

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Duke)
Energy Ohio, Inc., for Recovery of Program)
Costs, Lost Distribution Revenue and) Case No. 18-397-EL-RDR
Performance Incentives Related to Its Energy)
Efficiency and Demand Response Programs)

**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. The Commission should grant this motion because OMAEG satisfies the standard for intervention set forth by statute and in the Commission's rules.

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
Bojko@carpenterlipps.com
Dressel@carpenterlipps.com
(willing to accept service by email)

Counsel for OMAEG

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MEMORANDUM IN SUPPORT

On March 29, 2018, Duke Energy Ohio, Inc. (Duke) filed an application to adjust its Energy Efficiency and Peak Demand Reduction Rider (EE/PDR Rider) (Application).¹ Duke requests this adjustment so that it may recover costs related to compliance with energy efficiency mandates, including lost distribution revenue.²

Ohio Adm. Code 4901-1-11 permits intervention by an affected party that has a real and substantial interest in the proceeding and that 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 created by the Ohio Manufacturers' Association (OMA) in order to 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

¹ See Application of Duke Energy Ohio (March 29, 2018).

² Id. at 3-4.

at reasonable prices; and advocate in critical cases before the Commission. All members of OMAEG are members of OMA. OMAEG members purchase electric services from Duke, are responsible for program costs, lost distribution revenue, and performance incentives related to Duke's energy efficiency and demand response programs, and will be affected by the Commission's determination in these matters. OMAEG members in Duke's service territory are charged under the EE/PDR Rider that Duke seeks to adjust in this case.

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.³ Additionally, OMA participated in Duke's latest Program Portfolio Plan case.⁴ As in previous proceedings, OMAEG's unique knowledge and perspective will contribute to the full development and equitable resolution of the issues in this 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.

³ See, e.g., *In the Matter of the Application of Duke Energy Ohio, Inc., Authority to Establish a Standard Service Offer Pursuant to R.C. 4928.143 in the Form of an Electric Security Plan, Accounting Modifications, and Tariffs for Generation Service, et al.*, Case Nos. 17-1263-EL-AIR, et al., Entry at ¶ 9 (May 9, 2018); *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).

⁴ See *In the Matter of the Application of Duke Energy Ohio, Inc. for Approval of Its Program Portfolio Plan*, Case No. 16-576-EL-POR, Entry at ¶ 6 (April 7, 2016).

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
Bojko@carpenterlipps.com
Dressel@carpenterlipps.com
(willing to accept service by email)

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 August 9, 2018.

/s/ Brian W. Dressel
Brian W. Dressel

This foregoing document was electronically filed with the Public Utilities

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Case No(s). 18-0397-EL-RDR

Summary: Motion to Intervene of the Ohio Manufacturers' Association Energy Group electronically filed by Mr. Brian W Dressel on behalf of The Ohio Manufacturers' Association Energy Group