

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Commission's)
Investigation of the Financial Impact of the) Case No. 18-47-AU-COI
Tax Cuts and Jobs Act of 2017 on Regulated)
Ohio Utility Companies)

**MOTION TO INTERVENE OF
THE OHIO MANUFACTURERS' ASSOCIATION ENERGY GROUP**

Pursuant to R.C. 4903.221 and Ohio Adm. Code 4901-1-11, the Ohio Manufacturers' Association Energy Group (OMAEG) respectfully moves the Public Utilities Commission of Ohio (Commission) to intervene in this matter with the full powers and rights granted to intervening parties. As demonstrated in the attached memorandum in support, OMAEG has real and substantial interests that this proceeding may adversely affect and no existing parties adequately represent those interests. Indeed, OMAEG has been actively participating in this matter, including filing a memorandum contra to the application for rehearing on February 21, 2018 and reply comments on March 7, 2018. The Commission should grant this motion because OMAEG satisfies the standard for intervention set forth by statute and in the Commission's rules. A memorandum in support is attached.

Respectfully submitted,

/s/ Kimberly W. Bojko
Kimberly W. Bojko (0069402)
Brian W. Dressel (0097163)
Carpenter Lipps & Leland LLP
280 North High Street, Suite 1300
Columbus, Ohio 43215
Telephone: (614)-365-4100
Email: Bojko@carpenterlipps.com
Dressel@carpenterlipps.com
(willing to accept service by email)
Counsel for OMAEG

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MEMORANDUM IN SUPPORT

On January 10, 2018, the Public Utilities Commission of Ohio (Commission) ordered that this docket be opened to consider the impacts of the Tax Cuts and Jobs Act of 2017 (TCJA) on regulated Ohio utilities.¹ By Entry on May 24, 2018, the Commission set a June 15, 2018 deadline for intervention in this matter.² OMAEG hereby moves to intervene in this matter in order to ensure that the tax savings benefits of the TCJA are appropriately and fully realized by OMAEG members as the Commission considers how best to address the impacts of the TCJA on the rates charged to customers by Ohio's regulated utilities.

Ohio Adm. Code 4901-1-11 permits intervention by an affected party that has a real and substantial interest in the proceeding and who is so situated that the disposition of the proceeding may impair or impede its ability to protect that interest and whose interest is not adequately represented by an existing party. Similarly, R.C. 4903.221 authorizes intervention in accordance with Commission-established deadlines where a party: may be adversely affected by the proceeding; will contribute to a full development and equitable resolution of factual issues; and will not unduly prolong or delay the proceedings.

OMAEG is a non-profit entity that strives to improve business conditions in Ohio and drive down the cost of doing business for Ohio manufacturers. OMAEG members and their

¹ Entry at ¶ 1 (January 10, 2018).

² Entry at ¶ 9 (May 24, 2018).

representatives work directly with elected officials, regulatory agencies, the judiciary, and the media to provide education and information to energy consumers, regulatory boards and suppliers of energy; advance energy policies to promote an adequate, reliable, and efficient supply of energy at reasonable prices; and advocate in critical cases before the Commission. OMAEG members are customers of regulated utilities across the state of Ohio who will see their utility bills impacted by decisions issued by the Commission as part of this investigation into the impact on utility rates as a result of the TCJA.

OMAEG has been a participant in other cases before the Commission involving rates charged by regulated Ohio utilities.³ Here, OMAEG has an interest in ensuring that the tax savings realized by regulated utilities through the TCJA are passed back to customers fairly and promptly. Additionally, OMAEG has an interest in confirming that this proceeding addresses the entire effect of the TCJA. In fact, OMAEG already has been participating in this matter, by filing a memorandum contra to the application for rehearing on February 21, 2018 and reply comments on March 7, 2018.⁴

OMAEG has a direct, real, and substantial interest in the issues raised in this proceeding and is so situated that the disposition of the proceeding may, as a practical matter, impair or impede its ability to protect that interest. OMAEG is regularly and actively involved in Commission proceedings and, as in previous proceedings, OMAEG's unique knowledge and perspective will contribute to the full development and equitable resolution of the issues in this

³ See, e.g., *In the Matter of the Application of Duke Energy Ohio, Inc., for an Increase in Electric Distribution Rates, et al.*, Case Nos. 17-32-EL-AIR, et al., Entry at ¶ 9 (May 9, 2018); *In the Matter of the Application of Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company for Authority to Provide for a Standard Service Offer Pursuant to R.C. 4928.143 in the Form of an Electric Security Plan*, Case No. 14-1297-EL-SSO, Entry at ¶ 8 (December 1, 2014); *In the Matter of the Application of the Ohio Power Company for Authority to Establish a Standard Service Offer Pursuant to R.C. 4928.143, in the Form of an Electric Security Plan, et al.*, Case Nos. 16-1852-EL-SSO, et al., Entry at ¶ 9 (March 22, 2017).

⁴ See Ohio Manufacturers' Association Energy Group's Memorandum Contra Joint Application for Rehearing (February 21, 2018); Reply Comments of the Ohio Manufacturers' Association Energy Group (March 7, 2018).

proceeding. OMAEG's interest will not be adequately represented by other parties to the proceeding and its timely intervention will not unduly delay or prolong the proceeding.

As discussed above, OMAEG satisfies the criteria for intervention set out in R.C. 4903.221 and Ohio Adm. Code 4901-1-11. OMAEG, therefore, respectfully requests that the Commission grant this motion, allow OMAEG to intervene with the full powers and rights granted by the Commission to intervening parties, and make OMAEG a full party of record.

Respectfully submitted,

/s/ Kimberly W. Bojko
Kimberly W. Bojko (0069402)
Brian W. Dressel (0097163)
Carpenter Lipps & Leland LLP
280 North High Street, Suite 1300
Columbus, Ohio 43215
Telephone: (614)-365-4100
Email: Bojko@carpenterlipps.com
Dressel@carpenterlipps.com
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Counsel for OMAEG

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing was served upon all parties of record via electronic mail June 15, 2018.

/s/ Kimberly W. Bojko _____
Kimberly W. Bojko

This foregoing document was electronically filed with the Public Utilities

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Case No(s). 18-0047-AU-COI

Summary: Motion To Intervene Of The Ohio Manufacturers' Association Energy Group electronically filed by Mrs. Kimberly W. Bojko on behalf of OMA Energy Group