

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Ohio )	
Power Company for Authority to Establish a )	
Standard Service Offer Pursuant to R.C. )	Case No. 16-1852-EL-SSO
4928.143, in the Form of an Electric Security )	
Plan. )	
)	
In the Matter of the Application of Ohio )	
Power Company for Approval of Certain )	Case No. 16-1853-EL-AAM
Accounting Authority. )	

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

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Pursuant to Section 4903.221, Revised Code and Rule 4901-1-11, Ohio Administrative Code, the Ohio Manufacturers' Association Energy Group (OMAEG) 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 this proceeding and that interest cannot be adequately represented by any existing parties. Because OMAEG satisfies the standard for intervention set forth in the Commission's rules and by statute, the motion should be granted.

Respectfully submitted,

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**MEMORANDUM IN SUPPORT**

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On December 20, 2013, Ohio Power Company (AEP Ohio) filed an application in Case Nos. 13-2385-EL-SSO, et al., to establish its third electric security plan, which included a power purchase agreement (PPA) related to AEP Ohio's share of the Ohio Valley Electric Corporation's generation (ESP III Case). The Commission modified and approved AEP Ohio's ESP III application with modifications in its Opinion and Order issued on February 25, 2015, including authority to establish a PPA rider at an initial rate of zero.<sup>1</sup> Additionally, on October 3, 2014, AEP Ohio filed an application in Case No. 14-1693-EL-RDR to expand the PPA to include generation units with AEP Generation Resources, Inc., and to include the impacts of the PPA through a PPA rider (PPA Case). On March 31, 2016, the Commission approved a stipulation, with modifications, filed in AEP Ohio's PPA Case that, among other things, requires

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<sup>1</sup> *In the Matter of the Application of Ohio Power Company for Authority to Establish a Standard Service Offer Pursuant to R.C. 4928.143, in the Form of an Electric Security Plan et al.*, Case No. 13-2385-EL-SSO et al., Opinion and Order (February 25, 2015) (ESP III Case).

AEP Ohio to file an application to request certain modifications to AEP's ESP III.<sup>2</sup> Per the approved PPA Case stipulation, AEP Ohio filed an application to amend and extend the term of its ESP III in the ESP III Case.<sup>3</sup> On September 7, 2016, the attorney examiner directed AEP Ohio to refile its application to extend ESP III, consistent with the approved PPA stipulation, in a separate docket.<sup>4</sup> OMAEG intervened and participated in both of the prior proceedings (i.e., the PPA Case and the ESP III Case).

As demonstrated herein, OMAEG has a real and substantial interest in AEP Ohio's request to extend and modify its ESP III. Rule 4901-1-1, Ohio Administrative Code, permits intervention by 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. Additionally, Section 4903.221, Revised Code, authorizes intervention where a party: may be adversely affected by the proceeding; will contribute to a full development and equitable resolution of factual issues; and will not unduly prolong or delay the proceedings.

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

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<sup>2</sup> *In the Matter of the Application Seeking Approval of Ohio Power Company's Proposal To Enter Into An Affiliate Power Purchase Agreement For Inclusion In The Power Purchase Agreement Rider, et al.*, Case No. 14-1693-EL-RDR, et al., Joint Stipulation and Recommendation at 10-13 (December 14, 2015), adopted by Opinion and Order at 84 (March 31, 2016).

<sup>3</sup> See ESP III Case, Application to Amend its ESP III (May 13, 2016).

<sup>4</sup> ESP III Case, Entry at 3 (September 7, 2016).

advocate in critical cases before the Commission. OMAEG members purchase electric power services from AEP Ohio, have previously participated in proceedings involving AEP Ohio, including both the ESP III Case and the PPA Case,<sup>5</sup> and will be affected by the Commission's determination in this proceeding.

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. It 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. OMAEG's interest will not be adequately represented by other parties to the proceeding and its timely intervention will not unduly delay or prolong the proceeding.

Because OMAEG satisfies the criteria set forth in Section 4903.221, Revised Code and Rule 4901-1-11, Ohio Administrative Code, it is authorized to intervene with the full powers and rights granted by the Commission to intervening parties. OMAEG respectfully requests that the Commission grant this motion for leave to intervene and that OMAEG be made a full party of record.

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<sup>5</sup> See e.g., ESP III Case, Motion to Intervene (January 8, 2014); PPA Case, Motion to Intervene (October 23, 2014); *In the Matter of the Application of Ohio Power Company for Approval of Its Energy Efficiency/Peak Demand Reduction Portfolio Plan*, Case No. 16-574-EL-POR, Motion to Intervene (June 24, 2016).

Respectfully submitted,

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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 October 11, 2016.

/s/ Danielle Ghiloni Walter  
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Summary: Motion To Intervene Of The Ohio Manufacturers' Association Energy Group  
electronically filed by Mrs. Kimberly W. Bojko on behalf of OMA Energy Group