

BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of)	
Duke Energy Ohio, Inc. for an Increase)	Case No. 17-0032-EL-AIR
in Electric Distribution Rates)	
In the Matter of the Application of)	
Duke Energy Ohio, Inc. for Tariff)	Case No. 17-0033-EL-ATA
Approval)	
In the Matter of the Application of)	
Duke Energy Ohio, Inc. for Approval)	Case No. 17-0034-EL-AAM
to Change Accounting Methods)	

MOTION TO INTERVENE
BY THE CINCINNATI CLEAN ENERGY FOUNDATION

Pursuant to R.C. § 4903.221 and Ohio Admin. Code § 4901-1-11, the Cincinnati Clean Energy Foundation (“CCEF”) respectfully moves to intervene in the above-captioned proceedings, in which Duke Energy Ohio, Inc. (“Duke” or “the Company”) submits its Application for an Increase in Electric Distribution Rates (“Application”). As discussed in the accompanying Memorandum in Support, the CCEF has a real and substantial interest in this case, its interests are not adequately represented by any other party to this matter, and its participation in this proceeding will contribute to a just and expeditious resolution of the issues and will not prejudice any other party. Accordingly,

the CCEF respectfully requests this Commission issue an order granting CCEF's intervention request.

Respectfully submitted,

/s/ D. DAVID ALTMAN

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MEMORANDUM IN SUPPORT

R.C. § 4903.221 allows persons who may be “adversely affected” to seek intervention. As a non-profit entity with an interest in clean energy development in southwest Ohio, the CCEF may be adversely affected by the disposition in this case.

To determine whether intervention is appropriate, the Commission must 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; [and] (4) Whether the prospective intervenor will significantly contribute to full development and equitable resolution of the factual issues.” R.C. § 4903.221(B). Further, the Rules, while incorporating the statutory factors, also require the Commission to consider “[t]he extent to which the person’s interest is represented by existing parties.” O.A.C. 4901-1-11(B)(5). CCEF meets these criteria.

First, the CCEF is a non-profit public/private partnership dedicated to fostering the development of the clean energy industry in southwest Ohio. The CCEF aims to expand access to clean energy, lower costs to consumers, and nurture clean energy innovation locally by better enabling collaboration among businesses (including Duke Energy), governments, and non-profits in the southwest Ohio region. The pending application, and its included tariffs, riders, and rate increases, will directly affect the implementation, equity, and effectiveness of clean energy in the region serviced by

Duke. As such, the Commission's decision in this matter will likely significantly impact where clean energy and energy efficiency funding is targeted and how it is dispersed, and as such, may impair the interests that CCEF represents unless intervention is granted. CCEF, by intervening in these proceedings, seeks to enhance access to clean energy, to broaden the availability of development opportunities and resources for the clean energy industry in the region, to improve air quality, and to make home ownership for those in the region more affordable, including by lowering energy costs.

Second, the CCEF endeavors to maximize the positive impacts of energy efficiency programs in southwest Ohio, increasing access to clean energy by lowering costs locally and fostering additional local investment in the industry. To achieve these goals, the CCEF will seek development of a record before this Commission on Duke's current energy efficiency programs and potential measures to improve the equity and efficiency of such programs. The CCEF's intervention would seek to ensure that the clean energy aspects of the Application are just and reasonable.

Third, the CCEF's participation will not delay or prolong these proceedings. The CCEF's intervention would focus on energy efficiency programs, including the efficiency and equity of those programs. The CCEF is also committed to working with the Commission and the other parties to aid in an efficient resolution to the proceedings.

Fourth, the CCEF will significantly contribute to the full development and resolution of the factual issues. The CCEF's leadership team has several decades of collective experience in the electricity, clean energy, and green building industries. The combination of CCEF's experience and focus on southwest Ohio's developing clean energy economy will help Duke's energy programs become more efficient and equitable.

Fifth, the CCEF's interest is not represented by the existing parties; rather, the CCEF would be the only party seeking to ensure that the allocation of clean energy programs is efficient and equitable in southwest Ohio, including by broadening access to such programs in the region.

Finally, it is the Commission's policy "to encourage the broadest possible participation in its proceedings." *Cleveland Elec. Illum. Co.*, Case No. 85-675-EL-AIR, Entry dated January 14, 1986, at 2. The CCEF's inclusion in these proceedings furthers PUCO's stated policy of broad participation.

Because the CCEF meets the criteria in R.C. § 4903.221 and Ohio Admin. Code 4901-1-11(B), this Commission should grant intervention.

Respectfully submitted,

/s/ D. DAVID ALTMAN

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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 August 25, 2017:

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/s/ Justin D. Newman

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Summary: Motion to Intervene and Memorandum in Support electronically filed by Mr. Justin Newman on behalf of Cincinnati Clean Energy Foundation