

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Ohio) Power Company for an Increase in) Electric Distribution Rates.)	Case No. 20-585-EL-AIR
In the Matter of the Application of Ohio) Power Company for Tariff Approval.)	Case No. 20-586-EL-ATA
In the Matter of the Application of Ohio) Power Company for Approval to) Change Accounting Methods.)	Case No. 20-587-EL-AAM

**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 case. In these proceedings, Ohio Power Company (“AEP Ohio”) intends to file an application for approval of an increase in its electric distribution rates, tariff modifications, and changes in accounting methods.

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 thorough 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,

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MEMORANDUM IN SUPPORT

As a retail energy supplier, IGS Energy has over 30 years of experience serving customers in Ohio’s competitive gas and electric markets. Currently, IGS serves customers across 20 states, including electric customers of various sizes throughout the AEP Ohio service territory. Additionally, the IGS family of companies, which includes IGS Solar, IGS Generation, IGS Home Services, 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, and back-up generation.

In this proceeding, AEP Ohio intends to file an application for approval of an increase in its electric distribution rates, tariff modifications, and changes in accounting methods.

IGS respectfully submits that it is entitled to intervene in this proceeding because IGS has a real and substantial interest in this proceeding, 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.¹

Further, R.C. 4903.221(B) and Ohio Adm.Code 4901-1-11(B), provide that the Commission, in ruling upon applications to intervene in its proceedings, shall consider the following criteria:

- (1) The nature and extent of the prospective intervener's interest;
- (2) The legal position advanced by the prospective intervener and its probable relation to the merits of the case;
- (3) Whether the intervention by the prospective intervener will unduly prolong or delay the proceedings; and
- (4) Whether the prospective intervener 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 this proceeding. As noted in its Motion, AEP Ohio is required to initiate this case under the terms of the Joint Stipulation and Recommendation approved and adopted by the Commission in AEP Ohio's fourth electric security plan ("ESP IV Stipulation").² IGS notes that the ESP IV Stipulation also requires AEP Ohio to provide

¹ Ohio Adm.Code 4901-1-11(A).

² Motion to Establish a Date Certain and Test Period (Apr. 9, 2020) at 6; see *In the Matter of the Application of Ohio Power Company for Authority to Establish a Standard Service Offer Pursuant to Section 4928.143*,

an analysis of the actual costs required to provide default service that are included in AEP Ohio's cost of service study and to propose to allocate those costs to default service in this proceeding.³ Additionally, AEP Ohio will propose the recovery of bad debt associated with default service generation receivables on a bypassable basis in this proceeding.⁴ As both of these provisions will have an impact on the rates charged to IGS' current and prospective customers, IGS has a real and substantial interest in this proceeding.

AEP's application also will address distribution rates and charges applicable to customers with net metering systems. As a solar provider in this state, IGS has an interest in ensuring AEP's distribution demand charges are just, reasonable, and do not discourage the construction of distributed generation.

Additionally, it would be inappropriate to determine this proceeding without IGS' participation, as the other parties in the case cannot adequately represent and protect the interests of IGS and its customers in this proceeding.

Further, IGS and its counsel have substantial experience appearing and practicing before the Commission, thus IGS intervention will not unduly prolong or delay this proceeding. In fact, IGS' involvement in this proceeding will assist in development and resolution of factual issues before the Commission.

Finally, the Supreme Court of Ohio has held that intervention should be liberally allowed for those with an interest in the proceeding.⁵ In light of the liberal interpretation

Revised Code, in the Form of an Electric Security Plan ("ESP IV"), Case Nos. 16-1852-EL-SSO, et al., Opinion and Order (Apr. 25, 2018) ("ESP IV Order") at 18.

³ ESP IV Order at 41-42.

⁴ *Id.* at 36.

⁵ *Ohio Consumers' Counsel v. Pub. Util. Comm.*, 111 Ohio St.3d 384, 2006-Ohio-5853.

of the intervention rules, IGS clearly meets the standards for intervention in this proceeding.

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

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 May 22, 2020. The PUCO'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

Bethany Allen

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Case No(s). 20-0585-EL-AIR, 20-0586-EL-ATA, 20-0587-EL-AAM

Summary: Motion to Intervene and Memorandum in Support electronically filed by Mr. Evan F Betterton on behalf of Interstate Gas Supply, Inc.