

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

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

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**MOTION TO INTERVENE  
OF  
THE KROGER COMPANY**

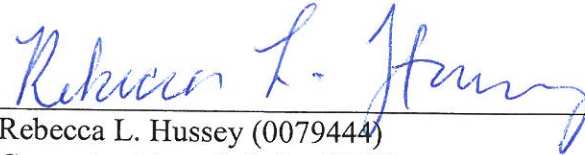
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Pursuant to Section 4903.221, Revised Code, and Rule 4901-1-11, Ohio Administrative Code, The Kroger Company (Kroger) hereby respectfully submits its motion for leave to intervene in the above-captioned matter, with the full powers and rights granted to intervening parties, to the Public Utilities Commission of Ohio (Commission).

As demonstrated in the attached Memorandum in Support, Kroger has a real and substantial interest in this proceeding which may be adversely affected by the outcome herein, and which cannot be adequately represented by any other party. Accordingly, Kroger satisfies the standard for intervention set forth in Ohio statutes and regulations.

WHEREFORE, Kroger respectfully requests that the Commission grant its motion for leave to intervene, designating Kroger as a full party of record in this proceeding.

Respectfully submitted,



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**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In The Matter of the Application of Duke Energy Ohio, Inc., for Authority to Establish a Standard Service Offer Pursuant to R.C. 4928.143, in the Form of an Electric Security Plan, Accounting Modifications, and Tariffs for Generation Service.	)	Case No. 14-841-EL-SSO
	)	
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	)	

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**MEMORANDUM IN SUPPORT**

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On May 29, 2014, Duke Energy Ohio, Inc. ("Duke Energy Ohio") filed an application for authority to establish a standard service offer, in the form of an electric security plan, pursuant to Section 4928.143, Revised Code. Section 4903.221, Revised Code, and Rule 4901-1-11, Ohio Administrative Code (O.A.C.), establish the standard for intervention in Commission proceedings.

Section 4903.221, Revised Code, provides, in pertinent part, that any person "who may be adversely affected" by a Commission proceeding is entitled to seek intervention in that proceeding. Section 4903.221(B), Revised Code, further requires the Commission to consider the nature and extent of the prospective intervenor's interest, the legal position advanced by the prospective intervenor and its probable relation to the merits of the case, whether the intervention by the prospective intervenor will unduly prolong or delay the proceeding, and the prospective intervenor's potential contribution to a just and expeditious resolution of the issues involved.

Rule 4901-1-11, O.A.C., permits intervention to a party who demonstrates a real and substantial interest in the proceeding and who is so situated that the disposition of the proceeding may impair or impede its ability to protect that interest and whose interest is not adequately represented by an existing party.

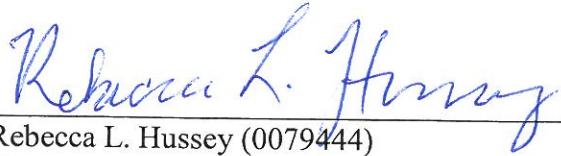
Kroger is one of the largest grocers in the United States, with 2,640 stores in 34 states, including numerous facilities served by Duke Energy Ohio. Kroger's electric and energy needs associated with its facilities in Duke Energy Ohio's service territory are considerable, and its electric service and the costs associated with obtaining such service from Duke Energy Ohio will be impacted by the outcome in this proceeding.

For the foregoing reasons, Kroger has a direct, real, and substantial interest in the issues raised in this proceeding and is so situated that the disposition of the proceeding may, as a practical matter, impair or impede its ability to protect that interest. Kroger's interests will not be adequately represented by other parties to the proceeding. Finally, Kroger's intervention is timely and will not unduly delay or prolong the proceeding.

Kroger satisfies the criteria set forth in Section 4903.221, Revised Code, and Rule 4901-1-11, O.A.C., and is, therefore, authorized to intervene with the full powers and rights granted by the Commission to intervening parties.

WHEREFORE, Kroger respectfully requests that the Commission grant its motion for leave to intervene and designate Kroger as a full party of record in the above-captioned case.

Respectfully submitted,



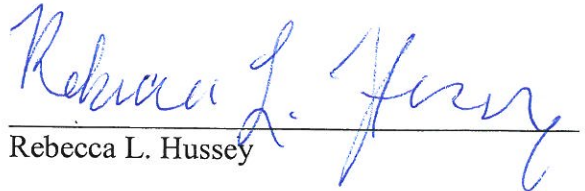
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## CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing was served upon the following parties via electronic mail on June 30, 2014.

  
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**in**

**Case No(s). 14-0841-EL-SSO, 14-0842-EL-ATA**

Summary: Motion to Intervene and Memorandum in Support electronically filed by Ms. Rebecca L Hussey on behalf of The Kroger Company