

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

**In the Matter of the Application of Duke )  
Energy Ohio, Inc., for Approval of its )  
2021 Energy Efficiency and Demand Side ) Case No. 20-1444-EL-POR  
Management Portfolio of Programs and )  
Cost Recovery Mechanism. )**

**In the Matter of the Application of Duke )  
Energy Ohio, Inc., for Approval of Tariff ) Case No. 20-1445-EL-ATA  
Amendments. )**

**MOTION TO INTERVENE OF  
ARMADA POWER, LLC**

Armada Power, LLC (“Armada Power”), pursuant to Ohio Revised Code Section 4903.221 and Ohio Administrative Code Rule 4901-1-11, moves to intervene in the above-styled proceedings as a full party of record. The reasons supporting the intervention are contained in the accompanying Memorandum in Support. Armada Power respectfully requests that the Commission grant this motion to intervene and that Armada Power be made a full party of record.

Respectfully Submitted,

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*Counsel for Armada Power, LLC*

**MEMORANDUM IN SUPPORT OF  
THE MOTION TO INTERVENE**

Ohio Revised Code Section (“R.C.”) 4903.221 and Ohio Administrative Code Rule (“Rule”) 4901-1-11 establish the standard for intervention in the above-styled proceedings as a full party of record. Rule 4901-1-11 states in part:

(A) Upon timely motion, any person shall be permitted to intervene in a proceeding upon a showing that:

\* \* \*

(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.

In addition to establishment of a direct interest, the factors that the Public Utilities Commission of Ohio (the “Commission”) considers in implementing the above rule are 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 involved, and whether intervention would result in an undue delay of the proceeding. *See also* R.C. 4903.221(B) upon which the above rule is authorized. A review of these factors in light of the following facts supports granting intervention to Armada Power, LLC (“Armada Power”).

In these proceedings, Duke has applied to continue in 2021, as a pilot, a portfolio of residential energy efficiency (“EE”) and demand side management (“DSM”) programs. Duke also proposes a recovery mechanism to recover the costs of the programs and solely for this pilot proposes a second mechanism to recognize the avoided-cost system benefits resulting from customer participation in the EE/DSM programs. On pages 2-3 of its Application, Duke alleges that it proposes the suite of four programs to residential customers to “actually spur participation

in market-based offerings” because there is a need that is not met by current market-based approaches.<sup>1</sup> The four programs as described by Duke are as follows:<sup>2</sup>

<b>Program Name</b>	<b>Program Description</b>
My Home Energy Report (MyHER)	Engage customers around household electric usage by comparing it to similar, neighboring homes, and provide actionable recommendations to become more energy efficient.
Low Income Neighborhood Energy Saver Program	Takes a non-traditional approach to serving income qualified areas of the Duke Energy Ohio service territory by providing weatherization services, home audits, and installation of EE measures.
Low Income Weatherization – Pay for Performance	Helps Duke Energy Ohio income-qualified customers reduce their energy consumption and lower their energy costs.
Power Manager®	Residential Load Control program.

Armada Power is a participant in demand response and energy efficiency markets. It manufactures and incorporates smart technologies into a secure platform to optimize pricing, usage, and power monitoring, and to provide grid services to customers. Armada Power has been operating within PJM Interconnection LLC’s footprint for multiple years. Armada Power also has been participating in regulatory proceedings to protect and enhance its technology and the electric grid.

Armada Power satisfies the intervention requirements above. First, Armada Power has a direct, real, and substantial interest in Duke’s request to offer, and receive cost recovery for, different programs for the residential customers in the Duke territory. Armada Power has the ability to enhance and stabilize the electric usage and the distribution grid to the benefit of these ratepayers and the environment. Second, Armada Power’s technology falls within the matters under consideration through Duke’s EE/DSM proposal. The resolutions of issues raised within these proceedings will significantly and directly affect the economic interests and development of Armada Power’s business. Third, Armada Power’s intervention request is timely (no deadline has

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<sup>1</sup> See also Application at 6.

<sup>2</sup> Application at 12.

been established) and its intervention will not unduly prolong or delay these proceedings. Fourth, Armada Power will significantly contribute to the full development and equitable resolution of the factual issues before the Commission. Lastly, no other party to this proceeding is positioned to protect Armada Power's interest or advance its position related to Duke's application. Armada Power's technology and business model is unique to the marketplace and will only be adequately protected and represented if it is granted intervention. For the reasons set forth above, Armada Power respectfully requests the Commission grant this Motion to Intervene.

Respectfully Submitted,

/s/ Gretchen L. Petrucci  
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(Both are willing to accept service via e-mail)

*Counsel for Armada Power, LLC*

## CERTIFICATE OF SERVICE

The Public Utilities Commission of Ohio's e-filing system will electronically serve notice of the filing of this document on the parties referenced on the service list of the docket cards who have electronically subscribed to the cases. In addition, the undersigned certifies that a courtesy copy of the foregoing document is also being served (via electronic mail) on the 16<sup>th</sup> day of November 2020 upon all persons/entities listed below:

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/s/ Gretchen L. Petrucci  
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Summary: Motion Motion to Intervene electronically filed by Mrs. Gretchen L. Petrucci on behalf of Armada Power, LLC