

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**


In the Matter of the Review of the Alternative)	
Energy Rider Contained in the Tariffs of Ohio)	
Edison Company, The Cleveland Electric)	Case Nos. 11-5201-EL-RDR
Illuminating Company and The Toledo Edison)	
Company.)	

**MOTION FOR LEAVE TO INTERVENE OF
INTERSTATE GAS SUPPLY, INC. d/b/a IGS Energy**

Now comes the Interstate Gas Supply, Inc. d/b/a IGS Energy ("IGS"), who, pursuant to Section 4903.221, Revised Code and Rule 4901-1-11 of the Ohio Administrative Code, 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, IGS respectfully requests that the Commission grant this motion for leave to intervene and that IGS be made a full party of record.

Respectfully Submitted,



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**MEMORANDUM IN SUPPORT OF
THE MOTION TO INTERVENE OF
INTERSTATE GAS SUPPLY, INC. d/b/a IGS Energy**

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 Section 4903.221(B), Revised Code upon which the above rule is authorized. A review of these factors in light of following facts supports granting IGS' intervention.

IGS is a certified retail electric service ("CRES") provider in the State of Ohio and currently serves customers with electric service in the FirstEnergy service territory. IGS has actively participated in FirstEnergy's Electric Security Plan III Case No. 12-1230-EL-SSO where it presented testimony concerning the timing of the payment of renewable energy credits under Rider AER. That topic is currently subject to rehearing granted by the Commission. In the matter at bar, the Commission has stated that its review in this case would include the Companies' procurement of renewable energy credits for purposes of compliance with Section 4928.64, Revised Code.

IGS has a substantial interest in the Companies' procurement of renewable energy credits. The rights of IGS could be affected by the disposition of the issues in this case. Accordingly, IGS has a direct, real and substantial interest in this proceeding. Its intervention will not unduly delay the case and IGS is situated so that without its ability to fully participate in this proceeding, its substantial interest will be prejudiced. Others participating in this proceeding do not represent IGS' interests. Inasmuch as others participating in the proceeding cannot adequately protect IGS' interests, it would be inappropriate to determine this proceeding without IGS' participation.

The Supreme Court of Ohio has held that intervention should be liberally allowed for those with an interest in the proceeding.¹ In light of the liberal interpretation of the intervention rules, IGS clearly meets the standards for intervention in this proceeding.

This motion to intervene meets the November 13, 2012 deadline established by the Attorney Examiner's Entry of August 22, 2012.

WHEREFORE, Interstate Gas Supply, Inc. d/b/a IGS Energy respectfully requests that the Commission grant this motion for leave to intervene and that IGS be made a full party of record.

Respectfully Submitted,



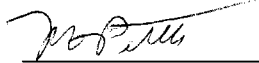
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¹ Ohio Consumers' Counsel v. Pub. Util. Comm., (2006) 111 Ohio St. 3d 384, 388.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and accurate copy of the foregoing document was served this 9th day of October, 2012 by electronic mail upon the persons listed below.



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Commission of Ohio Docketing Information System on

10/9/2012 1:13:52 PM

in

Case No(s). 11-5201-EL-RDR

Summary: Motion Motion for Leave to Intervene electronically filed by M HOWARD PETRICOFF on behalf of Interstate Gas Supply, Inc. d/b/a IGS Energy