

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Ohio Edison)
Company, The Cleveland Electric Illuminating)
Company and The Toledo Edison Company For) Case No. 14-1297-EL-SSO
Authority to Provide a Standard Service Offer)
Pursuant to R.C. § 4928.143 in the Form of an)
Electric Security Plan)

**MOTION TO INTERVENE OF THE OHIO SCHOOLS COUNCIL, OHIO SCHOOL
BOARDS ASSOCIATION, BUCKEYE ASSOCIATION OF SCHOOL
ADMINISTRATORS, AND OHIO ASSOCIATION OF SCHOOL BUSINESS
OFFICIALS DBA POWER4SCHOOLS**

Pursuant to R.C. 4903.221, and O.A.C. Rule 4901-1-11, the Ohio School Boards Association, Buckeye Association of School Administrators, Ohio Schools Council and Ohio Association of School Business Officials, dba Power4Schools (“Power4Schools”), respectfully request that the Public Utilities Commission of Ohio grant its motion to intervene in this proceeding. The reasons supporting Power4Schools’ motion to intervene are contained in the accompanying Memorandum in Support.

Respectfully submitted,

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MEMORANDUM IN SUPPORT

On August 4, 2014, the Ohio Edison Company, The Cleveland Electric Illuminating Company and Toledo Edison Company (collectively “FirstEnergy”) filed an application for approval of its fourth electric security plan (“ESP IV”).

R.C. 4903.221(B) and OAC Rule 4901-1-11(A)(2) govern intervention in Commission proceedings. Substantially similar in substance, these provisions explain that the Commission may consider the following in determining whether to grant intervention:

- (1) The nature and extent of the person’s interest;¹
- (2) The legal position of the person seeking intervention and its relation to the merits of the case;²
- (3) Whether intervention would unduly delay the proceeding or unjustly prejudice any existing party;³
- (4) The person’s potential contribution to full development and equitable resolution of the issues involved in the proceeding;⁴ and
- (5) The extent to which the person’s interest is represented by existing parties.⁵

¹ R.C. 4903.221(B)(1) and OAC 4901-1-11(B)(1).

² R.C. 4903.221(B)(2) and OAC 4901-1-11(B)(2).

³ R.C. 4903.221(B)(3) and OAC 4901-1-11(B)(3).

⁴ R.C. 4903.221(B)(4) and OAC 4901-1-11(B)(4).

⁵ OAC 4901-1-11(B)(5).

The Ohio Schools Council, Ohio School Boards Association, Buckeye Association of School Administrators, and Ohio Association of School Business Officials are non-profit groups of public school boards and public school administrators who seek to share best practices and information concerning the operation of educational institutions. These groups' members include all of Ohio's 612 public school boards of education, as well as 55 educational service center boards and 49 career technical center boards. Among their services, they offer their members group purchasing programs for a number of goods and services, including an electricity purchasing program, for which they do business as "Power4Schools." Power4Schools is designed to reduce the schools' cost of electricity, which is purchased and delivery arranged through a third party competitive retail electric service ("CRES") provider under a master contract. Savings on the cost of electricity are passed on to school district participants. Power4Schools operates throughout the state, and within the FirstEnergy distribution companies' service territories. Power4Schools' electricity program has served nearly 600,000 Ohio school children and, to date has saved participating schools an estimated \$20 million since inception of its program.

Power4Schools has a real and substantial interest in this proceeding considering, among other issues, that FirstEnergy proposes to purchase power from its affiliate, FirstEnergy Solutions; sell the power into PJM; and debit/credit the net difference of the cost of power from PJM prices to all FirstEnergy distribution customers on a non-bypassable basis, including Power4Schools' participating members. Power4Schools has negotiated a contract for electric supply from FirstEnergy Solutions Corp. through 2019 – for the entire period and beyond the length of this ESP IV. Power4Schools has a substantial interest that its participating members not be assessed for further FES generation costs during this period. Moreover, Power4Schools has a substantial interest in FirstEnergy's proposal to change Commission policy, which fosters a competitive electric market through the competitive auction process, to one in which all customers are required to support the

economic viability of an affiliate's generating facilities through the proposed Retail Rate Stability Rider.

Granting Power4Schools' motion to intervene also will not unduly delay this proceeding, or unjustly prejudice any existing party. Power4Schools will work cooperatively with others in the case in order to maximize case efficiency where practical, but without compromising Powers4Schools' unique position in the State of Ohio.

Finally, Power4Schools submit that no current party represents its unique interests in assuring the continuance of a competitive retail electric market for school districts throughout the state. Disposition of this proceeding without its participation will impair or impede Power4Schools' ability to protect its interests.

WHEREFORE, the Ohio Schools Council, Ohio School Boards Association, Buckeye Association of School Administrators, and Ohio Association of School Business Officials, dba Power4Schools, respectfully request that its motion to intervene be granted.

Respectfully submitted,



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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served upon the following parties of record by electronic mail this 1st day of October 2014.



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This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

10/1/2014 4:08:40 PM

in

Case No(s). 14-1297-EL-SSO

Summary: Motion to Intervene of the Ohio School Boards Association, Buckeye Association of School Administrators, Ohio Schools Council and Ohio Association of School Business Officials, dba Power4Schools electronically filed by Teresa Orahood on behalf of Dane Stinson