

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Filing by Ohio)	
Edison Company, the Cleveland)	Case No. 16-481-EL-UNC
Electric Illuminating Company, and)	
The Toledo Edison Company of a Grid)	
Modernization Business Plan.)	

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

Ohio Partners for Affordable Energy ("OPAE") respectfully moves the Public Utilities Commission of Ohio ("Commission") for leave to intervene in the above-captioned matter pursuant to Revised Code §4903.221 and Section 4901-1-11 of the Commission's Code of Rules and Regulations, with full powers and rights granted by the Commission specifically, by statute or by the provisions of the Commission's Code of Rules and Regulations to intervening parties. The reasons for granting this motion to intervene are contained in the memorandum attached hereto and incorporated herein.

Respectfully submitted,

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

Ohio Partners for Affordable Energy (“OPAE”) should be permitted to intervene in this matter pursuant to Section 4903.22.1, Revised Code, and the Commission’s Rules and Regulations contained in Rule 4901-1-11 of the Ohio Administrative Code. The above-referenced filing made by Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company (together “FirstEnergy”) present FirstEnergy’s Grid Modernization Business Plan.

In determining whether to permit intervention, the following criteria are to be considered: the nature of the person’s interest; the extent to which that interest is represented by existing parties; the person’s potential contribution to a just and expeditious resolution of the proceedings; and whether granting the intervention will unduly delay or unjustly prejudice any existing party. OPAE meets all four criteria for intervention in this matter.

OPAE is an Ohio non-profit corporation with a stated purpose of advocating for affordable energy policies for low and moderate income Ohioans; as such, OPAE has a real and substantial interest in this matter, which sets forth the justifications to have customers fund a grid modernization plan to install advanced infrastructure, including smart meters for customers. Additionally, OPAE includes as members non-profit organizations located in the service area

that will be affected by this matter.¹ Moreover, many of OPAE's members are community action agencies. Under the federal legislation authorizing the creation and funding of these agencies, originally known as the Economic Opportunity Act of 1964, community action agencies are charged with advocating for low-income residents of their communities.

OPAE also provides essential services in the form of bill payment assistance programs and weatherization and energy efficiency services to low income customers of the FirstEnergy operating companies. OPAE members are also non-residential ratepayers of the FirstEnergy operating companies.

OPAE's primary interest in this matter is to protect the interests of low and moderate income customers of the FirstEnergy operating companies and OPAE members whose provision of electric service will be affected by this filing. FirstEnergy offers this business plan so that interested parties will have the opportunity to provide feedback on the alternative grid modernization plans presented in the filing. Grid modernization is to begin in late 2017, and customers will be charged for the costs of the plan starting three months after the Commission has approved it. OPAE will be concerned about the cost of the approved plan as well as the protection of customer statutory and administrative rights once the advanced infrastructure is installed. OPAE has been recognized by the Commission in the past as an advocate for consumers and particularly low-income consumers, all of whom will be affected by the outcome of this case.

For the above reasons, OPAE has a direct, real and substantial interest in this matter. The disposition of this matter may impair or impede the ability of OPAE to protect its interests. No other party to the matter will adequately represent the interests of OPAE. OPAE is a rare organization that serves as an

¹ A list of OPAE members can be found on the website: www.ohiopartners.org.

advocate, service provider and non-profit customer group. No other party represents this group of interests. 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 raised by this matter.

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

Respectfully submitted,

/s/Colleen Mooney

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CERTIFICATE OF SERVICE

A copy of the foregoing Motion to Intervene and Memorandum of Support will be served on this 22nd day of April 2016 by the Commission's e-filing system to these parties who have electronically subscribed to these cases.

/s/Colleen 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