

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

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| In the Matter of the Application of Duke |) | |
| Energy Ohio, Inc. for Authority to Establish |) | |
| a Standard Service Offer Pursuant to Section |) | |
| 4923.143, Revised Code, in the Form of an |) | Case No. 17-1263-EL-SSO |
| Electric Security Plan, Account |) | |
| Modifications, and Tariffs for Generation |) | |
| Service. |) | |

| | | |
|--|---|-------------------------|
| In the Matter of the Application of Duke |) | |
| Energy Ohio, Inc. for Authority to Amend its |) | Case No. 17-1264-EL-ATA |
| Certified Supplier Tariff, P.U.C.O. No. 20. |) | |

| | | |
|--|---|-------------------------|
| In the Matter of the Application of Duke |) | |
| Energy Ohio, Inc. for Authority to Defer |) | Case No. 17-1265-EL-AAM |
| Vegetation Management Costs. |) | |

**MOTION TO INTERVENE AND MEMORANDUM IN SUPPORT OF
DIRECT ENERGY SERVICES, LLC, DIRECT ENERGY BUSINESS, LLC, AND
DIRECT ENERGY BUSINESS MARKETING, LLC**

In accordance with R.C. 4903.221 and Ohio Admin. Code 4901-1-11, Direct Energy Services, LLC, Direct Energy Business, LLC, and Direct Energy Business Marketing, LLC (collectively, Direct Energy) request issuance of an entry granting intervention in this proceeding. The reasons supporting this intervention are stated below in the Memorandum in Support.

MEMORANDUM IN SUPPORT

R.C. 4903.221 confers a right to intervene to any person who may be “adversely affected” by a Commission proceeding. In considering a request to intervene, the Commission must consider the nature of the intervenor’s interest, the extent that interest is represented by existing parties, the intervenor’s potential contribution to a just and expeditious resolution of the issues, and whether intervention would unduly delay the proceeding. *See* R.C. 4903.221(B)(1-4).

Direct Energy meets all of the criteria for intervention. Direct Energy holds Certificate Nos. 00-019E(9), 00-05E(9), and 13-707E(3) as a competitive retail electric service provider from the Commission to engage in the competitive sale of electric service to retail customers in Ohio. Direct Energy currently provides service to retail electric customers in the Duke Energy Ohio service territory. Direct Energy has a real and substantial interest in this proceeding, including, but not limited to, the potential impact of a Power Forward Rider on Direct Energy’s ability to offer retail electric products and non-commodity offerings to its customers in the service territory.

The issues impacting Direct Energy, as identified above, demonstrate the depth of Direct Energy’s real and substantial interest in this case. Direct Energy will advance legal positions that are directly relevant to the merits of the case and Direct Energy’s position. Additionally, Direct Energy’s direct and unique pecuniary interest in this proceeding cannot be represented by other intervenors. Direct Energy’s unique expertise and participation in the competitive retail and wholesale markets in Ohio and across the country will significantly contribute to the development of a full and complete record to assist the Commission in its consideration of the Application. Finally, Direct Energy’s intervention will not unduly delay the instant proceedings.

Accordingly, Direct Energy respectfully requests that the Commission grant this Motion to Intervene.

Dated: September 7, 2017

Respectfully submitted,

/s/ Mark A. Whitt

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ATTORNEYS FOR DIRECT ENERGY
SERVICES, LLC, DIRECT ENERGY
BUSINESS, LLC, AND DIRECT ENERGY
BUSINESS MARKETING, LLC

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion to Intervene and Memorandum in

Support was served by electronic mail this 7th day of September, 2017 to the following:

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/s/ Rebekah J. Glover

One of the Attorneys for Direct Energy
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and Direct Energy Business Marketing, LLC

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Case No(s). 17-1263-EL-SSO, 17-1264-EL-ATA, 17-1265-EL-AAM

Summary: Motion to Intervene and Memorandum in Support electronically filed by Ms. Rebekah J. Glover on behalf of Direct Energy Business Marketing, LLC and Direct Energy Services, LLC and Direct Energy Business, LLC