

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Joint Application       )  
of Ohio Power Company and                    )  
Solvay Specialty Polymers for Approval    )  
of a Special Arrangement Agreement       )

Case No. 14- 1901-EL-EEC

---

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

---

Frank P. Darr (Reg. No. 0025469)  
(Counsel of Record)  
Matthew R. Pritchard (Reg. No. 0088070)  
MCNEES WALLACE & NURICK LLC  
21 East State Street, 17<sup>TH</sup> Floor  
Columbus, OH 43215  
Telephone: (614) 469-8000  
Telecopier: (614) 469-4653  
fdarr@mwncmh.com  
(willing to accept service by e-mail)  
mpritchard@mwncmh.com  
(willing to accept service by e-mail)

**NOVEMBER 19, 2014**

**ON BEHALF OF INDUSTRIAL ENERGY USERS-OHIO**

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Joint Application )	
of Ohio Power Company and )	Case No. 14- 1901-EL-EEC
Solvay Specialty Polymers for Approval )	
of a Special Arrangement Agreement )	

---

**MOTION TO INTERVENE**

---

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 matter(s) 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.

On October 30, 2014, Solvay Specialty Polymers ("Solvay") and the Ohio Power Company ("Ohio Power") filed a joint application seeking approval of a special arrangement.<sup>1</sup> According to the Application, Solvay, a mercantile customer, is completing a combined heat and power project ("CHP") to address its on-site steam and electric generation needs and has agreed to commit the energy efficiency resources to Ohio Power for the latter's compliance with state energy efficiency and peak demand reduction ("EE/PDR") portfolio requirements.<sup>2</sup> Additionally, Ohio Power is seeking to amend its portfolio plan to increase its compensation for "shared savings."

---

<sup>1</sup> Joint Application for Approval of a Special Arrangement Agreement Between Ohio Power Company and Solvay Specialty Polymers (Oct. 30, 2014) ("Application").

<sup>2</sup> *Id.* at 2.

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 proceeding, and is so situated that the disposition of this proceeding 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 this proceeding and that it will significantly contribute to the full development and equitable resolution of the factual and other issues in the proceeding. The interests of IEU-Ohio will not be adequately represented by other parties to the proceeding 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/ Frank P. Darr

Frank P. Darr (Reg. No. 0025469)

(Counsel of Record)

Matthew R. Pritchard (Reg. No. 0088070)

MCNEES WALLACE & NURICK LLC

21 East State Street, 17<sup>TH</sup> Floor

Columbus, OH 43215

Telephone: (614) 469-8000

Telecopier: (614) 469-4653

fdarr@mwncmh.com

mpritchard@mwncmh.com

**Attorneys for Industrial Energy Users-Ohio**

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Joint Application )	
of Ohio Power Company and )	Case No. 14- 1901-EL-EEC
Solvay Specialty Polymers for Approval )	
of a Special Arrangement Agreement )	

---

**MEMORANDUM IN SUPPORT**

---

In support of this Motion to Intervene, Industrial Energy Users-Ohio ("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](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 this proceeding may directly or indirectly impact the provision of electric service to IEU-Ohio members' manufacturing facilities. IEU-Ohio's direct interest in this proceeding is the result of the effect that this proceeding shall have upon the price, adequacy, and reliability of the

electric supply and related services within Ohio. More specifically, Ohio Power is seeking to amend its portfolio plan to increase its compensation for “shared savings.” These additional charges would directly affect those members of IEU-Ohio that are not eligible to opt out of the amended portfolio plan on January 1, 2015. Contemporaneously, IEU-Ohio has filed comments and an objection regarding the Application that more fully sets out its concerns, and it hereby incorporates that filing by reference.

Respectfully submitted,

/s/ Frank P. Darr

Frank P. Darr (Reg. No. 0025469)

(Counsel of Record)

Matthew R. Pritchard (Reg. No. 0088070)

McNEES WALLACE & NURICK LLC

21 East State Street, 17<sup>TH</sup> Floor

Columbus, OH 43215

Telephone: (614) 469-8000

Telecopier: (614) 469-4653

fdarr@mwncmh.com

mpritchard@mwncmh.com

**Attorneys for Industrial Energy Users-Ohio**

## CERTIFICATE OF SERVICE

In accordance with Rule 4901-1-05, Ohio Administrative Code, the PUCO's e-filing system will electronically serve notice of the filing of this document upon the following parties. In addition, I hereby certify that a service copy of the foregoing *Motion to Intervene of Industrial Energy Users-Ohio* was sent by, or on behalf of, the undersigned counsel for IEU-Ohio to the following parties of record this 19<sup>th</sup> day of November 2014, *via* electronic transmission.

/s/ Frank P. Darr

Frank P. Darr

Steven T. Nourse  
Matthew J. Satterwhite  
Yazen Alami  
**AMERICAN ELECTRIC POWER SERVICE  
CORPORATION**  
1 Riverside Plaza, 29<sup>th</sup> Floor  
Columbus, OH 43215  
stnourse@aep.com  
mjsatterwhite@aep.com  
yalami@aep.com

**ON BEHALF OF OHIO POWER COMPANY**

**This foregoing document was electronically filed with the Public Utilities**

**Commission of Ohio Docketing Information System on**

**11/19/2014 4:19:17 PM**

**in**

**Case No(s). 14-1901-EL-EEC**

Summary: Motion to Intervene and Memorandum in Support of Industrial Energy Users-Ohio  
electronically filed by Mr. Frank P Darr on behalf of Industrial Energy Users-Ohio