

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Duke Energy)
Ohio, Inc. for Tariff Approval Regarding) Case No. 14-2209-EL-ATA
Customer Energy Usage Data. .)

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

Ohio Partners for Affordable Energy (“OPAE”) respectfully moves to intervene in this proceeding before the Public Utilities Commission of Ohio (“Commission”) regarding the application filed by Duke Energy Ohio, Inc., (“Duke”) for approval of tariff language regarding customer energy usage data. The reasons the Commission should grant this motion to intervene are further set forth in the attached Memorandum in Support.

Respectfully submitted,

/s/Colleen L. Mooney
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MEMORANDUM IN SUPPORT OF MOTION TO INTERVENE

Ohio Partners for Affordable Energy (“OPAE”) requests permission to intervene in this matter pursuant to Section 4903.22.1, Revised Code, and the Commission’s Rules contained in Section 4901-1-11 of the Ohio Administrative Code. The Commission, in ruling upon a motion to intervene in its proceedings, shall consider the following criteria:

- (1) The nature and extent of the intervenor’s interest.
- (2) The legal position advanced by the prospective intervenor and its probable relationship to the merits of the case.
- (3) Whether the intervention by the prospective intervenor will unduly prolong or delay the proceeding.
- (4) Whether the prospective intervenor will significantly contribute to the full development and equitable resolution of the factual issues.

Duke’s application proposes new tariff language regarding customer energy usage data. Duke’s application was filed to amend its current tariffs specifying the terms, conditions, and charges associated with providing interval customer energy usage data. Duke’s amendments are intended to provide details related to what certified retail electric service providers may request, how such data will be provided, and at what cost.

OPAE is an Ohio non-profit corporation with a stated purpose of advocating for affordable energy policies for low and moderate income Ohioans. The membership of OPAE includes a number of non-profit organizations with facilities receiving electric service from Duke.¹ These non-profit organizations are non-residential customers who will be directly affected by Duke's application. In addition, low and moderate income residential customers are affected by Duke's smart grid deployment and access to interval data obtained by smart grid deployment.

OPAE has been a participant in Duke's grid modernization collaborative. OPAE has also been an intervenor in Duke's annual applications to recover the costs of its smart grid and grid modernization programs. OPAE has an interest in the identification and recognition of customer benefits that could be realized from the grid modification programs. OPAE has been concerned that customers have not had the advantage of access to interval data even though customers have paid for smart grid deployment. Access to interval data is necessary for customers to have time-of-use products and services.

OPAE's participation in this matter will not cause undue delay, will not unjustly prejudice any existing party, and will contribute to the just and expeditious resolution of the issues and concerns raised in this proceeding. Furthermore, other parties to the proceeding will not adequately represent the interests of OPAE. The extensive background of OPAE and its membership provides a unique and important viewpoint on matters at issue in this docket.

¹ OPAE's membership list can be found at: www.ohiopartners.org.

Therefore, OPAE is entitled to intervene in this proceeding with the full powers and rights granted specifically by statute and by the provisions of the Commission's Code of Rules and Regulations to intervening parties.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion to Intervene and Memorandum in Support was served electronically upon the following persons identified below in this case on this 4th day of February 2015.

/s/Colleen L. Mooney

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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