# BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of	)	
Ohio Power Company to Initiate	)	
Phase 2 of its gridSMART Project	)	Case No. 13-1939-EL-RDR
and to Establish the gridSMART	)	
Phase 2 Rider.	)	

# MOTION OF IEU-OHIO TO WITHDRAW MOTION TO INTERVENE AND MEMORANDUM IN SUPPORT

Samuel C. Randazzo (Counsel of Record)
Frank P. Darr
Matthew R. Pritchard
McNees Wallace & Nurick LLC
21 East State Street, 17<sup>TH</sup> Floor
Columbus, OH 43215
Telephone: (614) 469-8000
Telecopier: (614) 469-4653
sam@mwncmh.com
fdarr@mwncmh.com

Attorneys for Industrial Energy Users-Ohio

mpritchard@mwncmh.com

**December 18, 2015** 

# BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of	)	
Ohio Power Company to Initiate	)	
Phase 2 of its gridSMART Project	)	Case No. 13-1939-EL-RDR
and to Establish the gridSMART	)	
Phase 2 Rider.	)	

# MOTION OF INDUSTRIAL ENERGY USERS-OHIO TO WITHDRAW ITS MOTION TO INTERVENE

Industrial Energy Users-Ohio ("IEU-Ohio") hereby moves to withdraw its Motion to Intervene as a party to the above-captioned proceeding. As detailed in the Memorandum in Support, IEU-Ohio has elected to end its participation in this proceeding.

Respectfully submitted,

#### /s/ Matthew R. Pritchard

Samuel C. Randazzo (Counsel of Record) (Reg. No. 0016386)
Frank P. Darr (Reg. No. 0025469)
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

sam@mwncmh.com fdarr@mwncmh.com

mpritchard@mwncmh.com

Attorneys for Industrial Energy Users-Ohio

# BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of	)	
Ohio Power Company to Initiate	)	
Phase 2 of its gridSMART Project	)	Case No. 13-1939-EL-RDR
and to Establish the gridSMART	)	
Phase 2 Rider.	)	

#### **MEMORANDUM IN SUPPORT**

On October 10, 2013, IEU-Ohio filed a Motion to Intervene in the above-captioned proceeding. The Public Utilities Commission of Ohio ("Commission") has not yet ruled on IEU-Ohio's Motion. At this time, IEU-Ohio has elected to end its participation in this proceeding. Accordingly, IEU-Ohio respectfully requests that the Commission grant this Motion to Withdraw its Motion to Intervene.

Respectfully submitted,

#### /s/ Matthew R. Pritchard

mpritchard@mwncmh.com

Samuel C. Randazzo (Counsel of Record) (Reg. No. 0016386)
Frank P. Darr (Reg. No. 0025469)
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
sam@mwncmh.com
fdarr@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 of Industrial Energy Users-Ohio to Withdraw its Motion to Intervene and Memorandum in Support* was sent by, or on behalf of, the undersigned counsel for IEU-Ohio to the following parties of record this 18<sup>th</sup> day of December 2015, *via* electronic transmission.

### /s/ Matthew R. Pritchard Matthew R. Pritchard

Steven T. Nourse
Matthew J. Satterwhite
Yazen Alami
American Electric Power
1 Riverside Plaza, 29<sup>th</sup> Floor
Columbus, OH 43215
stnourse@aep.com
yalami@aep.com
mjsatterwhite@aep.com

#### COUNSEL FOR OHIO POWER COMPANY

Terry L. Etter, Counsel of Record Kyle L. Kern Assistant Consumers' Counsel Office of the Ohio Consumers' Counsel 10 West Broad Street, Suite 1800 Columbus, OH 43215 Terry.etter@occ.ohio.gov Kyle.kern@occ.ohio.gov

COUNSEL FOR THE OFFICE OF THE OHIO CONSUMERS' COUNSEL

Colleen L. Mooney
Ohio Partners for Affordable Energy
231 West Lima Street
Findlay, OH 45839
cmooney@ohiopartners.org

### COUNSEL FOR OHIO PARTNERS FOR AFFORDABLE ENERGY

John Finnigan Senior Regulatory Attorney Environmental Defense Fund 128 Winding Brook Lane Terrace Park, OH 45174 jfinnigan@edf.org

### COUNSEL FOR ENVIRONMENTAL DEFENSE FUND

Trent A. Dougherty, Counsel of Record Ohio Environmental Council 1207 Grandview Avenue, Suite 201 Columbus, OH 43212-3449 tdougherty@theoec.org

COUNSEL FOR THE OHIO ENVIRONMENTAL COUNCIL

Matthew White Interstate Gas Supply, Inc. 6100 Emerald Parkway Dublin, OH 43016 mswhite@igsenergy.com

Mark A. Whitt
Andrew J. Campbell
Whitt Sturtevant LLP
The KeyBank Building, Suite 1590
88 East Broad Street
Columbus, OH 43215
whitt@whitt-sturtevant.com
Campbell@whitt-sturtevant.com

### COUNSEL FOR INTERSTATE GAS SUPPLY, INC.

Richard L. Sites
General Counsel & Sr. Director of
Health Policy
Ohio Hospital Association
155 East Broad Street, 15<sup>th</sup> Floor
Columbus, OH 43215-3620
ricks@ohanet.org

Thomas J. O'Brien Bricker & Eckler LLP 100 South Third Street Columbus, OH 43215 tobrien@bricker.com

### COUNSEL FOR OHIO HOSPITAL ASSOCIATION

M. Howard Petricoff, Counsel of Record Gretchen L. Petrucci Vorys, Sater, Seymour and Pease LLP 52 East Gay Street Columbus, OH 43216-1008 mhpetricoff@vorys.com glpetrucci@vorys.com

## COUNSEL FOR THE RETAIL ENERGY SUPPLY ASSOCIATION

Jennifer L. Lause Direct Energy 21 East State Street, Suite 1950 Columbus, OH 43215 Jennifer.lause@directenergy.com

#### COUNSEL FOR DIRECT ENERGY SERVICES, LLC AND DIRECT ENERGY BUSINESS, LLC

Madeline Fleisher
Environmental Law & Policy Center
21 West Broad St., Suite 500
Columbus, OH 43215
mfleisher@elpc.org

### COUNSEL FOR ENVIRONMENTAL LAW & POLICY CENTER

Mark A. Hayden
Associate General Counsel
Scott J. Casto
FirstEnergy Service Company
76 South Main Street
Akron, OH 44308
haydenm@firstenergycorp.com
scasto@firstenergycorp.com

### COUNSEL FOR FIRSTENERGY SOLUTIONS CORP.

Werner Margard
Assistant Attorneys General
Public Utilities Section
180 E. Broad Street, 6<sup>th</sup> Floor
Columbus, OH 43215-3793
werner.margard@puc.state.oh.us

### COUNSEL FOR THE STAFF OF THE PUBLIC UTILITIES COMMISSION OF OHIO

Sarah Parrot
Attorney Examiner
Public Utilities Commission of Ohio
180 East Broad Street, 12<sup>th</sup> Floor
Columbus, OH 43215
Sarah.Parrot@puc.state.oh.us

#### **ATTORNEY EXAMINER**

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

**Commission of Ohio Docketing Information System on** 

12/18/2015 2:51:26 PM

in

Case No(s). 13-1939-EL-RDR

Summary: Motion OF INDUSTRIAL ENERGY USERS-OHIO TO WITHDRAW INTERVENTION AND MEMORANDUM IN SUPPORT electronically filed by Mr. Frank P Darr on behalf of Industrial Energy Users-Ohio