

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of)	
Ohio Power Company for Approval of)	
its Temporary Plan for Addressing)	Case No. 20-602-EL-UNC
the COVID-19 State of Emergency)	

In the Matter of the Application of)	
Ohio Power Company for Waiver of)	
Tariffs and Rules Related to the)	Case No. 20-603-EL-WVR
COVID-19 State of Emergency)	

In the Matter of the Application of)	
Ohio Power Company for Approval of)	
Certain Accounting Authority)	Case No. 20-604-EL-AAM

In the Matter of the Application of)	
Ohio Power Company for Approval of)	
a Reasonable Arrangement)	Case No. 20-734-EL-AEC

**MOTION TO INTERVENE AND MEMORANDUM IN SUPPORT
OF INTERSTATE GAS SUPPLY, INC.**

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MOTION TO INTERVENE

Pursuant to R.C. 4903.221 and Ohio Adm.Code 4901-1-11, Interstate Gas Supply, Inc. ("IGS" or "IGS Energy") moves to intervene in the above captioned cases. In these proceedings, Ohio Power Company ("AEP Ohio") filed an application proposing an emergency plan addressing the COVID-19 emergency, including related requests for accounting authority, waivers, and emergency rate relief.

As set forth in the attached Memorandum in Support, IGS submits that it has a direct, real, and substantial interest in the issues and matters involved in the above-captioned proceeding, and that it is so situated that the disposition of the proceeding without IGS' participation may, as a practical matter, impair or impede IGS' ability to

protect that interest. IGS further submits that its participation in this proceeding will not cause undue delay, will not unjustly prejudice any existing party, and will contribute to the throughout consideration of the issues raised in the proceeding.

IGS' interests will not be adequately represented by other parties to these proceedings and therefore, IGS is entitled to intervene in this proceeding with the full powers and rights granted to intervening parties.

Respectfully submitted,

/s/ Bethany Allen

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MEMORANDUM IN SUPPORT

In support of this Motion to Intervene, IGS Energy submits that it has over 30 years of experience serving customers in Ohio's competitive gas and electric markets. IGS serves customers across 11 states in over 40 utility service territories. In Ohio, IGS currently serves electric customers of various sizes across the AEP Ohio, Duke Energy Ohio, Inc., The Dayton Power and Light Company, and FirstEnergy service territories. Additionally, the IGS family of companies, including IGS Solar, IGS Generation, and IGS CNG Services, provide customer focused energy solutions that complement IGS Energy's core commodity business, including distributed generation, demand response, compressed natural gas refueling, back-up generation, and utility line protection.

On March 12, 2020, the Commission issued an Entry that, due to the declaration of a state of emergency, directed public utilities “to review their service disconnection policies, practices, and tariff provisions and to promptly seek any necessary approval to suspend otherwise applicable requirements that may impose a service continuity hardship on residential and nonresidential customers or create unnecessary COVID-19 risks associated with social contact.”¹

In response, on March 17, 2020, as amended on March 24 and April 9, 2020, AEP Ohio filed an application with its proposal to implement the Commission’s directives in the State of Emergency Proceeding (“Application”). In these proceedings, the Commission seeks comments regarding the proposals contained in AEP Ohio’s Application.

IGS respectfully submits that it is entitled to intervene in these proceedings because IGS has a real and substantial interest in these proceedings, the disposition of which may impair or impede its ability to protect that interest.

For purposes of considering requests to intervene in Commission proceedings, the Commission’s rules provide that:

Upon timely motion, any person shall be permitted to intervene in a proceeding upon a showing that: (1) A statute of this state or the United States confers a right to intervene. (2) The person has a real and substantial interest in the proceeding, and the person is so situated that the disposition of the proceeding may, as a practical matter, impair or impede his or her ability to protect that interest, unless the person's interest is adequately represented by existing parties.²

Further, R.C. 4903.221(B) and Ohio Adm.Code 4901-1-11(B), provide that the

¹ *In the Matter of the Proper Procedures and Process for the Commission’s Operations and Proceedings During the Declared State of Emergency and Related Matters*, Case No. 20-591-AU-UNC, Entry (Mar. 12, 2020).

² Ohio Adm.Code 4901-1-11(A).

Commission, in ruling upon applications to intervene in its proceedings, shall consider the following criteria:

- (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; and
- (4) Whether the prospective intervenor will significantly contribute to full development and equitable resolution of the factual issues.

As a certified retail electric service provider, IGS has a direct, real, and substantial interest in these proceedings to ensure the availability of unbundled and comparable retail electric service to its customers. Further, IGS and its counsel have substantial experience appearing and practicing before the Commission, thus IGS intervention will not unduly prolong or delay these proceedings. Additionally, it would be inappropriate to determine these proceedings without IGS' participation, as the other parties in the case cannot adequately represent and protect the interests of IGS and its customers in these proceedings.

Finally, the Supreme Court of Ohio has held that intervention should be liberally allowed for those with an interest in the proceeding.³ In light of the liberal interpretation of the intervention rules, IGS clearly meets the standards for intervention in these proceedings.

For the reasons set forth above, IGS respectfully requests the Commission grant this Motion to Intervene.

³ *Ohio Consumers' Counsel v. Pub. Util. Comm.*, 111 Ohio St.3d 384, 2006-Ohio-5853.

Respectfully submitted,

/s/ Bethany Allen

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CERTIFICATE OF SERVICE

I certify that this *Motion to Intervene and Memorandum in Support of Interstate Gas Supply, Inc.* was filed electronically through the Docketing Information System of the Public Utilities Commission of Ohio on April 20, 2020. The Commission's e-filing system will electronically serve notice of the filing of this document on the parties subscribed to these proceedings. Additionally, notice was provided to the parties listed below.

/s/ Bethany Allen

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Case No(s). 20-0602-EL-UNC, 20-0603-EL-WVR, 20-0604-EL-AAM, 20-0734-EL-AEC

Summary: Motion Motion to Intervene and Memorandum in Support of Interstate Gas Supply, Inc. electronically filed by Bethany Allen on behalf of Interstate Gas Supply, Inc.