

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Duke Energy )	)	
Ohio for Authority to Establish a Standard )	)	Case No. 14-841-EL-SSO
Service Offer Pursuant to Section 4928.143, )	)	
Revised Code, 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 Certified )	)	Case No. 14-842-EL-ATA
Supplier Tariff, P.U.C.O. No. 20. )	)	

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

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Ohio Partners for Affordable Energy ("OPAE") hereby respectfully moves the Public Utilities Commission of Ohio ("Commission") for leave to intervene in the above-captioned applications pursuant to R.C. §4903.221 and Rule 4901-1-11 of the Commission's Code of Rules and Regulations, with full powers and rights granted by the Commission specifically, by statute or by the provisions of the Commission's Code of Rules and Regulations to intervening parties. The reasons for granting this motion to intervene are contained in the memorandum attached hereto and incorporated herein.

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  
FAX: (419) 425-8862  
e-mail: [cmooney@ohiopartners.org](mailto:cmooney@ohiopartners.org)

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**MEMORANDUM IN SUPPORT OF MOTION TO INTERVENE**

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Ohio Partners for Affordable Energy (“OPAE”) should be permitted to intervene in these matters pursuant to Section 4903.22.1, Revised Code, and the Commission’s Rules and Regulations contained in Rule 4901-01-11 of the Ohio Administrative Code. The above-referenced applications are requests of Duke Energy Ohio, Inc., (“Duke”) for authority to establish a standard service offer in the form of an electric security plan, accounting methods, and tariffs for generation service and authority to amend its certified supplier tariff.

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 these applications.

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

address Duke's request for approval of an electric security plan for standard service offer generation supply. Additionally, OPAE includes as members non-profit organizations located in the service area that will be affected by these applications.<sup>1</sup> 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 is 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 residential customers of Duke. OPAE member organizations are also non-residential ratepayers of Duke.

OPAE's primary interest in these cases is to protect the interests of low and moderate income Ohioans and OPAE members whose provision of electric generation service will be affected by these applications. 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 these cases.

For the above reasons, OPAE has a direct, real and substantial interest in these matters. The disposition of these matters may impair or impede OPAE's ability to protect its interests. No other party to the matters 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 these matters will not

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<sup>1</sup> A list of OPAE members can be found on the website: [www.ohiopartners.org](http://www.ohiopartners.org).

cause undue delay, will not unjustly prejudice any existing party, and will contribute to the just and expeditious resolution of the issues raised by these applications.

Therefore, OPAE is entitled to intervene in these applications 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 L. Mooney  
Colleen L. Mooney  
Ohio Partners for Affordable Energy  
231 West Lima Street  
Findlay, OH 45840  
Telephone: (419) 425-8860  
FAX: (419) 425-8862  
[cmooney@ohiopartners.org](mailto:cmooney@ohiopartners.org)

## **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 these cases on this 13th day of June 2014.

/s/Colleen Mooney  
Colleen L. Mooney

[amy.spiller@duke-energy.com](mailto:amy.spiller@duke-energy.com)  
[elizabeth.watts@duke-energy.com](mailto:elizabeth.watts@duke-energy.com)  
[rocco.dascenzo@duke-energy.com](mailto:rocco.dascenzo@duke-energy.com)  
[Jeanne.kingery@duke-energy.com](mailto:Jeanne.kingery@duke-energy.com)  
[dboehm@BKLawfirm.com](mailto:dboehm@BKLawfirm.com)  
[mkurtz@BKLawfirm.com](mailto:mkurtz@BKLawfirm.com)  
[jkylercohn@BKLawfirm.com](mailto:jkylercohn@BKLawfirm.com)  
[Judi.sobecki@aes.com](mailto:Judi.sobecki@aes.com)  
[Schmidt@sppgrp.com](mailto:Schmidt@sppgrp.com)  
[Maureen.grady@occ.state.gov](mailto:Maureen.grady@occ.state.gov)  
[Joseph.serio@occ.ohio.gov](mailto:Joseph.serio@occ.ohio.gov)  
[Edmund.berger@occ.ohio.gov](mailto:Edmund.berger@occ.ohio.gov)  
[sam@mwncmh.com](mailto:sam@mwncmh.com)  
[fdarr@mwncmh.com](mailto:fdarr@mwncmh.com)  
[mpritchard@mwncmh.com](mailto:mpritchard@mwncmh.com)  
[haydenm@firstenergycorp.com](mailto:haydenm@firstenergycorp.com)  
[jmcdermott@firstenergycorp.com](mailto:jmcdermott@firstenergycorp.com)  
[scasto@firstenergycorp.com](mailto:scasto@firstenergycorp.com)  
[joseph.clark@directenergy.com](mailto:joseph.clark@directenergy.com)  
[Bojko@carpenterlipps.com](mailto:Bojko@carpenterlipps.com)  
[mohler@carpenterlipps.com](mailto:mohler@carpenterlipps.com)  
[William.Wright@puc.state.oh.us](mailto:William.Wright@puc.state.oh.us)  
[Steven.beeler@puc.state.oh.us](mailto:Steven.beeler@puc.state.oh.us)  
[Thomas.lindgren@puc.state.oh.us](mailto:Thomas.lindgren@puc.state.oh.us)  
[Ryan.orourke@puc.state.oh.us](mailto:Ryan.orourke@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