

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Fuel Adjustment Clauses for)
Columbus Southern Power Company and Ohio) Case No. 12-3133-EL-FAC
Power Company)

In the Matter of the Fuel Adjustment Clauses for) Case No. 13-572-EL-FAC
Ohio Power Company)

In the Matter of the Fuel Adjustment Clauses for) Case No. 13-1286-EL-FAC
Ohio Power Company)

In the Matter of the Fuel Adjustment Clauses for) Case No. 13-1892-EL-FAC
Ohio Power Company)

**MOTION TO INTERVENE AND MEMORANDUM IN SUPPORT
OF INDUSTRIAL ENERGY USERS-OHIO**

Samuel C. Randazzo (Counsel of Record)
Joseph E. Olikier
Frank P. Darr
Matthew R. Pritchard
MCNEES WALLACE & NURICK LLC
21 East State Street, 17TH Floor
Columbus, OH 43215
Telephone: (614) 469-8000
Telecopier: (614) 469-4653
sam@mwncmh.com
joliker@mwncmh.com
fdarr@mwncmh.com
mpritchard@mwncmh.com

January 13, 2014

Attorneys for Industrial Energy Users-Ohio

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Fuel Adjustment Clauses for Columbus Southern Power Company and Ohio Power Company)))	Case No. 12-3133-EL-FAC
In the Matter of the Fuel Adjustment Clauses for Ohio Power Company))	Case No. 13-572-EL-FAC
In the Matter of the Fuel Adjustment Clauses for Ohio Power Company))	Case No. 13-1286-EL-FAC
In the Matter of the Fuel Adjustment Clauses for Ohio Power Company))	Case No. 13-1892-EL-FAC

MOTION TO INTERVENE OF INDUSTRIAL ENERGY USERS-OHIO

Industrial Energy Users-Ohio (“IEU-Ohio”) hereby respectfully moves the Public Utilities Commission of Ohio (“Commission”), pursuant to Section 4903.221, Revised Code, and Rule 4901-1-11, Ohio Administrative Code, for leave to intervene in the above-captioned matters with the full powers and rights granted by the Commission, specifically by statute or by the provisions of the Ohio Administrative Code, to intervening parties.

The above-captioned cases relate to quarterly Fuel Adjustment Clause (“FAC”) filings for Ohio Power Company (“AEP-Ohio”). On October 23, 2013, the Commission issued an Entry in the above-captioned cases, as well as Case No. 11-5906-EL-FAC (collectively “*2012-2014 FAC Audit Cases*”), directing its Staff to issue a request for proposal (“RFP”) for auditing services to audit AEP-Ohio’s FAC for 2012, 2013, and 2014. On December 4, 2013, the Commission issued an Entry in the *2012-2014 FAC Audit Cases* selecting Energy Ventures Analysis, Inc. (“EVA”) as the auditor of AEP-Ohio’s FAC for 2012, 2013 and 2014. AEP-Ohio filed an Application for Rehearing

of the December 4, 2013 Entry in the *2012-2014 FAC Audit Cases*. The Commission has already granted IEU-Ohio intervention in Case No. 11-5906-EL-FAC.¹

As demonstrated further in the Memorandum in Support attached hereto and incorporated herein, IEU-Ohio has a direct, real, and substantial interest in the issues and matters involved in the above-captioned cases, and is so situated that the disposition of these cases may, as a practical matter, impair or impede its ability to protect that interest. IEU-Ohio believes that its participation will not unduly prolong or delay these cases and that it will significantly contribute to the full development and equitable resolution of the factual and other issues in these cases. The interests of IEU-Ohio will not be adequately represented by other parties to these cases and, as such, IEU-Ohio is entitled to intervene with the full powers and rights granted by the Commission, specifically by statute and by the provisions of the Ohio Administrative Code, to intervening parties.

Respectfully submitted,

/s/ Matthew R. Pritchard
Samuel C. Randazzo (Counsel of Record)
Joseph E. Olikier
Frank P. Darr
Matthew R. Pritchard
McNEES WALLACE & NURICK LLC
21 East State Street, 17TH Floor
Columbus, OH 43215
Telephone: (614) 469-8000
Telecopier: (614) 469-4653
sam@mwncmh.com
joliker@mwncmh.com
fdarr@mwncmh.com
mpritchard@mwncmh.com

¹ *In the Matter of the Fuel Adjustment Clauses for Columbus Southern Power Company and Ohio Power Company and Related Matters*, Case No. 11-5906-EL-FAC, Finding and Order at 3 (March 28, 2012).

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Fuel Adjustment Clauses for Columbus Southern Power Company and Ohio Power Company)	Case No. 12-3133-EL-FAC
)	
In the Matter of the Fuel Adjustment Clauses for Ohio Power Company)	Case No. 13-572-EL-FAC
)	
In the Matter of the Fuel Adjustment Clauses for Ohio Power Company)	Case No. 13-1286-EL-FAC
)	
In the Matter of the Fuel Adjustment Clauses for Ohio Power Company)	Case No. 13-1892-EL-FAC
)	

MEMORANDUM IN SUPPORT

In support of this Motion to Intervene, IEU-Ohio states that it is an association of ultimate customers. A current listing of IEU-Ohio member companies is available on IEU-Ohio's website at http://www.ieu-ohio.org/member_list.aspx. IEU-Ohio's members purchase substantial amounts of electric and related services from Ohio's electric distribution utilities ("EDU").

IEU-Ohio's members work together to address matters that affect the availability and price of utility services. Additionally, IEU-Ohio seeks to promote customer-driven policies that will assure an adequate, reliable, and efficient supply of energy for all consumers at competitive prices. To this end, IEU-Ohio has worked, including actively participating in the legislative process related to SB 221, and will continue to work to produce legislative, regulatory, and market outcomes that are consistent with the state policy contained in Section 4928.02, Revised Code.

IEU-Ohio has a real and substantial interest inasmuch as these cases may directly or indirectly impact the provision of electric service to IEU-Ohio members' manufacturing facilities. Specifically, IEU-Ohio's direct interest in these cases is the result of the effect that these cases shall have upon the price, adequacy, and reliability of the electric supply and related services within Ohio.

Respectfully submitted,

/s/ Matthew R. Pritchard

Samuel C. Randazzo (Counsel of Record)

Joseph E. Olikier

Frank P. Darr

Matthew R. Pritchard

MCNEES WALLACE & NURICK LLC

21 East State Street, 17TH Floor

Columbus, OH 43215

Telephone: (614) 469-8000

Telecopier: (614) 469-4653

sam@mwncmh.com

joliker@mwncmh.com

fdarr@mwncmh.com

mpritchard@mwncmh.com

Attorneys for Industrial Energy Users-Ohio

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing *Motion to Intervene and Memorandum in Support of Industrial Energy Users-Ohio* was served upon the following parties of record this 13th day of January 2014 via electronic transmission, hand-delivery or first class mail, U.S. postage prepaid.

/s/ Matthew R. Pritchard

Matthew R. Pritchard

Steven T. Nourse
Matthew J. Satterwhite
American Electric Power Service
Corporation
1 Riverside Plaza, 29th Floor
Columbus, OH 43215
stnourse@aep.com
mjsatterwhite@aep.com

Daniel R. Conway
Porter Wright Morris & Arthur
Huntington Center
41 S. High Street
Columbus, OH 43215
dconway@porterwright.com

**ON BEHALF OF OHIO POWER COMPANY AND
COLUMBUS SOUTHERN POWER COMPANY**

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

**ON BEHALF OF THE OFFICE OF THE OHIO
CONSUMERS' COUNSEL**

John J. Kulewicz
M. Howard Petricoff
Stephen M. Howard
Vorys, Sater, Seymour and Pease LLP
52 East Gay Street
P.O. Box 1008
Columbus, Ohio 43216-1008
jjkulewicz@vorys.com
mhpetricoff@vorys.com
smhoward@vorys.com

**ON BEHALF OF BUCKINGHAM COAL
COMPANY**

Emma F. Hand, Counsel of Record
Thomas Millar
Arthur Beeman
SNR Denton LLP
1301 K Street NW
Suite 600, East Tower
Washington, DC 20005
Emma.hand@snrdenton.com
Arthur.beeman@dnrdenton.com
Thomas.millar@snrdenton.com

**ON BEHALF OF ORMET PRIMARY ALUMINUM
CORPORATION**

William Wright
Assistant Attorney General
Section Chief, Public Utilities Section
180 East Broad Street, 12th Floor
Columbus, OH 43215
william.wright@puc.state.oh.us

**ON BEHALF OF THE STAFF OF THE PUBLIC
UTILITIES COMMISSION OF OHIO**

Sarah Parrot
Greta See
Attorney Examiners
Public Utilities Commission of Ohio
180 E. Broad Street
Columbus, OH 43215-3793
sarah.parrot@puc.state.oh.us
Greta.See@puc.state.oh.us

ATTORNEY EXAMINERS

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

1/13/2014 12:10:50 PM

in

Case No(s). 12-3133-EL-FAC, 13-0572-EL-FAC, 13-1286-EL-FAC, 13-1892-EL-FAC

Summary: Motion to Intervene and Memorandum in Support of Industrial Energy Users-Ohio electronically filed by Mr. Matthew R. Pritchard on behalf of Industrial Energy Users-Ohio