

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Ohio Power)
Company to Initiate Phase 2 of its gridSMART)
Project and to Establish the gridSMART Phase 2)
Rider.) Case No. 13-1939-EL-RDR

**MOTION TO INTERVENE
OF THE RETAIL ENERGY SUPPLY ASSOCIATION**

Pursuant to Section 4903.221, Revised Code, and Rule 4901-1-11, Ohio Administrative Code, the Retail Energy Supply Association (“RESA”)¹ moves to intervene in this proceeding as a full party of record. The reasons supporting the intervention are contained in the accompanying Memorandum in Support.

WHEREFORE, RESA respectfully requests that the Commission grant its motion to intervene as a full party of record.

Respectfully submitted,



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¹ RESA’s members include: AEP Energy, Inc.; Champion Energy Services, LLC; ConEdison *Solutions*; Constellation NewEnergy, Inc.; Direct Energy Services, LLC; GDF SUEZ Energy Resources NA, Inc.; Hess Corporation; Homefield Energy; IDT Energy, Inc.; Integrys Energy Services, Inc.; Just Energy; Liberty Power; MC Squared Energy Services, LLC; Mint Energy, LLC; NextEra Energy Services; Noble Americas Energy Solutions LLC; NRG, Inc.; PPL EnergyPlus, LLC; Stream Energy; TransCanada Power Marketing Ltd. and TriEagle Energy, L.P. The comments expressed in this filing represent the position of RESA as an organization but may not represent the views of any particular member of RESA.

**MEMORANDUM IN SUPPORT OF THE MOTION TO INTERVENE OF
THE RETAIL ENERGY SUPPLY ASSOCIATION**

On September 13, 2013, Ohio Power Company (“AEP”) filed an application, seeking authority to commence a Phase 2 for its gridSMART program in January 2014. The Commission has established deadlines for intervention and comments in this case.

Section 4903.221, Revised Code, and Rule 4901-1-11, Ohio Administrative Code, establish the standard for intervention in the above-styled proceeding as a full party of record. Rule 4901-1-11, 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. A review of these factors in light of following facts supports granting RESA’s intervention.

RESA is a broad and diverse group of retail energy suppliers who share the common vision that competitive retail energy markets deliver a more efficient, customer-oriented outcome than regulated utility structure. Several RESA members are certificated as competitive retail electric

service providers, are active in the Ohio retail electric and natural gas markets, and provide service to residential, commercial, industrial and governmental customers, including customers in AEP's service territory.

RESA's members have existing and potential business interests in AEP's service territory that will be affected by the outcome of the proceeding. The Commission's decision in this matter may affect the viability of some of the RESA members to provide electric power and other products and services to retail service customers, as it may impact the ability of RESA members to have meaningful access to data gathered by the smart meters. Also, AEP's application directly reflects that the proposal will affect the interest of competitive suppliers. For instance, AEP noted that it views its role as a provider of the metering infrastructure that "enables the offering of these programs by market participants." An additional example is that AEP believes that programs like its gridSMART® Phase 1 SMART Shift and two-tier time-of-day tariff could provide significant net benefit to customers. Finally, RESA's expertise and participation in the competitive retail and wholesale markets in Ohio and elsewhere, including areas where smart meters are deployed, will significantly contribute to the development of a full and complete record to assist the Commission in its consideration of the Application.

This motion to intervene complies with the intervention deadline and therefore intervention should not unduly delay this proceeding. No other party adequately represents the interests of RESA members.

WHEREFORE, RESA respectfully requests that the Commission grant this motion for leave to intervene and that RESA be made a full party of record.

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 24th day of October 2013.



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Summary: Motion Motion to Intervene electronically filed by M HOWARD PETRICOFF on behalf of Retail Energy Supply Association