

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Review of the Demand Side)
Management and Energy Efficiency Riders of) Case No. 13-722-EL-RDR
Ohio Edison Company, The Cleveland Electric)
Illuminating Company and The Toledo)
Edison Company.)

**OHIO PARTNERS FOR AFFORDABLE ENERGY'S
MOTION TO INTERVENE AND MEMORANDUM IN SUPPORT**

Ohio Partners for Affordable Energy ("OPAE") moves to intervene in this case in which the Public Utilities Commission of Ohio ("Commission") is reviewing the recovery of demand-side management costs of Ohio Edison Company, the Cleveland Electric Illuminating Company, and The Toledo Edison Company (together "FirstEnergy") through the FirstEnergy companies' Demand Side Management and Energy Efficiency Riders. This motion to intervene is filed pursuant to Ohio Revised Code §4903.221 and Ohio Administrative Code Rule 4901-1-11. The reasons for granting this motion to intervene are contained in the attached memorandum in support.

Respectfully submitted,

/s/Colleen Mooney
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MEMORANDUM IN SUPPORT OF MOTION TO INTERVENE

Ohio Partners for Affordable Energy (“OPAE”) should be permitted to intervene in this matter pursuant to Section 4903.22.1, Ohio Revised Code, and Rule 4901-01-11 of the Ohio Administrative Code. The above-referenced proceeding concerns the Commission’s review of the costs recovered under the demand side management and energy efficiency riders of Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company (together “FirstEnergy”). The FirstEnergy companies collected these costs associated with energy efficiency, peak load reduction, and demand-side management programs from customers during calendar year 2012 through the riders.

In determining whether to permit intervention, the following criteria are to be considered: the nature of the person’s interest; the extent to which that interest is represented by existing parties; the person’s potential contribution to a just and expeditious resolution of the proceeding; and, whether granting the intervention will unduly delay or unjustly prejudice any existing party. OPAE meets all four criteria for intervention in this case.

OPAE is an Ohio non-profit corporation with a stated purpose of advocating for affordable energy for low and moderate income Ohioans; as such, OPAE has a real and substantial interest in this matter, which will address the

recovery of costs for FirstEnergy's energy efficiency, peak load reduction, and demand side management programs. Additionally, OPAE includes as members non-profit organizations that are ratepayers of FirstEnergy and will be affected by this proceeding.¹ Moreover, many of OPAE's members are community action agencies. Under the federal legislation authorizing the creation and funding of these agencies, originally known as the Economic Opportunity Act of 1964, community action agencies are charged with advocating for low-income residents of their communities. OPAE also provides essential services in the form of bill payment assistance programs and weatherization and energy efficiency services to low-income customers of FirstEnergy. OPAE members are also ratepayers of the FirstEnergy companies.

OPAE's primary interest in this case is to protect the interests of low and moderate income FirstEnergy customers and OPAE members whose provision of electric service will be affected by this proceeding. Further, OPAE has been recognized by the Commission in the past as an advocate for consumers and particularly low-income consumers, who will be affected by the outcome of this case.

For the above reasons, OPAE has a direct, real and substantial interest in this matter. The disposition of this matter may impair or impede OPAE's ability to protect its interests. No other party to the matter will adequately represent the interests of OPAE. OPAE is a rare organization that serves as an advocate, service provider and non-profit customer group. No other party represents this group of interests. OPAE's participation in this matter will not cause undue delay, will not unjustly prejudice any existing party, and will contribute to the just and expeditious resolution of the issues raised by this docket.

¹ A list of OPAE members can be found on the website: www.ohiopartners.org.

Therefore, OPAGE is entitled to intervene in this proceeding with the full powers and rights granted by statute and by the provisions of the Commission's Codes of Rules and Regulations to intervening parties.

Respectfully submitted,

/s/Colleen Mooney

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion to Intervene and Memorandum of Support was served electronically upon the following parties identified below in this case on this 3rd day of May 2013.

/s/Colleen Mooney
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Summary: Motion to Intervene and Memorandum in Support electronically filed by Colleen L Mooney on behalf of Ohio Partners for Affordable Energy