

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Duke Energy)
Ohio, Inc. to Adjust Rider DR-IM and) Case No. 13-1141-GE-RDR
Rider AU for 2012 Grid Modernization Costs.)

**MOTION TO INTERVENE
OF
OHIO PARTNERS FOR AFFORDABLE ENERGY**

Ohio Partners for Affordable Energy ("OPAE") respectfully moves to intervene in this proceeding before the Public Utilities Commission of Ohio ("Commission") regarding the application filed by Duke Energy Ohio, Inc., ("Duke") to adjust Duke's Riders DR-IM and DR-AU for recovery of 2012 Grid Modernization costs. The reasons the Commission should grant this motion to intervene are further set forth in the attached Memorandum in Support.

Respectfully submitted,

/s/Colleen L. Mooney
Colleen L. Mooney
Ohio Partners for Affordable Energy
231 West Lima Street
Findlay, OH 45839-1793
Telephone: (419) 425-8860
or (614) 488-5739
FAX: (419) 425-8862
e-mail: cmooney@ohiopartners.org

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MEMORANDUM IN SUPPORT OF MOTION TO INTERVENE

Ohio Partners for Affordable Energy (“OPAE”) requests permission to intervene in this matter pursuant to Section 4903.22.1, Revised Code, and the Commission’s Rules contained in Section 4901-1-11 of the Ohio Administrative Code. The Commission, in ruling upon a motion to intervene in its proceedings, shall consider the following criteria:

- (1) The nature and extent of the intervenor’s interest.
- (2) The legal position advanced by the prospective intervenor and its probable relationship to the merits of the case.
- (3) Whether the intervention by the prospective intervenor will unduly prolong or delay the proceeding.
- (4) Whether the prospective intervenor will significantly contribute to the full development and equitable resolution of the factual issues.

Duke’s application proposes to collect \$4.91 per month from each residential electric customer under Rider DR-IM, and \$1.48 per month from each residential gas customer under Rider AU. As an Ohio non-profit corporation with a stated purpose of advocating for affordable energy policies for low and moderate income Ohioans, OPAE has a real and substantial interest in this proceeding.

Moreover, the membership of OPAE includes a number of non-profit organizations with facilities receiving electric and gas service from Duke.¹ Residential customers, including OPAE's low-income bill payment assistance and weatherization clients, will be affected by Duke's application. Non-residential customers, such as non-profit organizations, will also be affected. Therefore, OPAE has an interest in this proceeding.

OPAE is also a participant in Duke's Grid Modernization collaborative. OPAE has also been an intervenor in Duke's previous annual applications to recover the costs of its Smart Grid and Grid Modernization programs. OPAE also has an interest in the identification and recognition of customer benefits that could be realized from the grid modification programs.

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 and concerns raised in this proceeding. Furthermore, other parties to the proceeding will not adequately represent the interests of OPAE. The extensive background of OPAE and its membership provides a unique and important viewpoint on matters at issue in this docket.

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

¹ OPAE's membership list can be found at: www.ohiopartners.org.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion to Intervene and Memorandum in Support was served electronically upon the following parties identified below in this case on this 13th day of September 2013.

/s/Colleen L. Mooney

Colleen L. Mooney

Amy B. Spiller
Elizabeth H. Watts
Duke Energy Ohio
155 East Broad Street, 21st Floor
Columbus, Ohio 43215
Amy.Spiller@duke-energy.com
Elizabeth.Watts@duke-energy.com

Terry L. Etter
Assistant Consumers' Counsel
Office of the Ohio Consumers' Counsel
10 West Broad Street, Suite 1800
Columbus, Ohio 43215-3485
etter@occ.state.oh.us

Devin Parram
Thomas Lindgren
Attorney General's Office
Public Utilities Commission Section
180 E. Broad Street, 6th Floor
Columbus, Ohio 43215-3793
Devin.parram@puc.state.oh.us
Thomas.lindgren@puc.state.oh.us

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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