

<b>In the Matter of the Application of The Dayton Power and Light Company for an Increase in its Electric Distribution Rates.</b>	)	<b>Case No. 20-1651-EL-AIR</b>
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	)	
<b>In the Matter of the Application of The Dayton Power and Light Company for Accounting Authority.</b>	)	<b>Case No. 20-1652-EL-AAM</b>
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	)	
<b>In the Matter of the Application of The Dayton Power and Light Company for Approval of Revised Tariffs.</b>	)	<b>Case No. 20-1653-EL-ATA</b>
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	)	

Pursuant to Ohio Revised Code Section 4903.221 and Ohio Administrative Code Rule 4901-1-11, Armada Power, LLC (“Armada Power”) 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.

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**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 this proceeding, The Dayton Power and Light Company (“AES Ohio”)<sup>1</sup> seeks approval to increase its electric distribution rates. AES Ohio also proposes to change some terms and conditions in its tariffs and proposes to reduce its demand side management (“DSM”) programs that encourage efficient behavior, demand response, and energy conservation awareness. AES Ohio also proposes to

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<sup>1</sup> Since filing the application in these proceedings, The Dayton Power and Light Company has adopted a fictitious name of “AES Ohio.” *In the Matter of the Application of The Dayton Power and Light Company for Approval of a Revised Bill Format for Electric Service*, Case No. 21-146-EL-UNC.

recover the \$11.9 million cost of those programs through its base rates each year.<sup>2</sup> Moreover, AES Ohio proposes continuation of and recovery on capital projects that include new or upgraded services to customers through Blanket Budget Projects.<sup>3</sup>

Armada Power is a participant in the demand response and energy efficiency markets. It manufactures and incorporates smart technologies into a secure platform to optimize pricing, usage, and power monitoring, and provide grid services. Armada Power has been operating within the PJM Interconnection LLC footprint for multiple years. Armada Power has participated in Ohio regulatory proceedings to protect and enhance its technology and the electric grid, including AES Ohio's pending grid modernization case.<sup>4</sup> In that matter, Armada Power and AES Ohio agreed upon a small pilot program for PIPP customers that is pending consideration by the Commission.<sup>5</sup>

Armada Power has a direct, real and substantial interest in AES Ohio's proposed changes to its DSM programs and its capital projects, including Blanket Budget Projects. Armada Power has the ability to enhance and stabilize electric usage and the distribution grid to the benefit of AES Ohio, its customers and the environment. Armada Power's technology falls within consideration of these programs and projects, and resolution of the issues in these proceedings will affect, significantly and directly the economic interests and development of Armada Power's business. Armada Power is knowledgeable and experienced in the energy industry. It will not unduly prolong or delay the proceedings. Armada Power's intervention is timely (in advance of the deadline) and Armada Power plans to be fully engaged in the proceeding and follow the procedural schedule.

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<sup>2</sup> See Direct Testimony of Stefanie S. Campbell at 3-6 (filed December 14, 2020). AES Ohio proposes, as an alternative, to defer the costs of the DSM programs. See Direct Testimony of Tyler A. Teuscher at 4-5 (filed December 14, 2020).

<sup>3</sup> See Direct Testimony of Barry J. Bentley at 4-5 (filed December 14, 2020).

<sup>4</sup> *In the Matter of the Application of The Dayton Power and Light Company for Approval of Its Plan to Modernize Its Distribution Grid*, Case Nos. 18-1875-EL-GRD et al.

<sup>5</sup> *Id.*, Stipulation at 30-32 (filed October 23, 2020).

Armada Power will contribute significantly to the full development and equitable resolution of the factual and legal issues. Armada Power has transformative technology that will optimize individual devices into a larger aggregated, controlled and cohesive grid tool that will benefit the electric grid. Armada Power's interests are not represented by AES Ohio and Staff. Additionally, no entity with a pending motion to intervene represents Armada Power's interests.

For all of these reasons, Armada Power satisfies the requirements for intervention in these Commission proceedings. 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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### **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 card who have electronically subscribed to the case. In addition, the undersigned certifies that a courtesy copy of the foregoing document is also being served (via electronic mail) on the 26th day of March 2021 upon all persons/entities listed below:

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