

- (3) Whether the intervention by the prospective intervenor will unduly prolong or delay the proceedings; [and]
- (4) Whether the prospective intervenor will significantly contribute to full development and equitable resolution of the factual issues.

R.C. 4903.221(B).

With respect to the first factor, ELPC has a substantial interest in the consideration and possible implementation of the gridSMART Phase 3 plan filed by the Ohio Power Company (“AEP”). As described in the testimony of AEP Ohio witness Scott Osterholt, Phase 3 projects include deploying advanced metering infrastructure (“AMI”) to AEP Ohio’s remaining customers, Volt-Var Optimization (“VVO”), Distribution Automation Circuit Reconfiguration (“DACR”), broadband fiber, Distribution Supervisory Control and Data Acquisition (“D-SCADA”), intelligent line sensors, and marketer initiatives. Scott Osterholt Testimony at 4 (Aug. 26, 2019). ELPC has an interest in ensuring the cost-effective implementation of several of these technologies to reduce energy consumption, increase renewable generation, and produce corresponding environmental benefits. Further, ELPC has members in Ohio and its work focuses on Ohio energy and environmental issues. AEP Ohio’s filing affects these interests because it relates to AEP Ohio’s long-term grid modernization plans.

As to the second factor, because of the potential impacts on ELPC and its Ohio members, ELPC seeks to ensure AEP Ohio’s application meets the applicable legal requirements, and if not, recommend appropriate solutions. Additionally, ELPC seeks the Commission’s careful scrutiny of AEP Ohio’s proposal to ensure it is reasonably designed to deliver cost-effective energy efficiency and demand response for AEP Ohio customers.

Under the third factor, ELPC’s inclusion will not unduly delay or prolong the proceeding. The Commission has not yet set a procedural schedule for the case, and ELPC is committed to

working within any schedule that is imposed by this Commission to achieve the efficient and orderly disposition of the questions presented.

Finally, ELPC will significantly contribute to the full development and resolution of the proceeding by bringing its unique perspective to bear. ELPC has expertise and experience throughout the Midwest regarding clean energy policy that will contribute to resolving the pending issues. ELPC has participated in multiple proceedings in Ohio as well as other states regarding distribution modernization efforts.

Similarly, ELPC meets the requirements set forth in Ohio Adm. Code 4901-11-1(B):

- (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; [and]
- (5) The extent to which the person's interest is represented by existing parties.

The first four factors mirror those in R.C. 4903.221, and for the same reasons as stated above, ELPC meets those factors. As to the fifth, ELPC maintains that no other party can adequately represent its interests as a regional environmental advocacy organization that also focuses on “green” economic development, including new manufacturing and job creation.

Finally, this Commission's policy is to “encourage the broadest possible participation in its proceedings.” *Cleveland Elec. Illum. Co.*, Case No. 85-675-EL-AIR, Entry at 2 (January 14, 1986). ELPC's inclusion in this proceeding will contribute to this goal of broad participation in PUCO proceedings.

Because ELPC meets the criteria set forth in both R.C. 4903.221 and Ohio Adm. Code 4901-11-1, it respectfully asks this Commission to grant its motion to intervene in the above-captioned proceedings.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing Motion to Intervene submitted on behalf of the Environmental Law & Policy Center was filed electronically through the Docketing Information System of the Public Utilities Commission of Ohio on October 23, 2019. The PUCO's e-filing system will electronically serve notice of the filing of this document on counsel for all parties.

/s/ Caroline Cox
Caroline Cox

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Summary: Motion to Intervene electronically filed by Ms. Caroline Cox on behalf of Environmental Law and Policy Center