grant this Motion to Intervene and that it be made a full party of record.

Respectfully Submitted,

/s/ Joseph M. Clark

Joseph M. Clark

6641 North High Street, Suite 200

Worthington, Ohio 43085

Tel. (614) 781-1896

Fax (614) 760-8723

joseph.clark@directenergy.com

Attorney for Direct Energy Services, LLC and
Direct Energy Business, LLC

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and accurate copy of the foregoing Motion to Intervene of Direct Energy Services, LLC and Direct Energy Business, LLC was served this 30th day of August, 2012 by U.S Mail, personal, or electronic mail delivery upon the persons listed below.

/s/ Joseph M. Clark

Joseph M. Clark

Stephen Reilly
Devin Parram
Office of the Ohio Attorney General
Public Utilities Section
180 East Broad Street, 6th Floor
Columbus, Ohio 43215
stephen.reilly@puc.state.oh.us
devin.parram@puc.state.oh.us

Barth E. Royer
Bell & Royer Co., LPA
33 South Grant Avenue
Columbus, Ohio 43215-3900
barthroyer@aol.com

Samuel C. Randazzo
Joseph E. Olikier
Frank P. Darr
McNees Wallace & Nurick, LLC
21 East State Street, 17th Floor
Columbus, Ohio 43215
sam@mwncmh.com
joliker@mwncmh.com
fdarr@mwncmh.com

Craig Goodman
National Energy Marketers Association
3333 K Street, N.W., Suite 110
Washington, D.C. 20007
cgoodman@energymarketers.com

Joseph P. Serio
Larry S. Sauer
Office of the Ohio Consumers' Counsel
10 West Broad Street, Suite 1800
Columbus, Ohio 43215
serio@occ.state.oh.us
sauer@occ.state.oh.us

Colleen L. Mooney
Ohio Partners for Affordable Energy
231 West Lima Street
P.O. Box 1793
Findlay, Ohio 45839-1793
cmooney2@columbus.rr.com

M. Howard Petricoff
Steven M. Howard
Vorys, Sater, Seymore and Pease LLP
52 East Gay Street
P.O. Box 1008
Columbus, Ohio 43216-1008
mhpetricoff@vorys.com
smhoward@vorys.com

Thomas J. O'Brien
Bricker & Eckler LLP
100 South Third Street
Columbus, Ohio 43215
tobrien@bricker.com

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Summary: Motion to Intervene electronically filed by Mr. Joseph Clark on behalf of Direct Energy Services, LLC and Direct Energy Business, LLC