

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of	)	
Duke Energy Ohio for Authority to	)	
Establish a Standard Service Offer	)	Case No. 14-0841-EL-SSO
In the form of an electric security plan,	)	
Accounting modifications and tariffs for	)	
Generation Service.	)	
In the Matter of the Application of Duke	)	
Energy Ohio for Authority to Amend its	)	Case No. 14-0842-EL-ATA
Certified Supplier Tariff, P.U.C.O No. 20.	)	

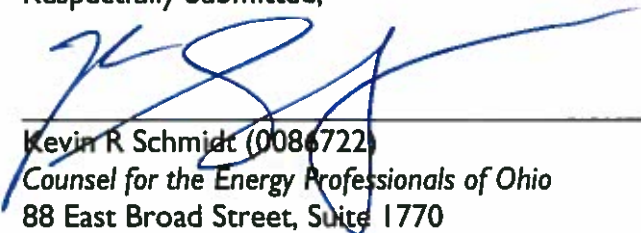
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**MOTION TO INTERVENE  
OF  
THE ENERGY PROFESSIONALS OF OHIO**

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The Energy Professionals of Ohio (EPO) 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 (O.A.C.), for leave to intervene in the above-captioned matters. The EPO is a trade group comprised licensed power brokers and consultants who exist in Ohio's competitive marketplace and advise thousands of Ohio businesses on the procurement of power. Since the outcome of this proceeding will have an effect on the continued operation of Ohio's competitive marketplace for power, the EPO has a real and substantial interest in this proceeding which is not adequately represented by the existing parties.

Respectfully Submitted,



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**MEMORANDUM IN SUPPORT OF  
THE ENERGY PROFESSIONALS OF OHIO  
MOTION TO INTERVENE OUT OF TIME**

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On May 29, 2013 Duke Energy Ohio filed its application for an electric security plan to establish a standard service offer (SSO) for a term commencing on June 1, 2015 and ending May 31, 2018.

Ohio Administrative Code 4901-1-11(A) states that "upon timely motion, any person shall be permitted to intervene in a proceeding up on a showing that ... [t]he 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." O.A.C. 4901-1-11(A). In considering a motion to intervene, the Commission is directed by O.A.C. 4901-1-11(B) to certain criteria for consideration. Those are:

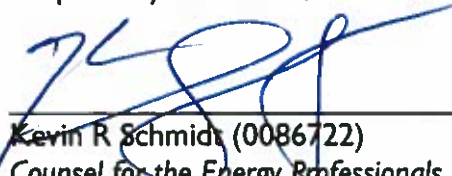
1. The nature and extent of the prospective intervenor's interest.
2. The legal position advanced by the prospective intervenor and its probable relation to the merits of the cases.

3. Whether the intervention by the prospective intervenor will unduly prolong or delay the proceedings.
4. Whether the prospective intervenor will significantly contribute to full development and equitable resolution of the factual issues.
5. The extent to which the person's interest is represented by existing parties.

The EPO has a unique interest in this case because it is the only group representing businesses whose primary role is the interpretation of products offered by Competitive Retail Electric Service (CRES) providers on behalf of consumers. Ensuring that the competitive market in Duke Energy Ohio's service territory is protected in this filing is vital to the EPO's members continued existence. The EPO will not unduly prolong or delay the proceedings. The EPO's membership is comprised of individuals whose collective experience in electric utility issues spans decades and, therefore, will significantly contribute to full development and equitable resolution of the factual issues. Finally, existing parties do not represent the EPO's interest.

Accordingly, the EPO has a real and substantial interest and is entitled to intervene in this action under O.A.C. 4901-1-11.

Respectfully Submitted,



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## **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that this motion to intervene out of time has been served by electronic service to the parties identified below this 5<sup>th</sup> day of June, 2014.



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Summary: Motion to Intervene of the Energy Professionals of Ohio (EPO). electronically filed by Mr. Kevin R Schmidt on behalf of The Energy Professionals of Ohio