

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Duke Energy Ohio, Inc. for an Increase in Electric Distribution Rates.)	Case No. 17-32-EL-AIR
)	
In the Matter of the Application of Duke Energy Ohio, Inc. for Tariff Approval.)	Case No. 17-33-EL-ATA
)	
In the Matter of the Application of Duke Energy Ohio, Inc. for Approval to Change Accounting Methods.)	Case No. 17-34-EL-AAM
)	

**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, changes to Duke’s distribution rates, the provision of products and services, and other distribution operations issues that could have an impact on Direct Energy’s ability to continue 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

Mark A. Whitt (0067996)
Andrew J. Campbell (0081485)
Rebekah J. Glover (0088798)
WHITT STURTEVANT LLP
The KeyBank Building, Suite 1590
88 East Broad Street
Columbus, Ohio 43215
Telephone: (614) 224-3946
Facsimile: (614) 224-3960
whitt@whitt-sturtevant.com
campbell@whitt-sturtevant.com
glover@whitt-sturtevant.com
(Counsel willing to accept service by email)

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:

amy.spiller@duke-energy.com
jeanne.kinger@duke-energy.com
elizabeth.watts@duke-energy.com
rocco.d'ascenzo@duke-energy.com
mkurtz@bkllawfirm.com
jkylercohn@bkllawfirm.com
william.michael@occ.ohio.gov
christopher.healey@occ.ohio.gov
fdarr@mwncmh.com
mpritchard@mwncmh.com
cmooney@ohiopartners.org
mfleisher@elpc.org
paul@carpenterlipps.com
mleppla@theoec.org
tdougherty@theoec.org
joliker@igsenergy.com
mnugent@igsenergy.com

eakhbari@bricker.com
rick.sites@ohiohospitals.org
dborchers@bricker.com
dparram@bricker.com
mdortch@kravitzllc.com
kboehm@bkllawfirm.com
bojko@carpenterlipps.com
perko@carpenterlipps.com
daltman@environlaw.com
jnewman@environlaw.com
jweber@environlaw.com
swilliams@nrdc.org
steven.beeler@ohioattorneygeneral.gov
robert.eubanks@ohioattorneygeneral.gov
nicholas.walstra@puco.ohio.gov

/s/ Rebekah J. Glover

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

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Commission of Ohio Docketing Information System on

9/7/2017 3:59:49 PM

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Case No(s). 17-0032-EL-AIR, 17-0033-EL-ATA, 17-0034-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