

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Ohio )  
Power Company for an increase in Electric ) Case No. 20-585-EL-AIR  
Distribution Rates. )

)  
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 ) Case No. 20-587-EL-AAM  
Accounting Methods. )

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**MOTION TO INTERVENE OF DIRECT ENERGY BUSINESS, LCC AND  
DIRECT ENERGY SERVICES, LLC**

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In accordance with R.C. 4903.221 and Ohio Admin. Code 4901-1-11, Direct Energy Services, LLC and Direct Energy Business, LLC, (collectively, Direct Energy) request issuance of an entry granting intervention in this proceeding. The reasons supporting this intervention are stated below in the Memorandum in Support.

Respectfully submitted,

/s/ Mark A. Whitt

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Direct Energy Services, LLC*

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**MEMORANDUM IN SUPPORT**

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R.C. 4903.221 confers a right to intervene to any person who may be "adversely affected" by a Commission proceeding. In considering a request to intervene, the Commission must consider the nature of the intervenor's interest, the extent that interest is represented by existing parties, the intervenor's potential contribution to a just and expeditious resolution of the issues, and whether intervention would unduly delay the proceeding. *See* R.C. 4903.221(B)(1-4).

Direct Energy meets all of the criteria for intervention. Direct Energy holds Certificate Nos. 00-019E(10) and 00-005E(10) as a competitive retail electric service provider from the Commission to engage in the competitive sale of electric service to retail customers in Ohio. Direct Energy currently provides service to retail electric customers in the AEP Ohio service territory. Direct Energy has a real and substantial interest in this proceeding, including, but not limited to, changes to AEP Ohio's electric distribution rates,

tariff modifications, and changes in accounting methods that could have an impact on the rates charged to current and prospective customers served by Direct Energy.

The issues impacting Direct Energy, as identified above, demonstrate the depth of Direct Energy's real and substantial interest in this case. Direct Energy will advance legal positions that are directly relevant to the merits of the case and Direct Energy's position. Additionally, Direct Energy's direct and unique pecuniary interest in this proceeding cannot be represented by other intervenors. Direct Energy's unique expertise and participation in the competitive retail and wholesale markets in Ohio and across the country will significantly contribute to the development of a full and complete record to assist the Commission in its consideration of the Application. Finally, Direct Energy's intervention will not unduly delay the instant proceedings.

Accordingly, Direct Energy respectfully requests that the Commission grant this Motion to Intervene.

Dated: June 23, 2020

Respectfully submitted,

/s/ Mark A. Whitt

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## CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion to Intervene and Memorandum in Support was served by electronic mail this 23<sup>rd</sup> day of June 2020 to the following:

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Summary: Motion to Intervene and Memorandum in Support electronically filed by Mr. Lucas A Fykes on behalf of Direct Energy Business, LLC and Direct Energy Services, LLC