

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In The Matter of the Application for)
Approval of a Special Arrangement) Case No. 14-2296-EL-EEC
Agreement on behalf of Ohio Power)
Company and Solvay Specialty Polymers.)

**MOTION TO INTERVENE OF
THE OHIO MANUFACTURERS' ASSOCIATION ENERGY GROUP**

Pursuant to Section 4903.221, Revised Code, and Rule 4901-1-11, Ohio Administrative Code, the Ohio Manufacturers' Association Energy Group (OMAEG) hereby respectfully moves the Public Utilities Commission of Ohio (Commission) for leave to intervene in the above-captioned matter with the full powers and rights granted to intervening parties.

As demonstrated further in the attached Memorandum in Support, OMAEG has a real and substantial interest in this proceeding which may be adversely affected by the outcome of said proceeding and which cannot be adequately represented by any existing parties of record. Accordingly, OMAEG satisfies the standard for intervention set forth in the Commission's rules and by statute.

WHEREFORE, OMAEG respectfully requests that the Commission grant this motion for leave to intervene and that OMAEG be made a full party of record.

Respectfully submitted,

/s/ Rebecca L. Hussey

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MEMORANDUM IN SUPPORT

On December 22, 2014, Ohio Power Company (AEP or the Company) and Solvay Specialty Polymers (Solvay) filed a joint application (Application) for approval of a special arrangement wherein Solvay has agreed to commit the resources from its planned combined heat and power (CHP) system to AEP for its compliance with the energy efficiency benchmarks set forth in Section 4928.66, Revised Code. In exchange for Solvay's commitment, AEP has committed to make annual incentive payments to Solvay for five years, beginning in 2015, at \$0.005 per kWh.¹ Such incentive payments are estimated to amount to \$289,025 per year, with the five-year total estimated at \$1,445,125.²

AEP has further requested that the Public Utilities Commission of Ohio (Commission) (1) affirm that the Company may collect shared savings as a result of this project;³ (2) permit the Company to split the shared savings from the project between 2015 and 2016;⁴ and (3) exempt twenty percent of the shared savings calculated from the project from the \$20 million annual

¹Application Exhibit 2 at Paragraph 13.

² Id.

³Application at 7.

⁴ Id.

shared savings cap negotiated in Case No. 11-5568-EL-POR, thereby permitting the Company to collect shared savings above the \$20 million threshold in 2015 and 2016.⁵

Section 4903.221, Revised Code, and Rule 4901-1-11, Ohio Administrative Code, establish the standard for intervention in the above-captioned proceeding. Section 4903.221, Revised Code, provides, in 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 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, Ohio Administrative Code, permits intervention to a party who has 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.

OMAEG is a non-profit entity that strives to improve business conditions in Ohio and drive down the cost of doing business for Ohio manufacturers. OMAEG works directly with elected officials, regulatory agencies, the judiciary, and the media to provide education and information to energy consumers, regulatory boards and suppliers of energy; advance energy policies to promote an adequate, reliable, and efficient supply of energy at reasonable prices; and advocate in critical cases before the Commission. OMAEG members purchase electric power services from AEP, pay costs associated with AEP Ohio’s portfolio plan, and will accordingly be

⁵Id. at 8.

affected by the Commission's determination in this matter. OMAEG has also been involved in other related matters which have had a bearing upon the issues under consideration in the instant proceeding. OMAEG has a continuing interest in ensuring that its members' interests are reflected and considered by the Commission in the above-captioned matter.

OMAEG 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. OMAEG is regularly and actively involved in Commission proceedings and, as in previous proceedings, OMAEG's unique knowledge and perspective will contribute to the full development and equitable resolution of the factual issues in this proceeding. Further, OMAEG's interest will not be adequately represented by other parties to the proceeding. Finally, this timely intervention will not unduly delay or prolong the proceeding.

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

WHEREFORE, OMAEG respectfully requests that the Commission grant this motion for leave to intervene and that OMAEG be made a full party of record.

Respectfully submitted,

/s/ Rebecca L. Hussey

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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 February 5, 2015.

/s/ Rebecca L. Hussey

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Summary: Motion to Intervene electronically filed by Ms. Rebecca L Hussey on behalf of
OMAEG