

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of)
Columbia Gas of Ohio, Inc. for Approval)
of an Alternative Form of Regulation.) Case No. 16-2422-GA-ALT

**MOTION TO INTERVENE AND MEMORANDUM IN SUPPORT OF
INDUSTRIAL ENERGY USERS-OHIO**

Frank P. Darr (Reg. No. 0025469)
(Counsel of Record)
Matthew R. Pritchard (Reg. No. 0088070)
MCNEES WALLACE & NURICK LLC
21 East State Street, 17th Floor
Columbus, OH 43215
Telephone: (614) 469-8000
Facsimile: (614) 469-4653
fdarr@mwncmh.com
(willing to accept service *via* email)
mpritchard@mwncmh.com
(willing to accept service *via* email)

FEBRUARY 27, 2017

COUNSEL FOR INDUSTRIAL ENERGY USERS-OHIO

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of)
Columbia Gas of Ohio, Inc. for Approval)
of an Alternative Form of Regulation.) Case No. 16-2422-GA-ALT

MOTION TO INTERVENE

Industrial Energy Users-Ohio (“IEU-Ohio”) hereby respectfully moves the Public Utilities Commission of Ohio (“Commission”), pursuant to R.C. 4903.221 and Rule 4901-1-11, Ohio Administrative Code, for leave to intervene in the above-captioned matter with the full powers and rights granted by the Commission, specifically by statute or by the provisions of the Ohio Administrative Code, to intervening parties.

On December 27, 2016, Columbia Gas of Ohio, Inc. (“Columbia”) filed a notice of intent to file an application for approval of an alternative rate plan under R.C. 4929.05. The alternative rate plan requests approval to extend and increase Columbia’s Infrastructure Replacement Program (“IRP”) approved in Case No. 11-5515-GA-ALT. IEU-Ohio’s members include end-use customers of Columbia and as such are subject to Columbia’s rates, including the rates for the IRP. Furthermore, the Commission has already recognized IEU-Ohio’s interest in Columbia’s IRP, granting IEU-Ohio’s request to intervene in Case No. 11-5515-GA-ALT.¹

IEU-Ohio has a direct, real, and substantial interest in the issues and matters involved in this proceeding, and is so situated that the disposition of this proceeding may, as a practical matter, impair or impede its ability to protect that interest. IEU-Ohio believes

¹ *In the Matter of the Application of Columbia Gas of Ohio, Inc., for Approval of an Alternative Form of Regulation*, Case No 11-5515-GA-ALT, Opinion and Order at 3 (Nov. 28, 2012).

that its participation will not unduly prolong or delay this proceeding and that it will significantly contribute to the full development and equitable resolution of the factual and other issues in this proceeding. The interests of IEU-Ohio will not be adequately represented by other parties to the proceeding and, as such, IEU-Ohio is entitled to intervene with the full powers and rights granted by the Commission, specifically by statute and by the provisions of the Ohio Administrative Code, to intervening parties.

Respectfully submitted,

/s/ Matthew R. Pritchard

Frank P. Darr (Reg. No. 0025469)
(Counsel of Record)

Matthew R. Pritchard (Reg. No. 0088070)

MCNEES WALLACE & NURICK LLC

21 East State Street, 17TH Floor

Columbus, OH 43215

fdarr@mwncmh.com

mpritchard@mwncmh.com

COUNSEL FOR INDUSTRIAL ENERGY USERS-OHIO

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of)
Columbia Gas of Ohio, Inc. for Approval)
of an Alternative Form of Regulation.) Case No. 16-2422-GA-ALT

MEMORANDUM IN SUPPORT

In support of this Motion to Intervene, IEU-Ohio states that it is an association of ultimate customers. A current listing of IEU-Ohio member companies is available on IEU-Ohio's website at http://www.ieu-ohio.org/member_list.aspx. IEU-Ohio's members purchase substantial amounts of natural gas and related transportation and delivery services.

IEU-Ohio's members work together to address matters that affect the availability and price of utility services. Additionally, IEU-Ohio seeks to promote customer-driven policies that will assure an adequate, reliable, and efficient supply of energy for all consumers at competitive prices.

On December 27, 2016, Columbia filed an application for approval of an alternative rate plan under R.C. 4929.05. The alternative rate plan requests approval to extend and increase Columbia's IRP approved in Case No. 11-5515-GA-ALT. IEU-Ohio's members include end-use customers of Columbia and as such are subject to Columbia's rates, including the rates for the IRP. Furthermore, the Commission has already recognized IEU-Ohio's interest in Columbia's IRP, granting IEU-Ohio's request to intervene in Case No. 11-5515-GA-ALT.² IEU-Ohio has a real and substantial interest inasmuch as this

² *In the Matter of the Application of Columbia Gas of Ohio, Inc., for Approval of an Alternative Form of Regulation*, Case No 11-5515-GA-ALT, Opinion and Order at 3 (Nov. 28, 2012).

proceeding may directly or indirectly impact the provision of gas service to IEU-Ohio members' manufacturing facilities. Specifically, IEU-Ohio's direct interest in this proceeding is the result of the effect that this proceeding shall have upon the price, adequacy, and reliability of the gas supply and related services within Ohio.

Further, IEU-Ohio believes that its participation will not unduly prolong or delay this proceeding and that it will significantly contribute to the full development and equitable resolution of the factual and other issues in the proceeding because it has intervened and is familiar with the proceedings that preceded this application. Moreover, the interests of IEU-Ohio will not be adequately represented by other parties to the proceeding.

Accordingly, IEU-Ohio is entitled to intervene with the full powers and rights granted by the Commission, specifically by statute and by the provisions of the Ohio Administrative Code, to intervening parties.

Respectfully submitted,

/s/ Matthew R. Pritchard

Frank P. Darr (Reg. No. 0025469)

(Counsel of Record)

Matthew R. Pritchard (Reg. No. 0088070)

MCNEES WALLACE & NURICK LLC

21 East State Street, 17TH Floor

Columbus, OH 43215

fdarr@mwncmh.com

mpritchard@mwncmh.com

COUNSEL 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 to Intervene and Memorandum in Support of Industrial Energy Users-Ohio* was sent by, or on behalf of, the undersigned counsel for IEU-Ohio, to the following parties of record this 27th day of February 2017, *via* electronic transmission.

/s/ Matthew R. Pritchard

Matthew R. Pritchard

Stephen B. Seiple (Reg. No. 0003809)
Assistant General Counsel
Columbia Gas of Ohio, Inc.
290 W. Nationwide Blvd.
PO Box 117
Columbus, OH 43215
sseiple@nisource.com

**COUNSEL FOR COLUMBIA GAS OF OHIO,
INC. (COLUMBIA)**

William L. Wright (Reg. No. 0018010)
Section Chief, Public Utilities Section
Office of the Ohio Attorney General
30 East Broad Street, 16th Floor
Columbus, OH 43215-3414
Telephone: (614) 466-4397
Facsimile: (614) 466-8764
william.wright@ohioattorneygeneral.gov

**COUNSEL FOR THE STAFF OF THE PUBLIC
UTILITIES COMMISSION OF OHIO (PUCO)**

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

2/27/2017 1:54:53 PM

in

Case No(s). 16-2422-GA-ALT

Summary: Motion to Intervene and Memorandum in Support of Industrial Energy Users-Ohio electronically filed by Mr. Matthew R. Pritchard on behalf of Industrial Energy Users-Ohio