

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

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| In the Matter of the Application of Duke Energy Ohio, Inc. for an Increase in its 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 OF
MIAMI UNIVERSITY**

Pursuant to Ohio Revised Code Section 4903.221 and Ohio Administrative Code Rule 4901-1-11, Miami University moves to intervene in these proceedings. The reasons supporting the intervention request are contained in the accompanying Memorandum in Support.

THEREFORE, Miami University requests that the Public Utilities Commission of Ohio grant this motion and that Miami University be made a party of record.

Respectfully Submitted,

Mike DeWine
Attorney General

/s/ Michael J. Settineri
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**MEMORANDUM IN SUPPORT OF
THE MOTION TO INTERVENE OF
MIAMI UNIVERSITY**

The basic criteria for intervention in a Public Utilities Commission of Ohio proceeding are established in Ohio Revised Code Section 4903.221 and the details have been provided in Ohio Administrative Code Rule 4901-1-11. Rule 4901-1-11 states in part:

Upon timely motion, any person shall be permitted to intervene in a proceeding upon a showing that:

* * *

(2) The person has a real and substantial interest in the proceeding, and the person is so situated that the disposition of the proceeding may, as a practical matter, impair or impede his or her ability to protect that interest, unless the person's interest is adequately represented by existing parties.

In addition to establishment of a direct interest, the factors that the Commission considers in implementing the above rule are 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 involved, and whether intervention would result in an undue delay of the proceeding. *See also*, Ohio Revised Code Section 4903.221(B), upon which the above rule is authorized. A review of these factors in light of following facts supports granting Miami University's intervention request.

Miami University ("Miami") is a state-supported institution of higher learning and is located in Oxford, Ohio. Miami is an electric customer of Duke Energy Ohio, Inc. ("Duke") and also has its own significant amount of generation.

Miami has a real and substantial interest in these proceedings as a result of being a customer of Duke and having a substantial amount of its own generation. Changes in the customer rates resulting from these proceedings could impact Miami and certain proposed

changes affect Miami's interests. For example, Duke proposes a regulatory mandates rider that will apply to all customers.¹ Another example is Duke's proposed change to its net metering tariff that will require all ratepayers to pay the cost of excess generation credits.²

Miami will contribute to a just and expeditious resolution of the issues, and not delay the outcome. Miami will provide a unique customer perspective. Miami's interest cannot be represented by other existing parties. Miami was granted intervention in Duke's last electric distribution rate proceedings³ and again meets the intervention criteria in Ohio Revised Code Section 4903.221 and Ohio Administrative Code Rule 4901-1-11. This intervention request also complies with the intervention deadline established for these proceedings by the Attorney Examiner's Entry issued September 28, 2017.

Miami University respectfully requests that the Commission grant this motion to intervene and that Miami University be made a party of record.

Respectfully Submitted,

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¹ Duke Application at 6 and Schedule E-2.1, page 89 of 95. Staff recommends rejection of that proposal. Staff Report at 22.

² Duke Application at Schedule E-2.1, page 44 of 95.

³ *In the Matter of the Application of Duke Energy Ohio, Inc., for an Increase in its Electric Distribution Rates*, Case Nos. 12-1682-EL-AIR, et al., Opinion and Order (May 1, 2013).

CERTIFICATE OF SERVICE

The Public Utilities Commission of Ohio's e-filing system will electronically serve notice of the filing of this document on the parties referenced on the service list of the docket card who have electronically subscribed to the case. In addition, the undersigned certifies that a copy of the foregoing document is also being served (via electronic mail) on the 26th day of October 2017 upon the persons listed below.

/s/ Michael J. Settineri

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

Summary: Motion to Intervene of Miami University electronically filed by Mr. Michael J. Settineri on behalf of Miami University