

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Long-Term Forecast)	Case No. 18-501-EL-FOR
Report of Ohio Power Company and Related)	
Matters.)	
)	
In the Matter of the Application Seeking)	Case No. 18-1392-EL-RGR
Approval of Ohio Power Company’s Proposal)	
to Enter into a Renewable Energy Purchase)	
Agreement for Inclusion in the Renewable)	
Generation Rider.)	
)	
In the Matter of the Application of Ohio)	Case No. 18-1393-EL-ATA
Power Company to Amend its Tariffs.)	

**MOTION TO INTERVENE OF
THE MID-ATLANTIC RENEWABLE ENERGY COALITION**

Pursuant to Ohio Revised Code (“R.C.”) Section 4903.221 and Ohio Administrative Code (“O.A.C.”) Rule 4901-1-11, the Mid-Atlantic Renewable Energy Coalition (“MAREC”) respectfully moves the Public Utilities Commission of Ohio (“Commission”) for leave to intervene in the above-captioned proceedings. The Commission should grant this Motion to Intervene because MAREC and its members that are active in AEP Ohio’s service territory have a real and substantial interest in these proceedings; the Commission’s disposition of these proceedings may impair or impede MAREC’s ability to protect that interest; MAREC’s participation will not unduly prolong or delay these proceedings; and MAREC will significantly contribute to the full development and equitable resolution of the relevant issues. In addition, MAREC’s interests will not be adequately represented by other parties.

Accordingly, for these reasons and for the reasons set forth in the Memorandum in Support attached hereto and incorporated herein, MAREC respectfully requests that the Commission grant this Motion to Intervene.

Respectfully Submitted,

/s/ Christine M.T. Pirik

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***Attorneys for Mid-Atlantic Renewable Energy
Coalition***

October 29, 2018

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

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**MEMORANDUM IN SUPPORT OF
THE MID-ATLANTIC RENEWABLE ENERGY COALITION’S
MOTION TO INTERVENE**

I. Introduction

On September 19, 2018, Ohio Power Company (“AEP Ohio” or the “Company”) filed an amendment to its 2018 Long-Term Forecast Report to demonstrate the need for at least 900 megawatts (“MW”) of renewable energy generation projects in Ohio. *See* PUCO Case No. 18-501-EL-FOR (“Long-Term Forecast Case”). On September 27, 2018, AEP Ohio filed an application seeking approval of: 1) the inclusion of two solar energy resources totaling 400 MW of nameplate capacity in the Company’s Renewable Generation Rider (“RGR”); and 2) the creation of a new Green Power Tariff under which customers may purchase renewable energy certificates (“RECs”) for the solar energy resources’ environmental attributes. *See* PUCO Case

No. 18-1392-EL-RDR (“RGR Case”) and PUCO Case No. 18-1393-EL-ATA (“Green Tariff Case”), respectively.

Also on September 27, 2018, the Company filed a Motion to Consolidate Proceedings and Request for an Expedited Ruling. By Entry dated October 22, 2018, the Commission granted the Company’s Motion to Consolidate, established a procedural schedule for its consideration of AEP Ohio’s applications, and set October 29, 2018, as the deadline for interested persons to file motions to intervene.

Accordingly, MAREC submits this timely Motion to Intervene.

II. Legal Standard

R.C. Section 4903.221(B) sets forth the criteria the Commission must consider in ruling on motions to intervene, which include:

1. The nature and extent of the prospective intervenor’s interest.
2. The legal position advanced by the prospective intervenor and its probable relation to the merits of the case.
3. Whether the intervention by the prospective intervenor will unduly prolong or delay the proceedings.
4. Whether the prospective intervenor will significantly contribute to full development and equitable resolution of the factual issues.

O.A.C. Rule 4901-1-11(A) also provides detail on the statutory intervention criteria and requires that the Commission allow intervention by a person who has a “real and substantial interest in the proceeding” and who “is so situated that the disposition of the proceeding may, as a practical matter, impair or impeded his or her ability to protect that interest, unless the person’s interest is adequately represented by existing parties.”

The Commission has explained that its policy is to encourage robust participation in its proceedings. *See Cleveland Elec. Illum. Co.*, Case No. 85-675-EL-AIR, Entry (Jan. 14, 1986).

Moreover, the Ohio Supreme Court has held that “intervention ought to be liberally allowed so that positions of all persons with a real and substantial interest in the proceedings can be considered.” *Ohio Consumers’ Counsel v. Pub. Util. Comm. of Ohio*, 111 Ohio St.3d 384, 2006-Ohio-5853.

III. MAREC Should Be Granted Intervention

A. MAREC has a real and substantial interest in these Proceedings

MAREC should be permitted to intervene because it has a real and substantial interest in AEP Ohio’s Long-Term Forecast Case, RGR Case, and Green Tariff Case (collectively, “Proceeding” or “Case”). MAREC is a coalition of diverse renewable energy developers, equipment manufacturers, and public interest organizations formed to educate policy makers and the general public about renewable energy issues in the PJM Interconnection, LLC territory, including the state of Ohio. Many of MAREC’s members have received certificates from the Ohio Power Siting Board to construct and operate renewable energy generation facilities, including facilities located in AEP Ohio’s service territory.

MAREC’s mission is to enhance opportunities for wind and solar development, and ensure the public’s realization of the associated environmental and economic public benefits. MAREC also collaborates with other renewable energy partners to advocate on behalf of the industry. Hence, not only do MAREC members operate facilities in Ohio, but MAREC as a coalition stays active in policy and educational matters statewide as it believes Ohio holds tremendous potential for renewable energy.

MAREC is concerned that the ultimate resolution of the matters to be addressed in this Proceeding could have a substantial effect on the development of renewable energy throughout Ohio and the Mid-Atlantic region. Through this Case, AEP Ohio seeks to facilitate the

development of (at least) 400 MW of solar energy. As such, the issues presented directly affect MAREC's members in Ohio and are germane to MAREC's mission of promoting renewables and enhancing opportunities for the development renewable energy generation projects and related technologies across the state. Thus, MAREC's interest in this Proceeding is "real and substantial."

- B. MAREC's intervention will assist in a just resolution of the Proceeding, will significantly contribute to full development and equitable resolution of the factual issues, and will not cause undue delay

MAREC will contribute to the just and expeditious resolution of the issues and concerns that are set forth in the Proceeding. Likewise, its participation will not cause undue delay or unjust prejudice to any existing party. MAREC intends to provide additional expert insight / knowledge to aid the Commission in its review and analysis of AEP Ohio's applications. MAREC has experience participating in matters before the Commission and its intervention in this Proceeding will ensure an educated and fair disposition of the issues raised by all parties.

In addition, MAREC is timely filing this Motion to Intervene and will not unduly prolong or delay the Proceeding moving forward. MAREC is committed to following the procedural schedule and articulating clear rationale for its positions and perspectives. In fact, MAREC's expertise on renewable energy should ultimately serve to expedite the Proceeding. Indeed, MAREC's intervention is critical to this Case and should be granted.

- C. MAREC's interests are not represented by existing parties

MAREC represents different interests than those of existing parties; none of the other parties that have moved to intervene in this Case represent Ohio's renewable energy industry, renewable energy suppliers, or renewable energy equipment manufacturers. MAREC seeks to support the proliferation of renewable energy technology and its participation in this Proceeding

will aid in educating the Commission, AEP Ohio, and other intervening parties on the environmental, economic, and public benefits of solar energy. MAREC intends to conduct a detailed review of the Company's applications to confirm they meet relevant legal requirements, and adequately promote economically and environmentally sound state policy. Thus, MAREC's participation will help ensure that the Proceeding is fair to its membership and, in particular, those members that provide services in AEP Ohio's service territory.

IV. Conclusion

The foregoing circumstances support MAREC's intervention in this Proceeding. Through this Motion and Memorandum in Support, MAREC has met all requirements for intervention set forth in R.C. 4903.221 and OAC Rule 4901-1-11. Therefore, MAREC respectfully requests that its Motion to Intervene be granted.

Respectfully Submitted,

/s/ Christine M.T. Pirik
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(Counsel of Record)
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***Attorneys for Mid-Atlantic Renewable Energy
Coalition***

October 29, 2018

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 in the service list of the docket card who have electronically subscribed to these cases. In addition, the undersigned certifies that a copy of the foregoing document is also being served upon the persons below via electronic mail this 29th day of October, 2018.

/s/ Christine M.T. Pirik

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Summary: Motion to Intervene of The Mid-Atlantic Renewable Energy Coalition electronically filed by Christine M.T. Pirik on behalf of The Mid-Atlantic Renewable Energy Coalition