

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Duke Energy)	
Ohio, Inc., for an Increase in its Electric)	Case No. 12-1682-EL-AIR
Distribution Rates.)	

In the Matter of the Application of Duke Energy)	
Ohio, Inc., for Tariff Approval.)	Case No. 12-1683-EL-ATA


In the Matter of the Application of Duke Energy)	
Ohio, Inc., for Approval to Change Accounting)	Case No. 12-1684-EL-AAM
Methods.)	

**MOTION TO INTERVENE
OF THE UNIVERSITY OF CINCINNATI**

Pursuant to Revised Code Section 4903.221 and Rule 4901-1-11, Ohio Administrative Code, the University of Cincinnati moves to intervene in these proceedings. As further explained in the accompanying Memorandum in Support, the University of Cincinnati has a real and substantial interest in these proceedings, and is so situated that the disposition of the proceedings may, as a practical matter, impair or impede its ability to protect that interest. Moreover, no other party adequately represents the University of Cincinnati's interest.

WHEREFORE, the University of Cincinnati respectfully requests that the Commission grant its motion to intervene.

Respectfully submitted,



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MEMORANDUM IN SUPPORT

On June 7, 2012, Duke Energy Ohio, Inc. (Duke Energy) filed a notice of intent to file an application for an increase in its electric distribution rates, along with notice of intent to file related applications for tariff approval and for a change in accounting methods. Duke Energy filed the applications on July 9, 2012, and the Commission accepted the rate application for filing as of that date. A hearing has now been scheduled in this proceeding.

Rule 4901-1-11, O.A.C., states in relevant part that intervention shall be granted to an applicant if 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. Additionally, the Commission considers (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, and (4) whether the prospective intervenor will significantly contribute to full development and equitable resolution of the factual issues.

The University of Cincinnati ("UC") is located in Cincinnati, Ohio, within Duke Energy's certified service area. UC is an institution of higher learning and a member of the state's tax-funded university system. More than 41,000 students attend UC, and thousands of whom reside in UC campus housing. Much of the electric energy used to light, cool, and ventilate the main campus buildings, as well as power the campus computers, kitchens, libraries and dormitories, is generated at UC's on-campus generation facility and delivered via a large distribution network that is owned and maintained by UC. UC also purchases electricity service from Duke Energy on Rate DP with a special adjustment in the calculation of capacity as authorized by the Opinion and Order in Duke's

last Electric Security Plan Case No. 11-3549-EL-SSO. UC is a Mercantile Customer of Duke Energy, as that term is defined in Section 4928.01(A)(19) Revised Code.

For the foregoing reasons, UC has a direct interest as the application could affect its purchase of electrical service from Duke Energy. No other party can adequately represent UC's interests. Further, UC's participation will not unduly delay or unjustly prejudice any existing party; rather, UC can significantly contribute to the full development and equitable resolution of the factual issues. Finally, UC's intervention request is being offered in advance of any intervention deadline of February 4, 2013 and thus is timely.

WHEREFORE, for the reasons stated herein, UC respectfully requests that the Commission grant its motion to intervene in these proceedings.

Respectfully submitted,



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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was served upon the following parties of record via e-mail this 1st day of February, 2013.



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Summary: Motion Motion to Intervene electronically filed by M HOWARD PETRICOFF on behalf of University of Cincinnati