

**BEFORE THE  
PUBLIC UTILITIES COMMISSION OF OHIO**

<b>In the Matter of the Application of</b>	)	
<b>For Approval of an Amendment to a</b>	)	
<b>Contract for Electric Service between</b>	)	<b>Case No. 15-327-EL-AEC</b>
<b>Ohio Power Company and Globe</b>	)	
<b>Metallurgical, Inc.</b>	)	

**MOTION OF OHIO POWER COMPANY  
TO INTERVENE**

Pursuant to Rules 4901-1-11 and 4901:1-38-05(F), Ohio Administrative Code (O.A.C.), Ohio Power Company (AEP Ohio) hereby moves the Public Utilities Commission of Ohio (Commission) to intervene in this proceeding. A memorandum in support is attached.

Respectfully submitted,

/s/ Steven T. Nourse  
Steven T. Nourse  
American Electric Power Service Corporation  
1 Riverside Plaza, 29<sup>th</sup> Floor  
Columbus, Ohio 43215  
Telephone: (614) 716-1608  
Fax: (614) 716-2950  
Email: stnourse@aep.com

**Counsel for Ohio Power Company**

## **MEMORANDUM IN SUPPORT**

On February 13, 2015, Globe Metallurgical, Inc. (Globe) filed an application for approval of an amendment to the reasonable arrangement between Globe and AEP Ohio. AEP Ohio respectfully requests that it be permitted to intervene in this proceeding. Section 4901-1-11 (A) (2), Ohio Admin. Code, provides:

- (A) Upon timely motion, any person shall be permitted to intervene in a proceeding upon a showing that:
  - (2) The person has a real and substantial interest in the proceeding, and the person is so situated that the disposition of the proceeding may, as a practical matter, impair or impede his or her ability to protect that interest, unless the person's interest is adequately represented by existing parties.

Further, §4901-1-11 (B), Ohio Admin. Code provides:

- (B) In deciding whether to permit intervention under paragraph (A) (2) of this rule, the commission, the legal director, the deputy legal director, or an attorney examiner shall consider:
  - (1) The nature and extent of the prospective intervenor's interest.
  - (2) The legal position advanced by the prospective intervenor and its probable relation to the merits of the case.
  - (3) Whether the intervention by the prospective intervenor will unduly prolong or delay the proceedings.
  - (4) Whether the prospective intervenor will significantly contribute to full development and equitable resolution of the factual issues.
  - (5) The extent to which the person's interest is represented by existing parties.<sup>1</sup>

Regarding these criteria, AEP Ohio's clear and direct interest is as the party to the contract. AEP Ohio's intervention will not prolong or delay this proceeding. Further, AEP Ohio has a vital interest in ensuring full recovery of foregone revenues (aka delta

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<sup>1</sup> Factors (B) (1) – (4) are consistent with §4903.221 (B), Ohio Rev. Code.

revenues) related to the proposal. Moreover, as the party to the proposed amended contract AEP Ohio will be in a unique position to contribute to the full development and equitable resolution of any factual issues that might arise in the proceeding.

Respectfully submitted,

/s/ Steven T. Nourse

Steven T. Nourse, Counsel of Record  
American Electric Power Service Corporation  
1 Riverside Plaza, 29<sup>th</sup> Floor  
Columbus, Ohio 43215  
Telephone: (614) 716-1608  
Fax: (614) 716-2950  
Email: [stnourse@aep.com](mailto:stnourse@aep.com)

**Counsel for Ohio Power Company**

## CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing the Ohio Power Company's *Motion to Intervene* was served by U.S. Mail upon counsel identified below this 5<sup>th</sup> day of March 2015.

/s/ Steven T. Nourse

Steven T. Nourse

M Howard Petricoff  
VORYS, SATER, SEYMOUR AND  
PEASE LLP  
52 E Gay Street  
Columbus, OH 43215  
[mhpetricoff@vorys.com](mailto:mhpetricoff@vorys.com)

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Summary: Motion of Ohio Power Company to Intervene electronically filed by Mr. Steven T Nourse on behalf of Ohio Power Company