

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

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

**OHIO PARTNERS FOR AFFORDABLE ENERGY'S
MOTION TO INTERVENE
AND
MEMORANDUM IN SUPPORT**

Ohio Partners for Affordable Energy ("OPAE") hereby respectfully moves for leave to intervene in the above-captioned matter pursuant to R.C. §4903.221 and Rule 4901-1-11 of the Public Utilities Commission of Ohio's ("Commission") Code of Rules and Regulations, with full powers and rights granted by the Commission specifically, by statute or by the provisions of the Commission's Code of Rules and Regulations to intervening parties. The reasons for granting this motion are contained in the memorandum attached hereto and incorporated herein.

Respectfully submitted,

/s/Colleen Mooney
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MEMORANDUM IN SUPPORT OF MOTION TO INTERVENE

Ohio Partners for Affordable Energy (“OPAE”) moves to intervene in this matter pursuant to Section 4903.22.1, Revised Code, and the Commission’s Code of Rules and Regulations contained in Rule 4901-01-11 of the Ohio Administrative Code. The Commission, in ruling upon a motion to intervene in its proceedings, shall consider the following criteria:

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

As an Ohio non-profit corporation with a stated purpose of advocating for affordable energy policies for low and moderate income Ohioans, OPAE has a real and substantial interest in this proceeding. Moreover, the membership of OPAE includes a number of non-profit organizations with facilities receiving electric service from Duke Energy Ohio (“Duke”).¹ Residential customers,

¹ OPAE’s membership list can be found at: www.opae.org.

including OP&A's low-income bill payment assistance and weatherization clients, will be affected by Duke's application. Non-residential customers, such as OP&A's non-profit organizations, will also be affected.

OP&A has been an intervenor in Duke's applications for recovery of program costs, lost distribution revenue, and performance incentives related to Duke's Energy Efficiency and Demand Response ("EE/PDR") programs. OP&A was an intervenor in Duke's Case No. 11-4393-EL-RDR, in which the Commission approved a stipulation, signed by OP&A and other parties, to establish cost recovery methods for Duke's Rider EE/PDR. OP&A was also an intervenor in Duke's Case No. 13-753-EL-RDR, which addressed calendar year program costs for 2012 and expected costs for 2013. OP&A was also an intervenor in Case No. 14-457-EL-RDR, which addressed calendar year program costs for 2013 and expected costs for 2014 and in Case No. 15-534-EL-RDR, which addressed calendar year 2014 costs and expected 2015 costs.

OP&A's participation in this matter will not cause undue delay, will not unjustly prejudice any existing party, and will contribute to the just and expeditious resolution of the issues raised in this proceeding. Furthermore, other parties to the proceeding will not adequately represent the interests of OP&A. The extensive background of OP&A and its membership provides a unique and important viewpoint on matters at issue in this case.

Therefore, OP&A is entitled to intervene with the full powers and rights granted by the Commission specifically, by statute, and by the provisions of the Commission's Codes of Rules and Regulations to intervening parties.

Respectfully submitted,

/s/Colleen Mooney

Colleen L. Mooney

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(willing to accept service by e-mail)

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion to Intervene and Memorandum of Support will be served by the Commission's Docketing Division by electronic mail upon electronically subscribed parties on this 3rd day of May 2019.

/s/Colleen Mooney
Colleen L. Mooney

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

Summary: Motion to Intervene and Memorandum in Support electronically filed by Colleen L Mooney on behalf of Ohio Partners for Affordable Energy