

**BEFORE THE
PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Joint Application of Utility)
Pipeline, Ltd., Cobra Pipeline Company, Ltd.,) Case No. 21-0803-GA-ATR
and Knox Energy Cooperative Association, Inc.)
to Substitute Natural Gas Service and Transfer)
Assets to Customers)

MOTION TO INTERVENE OF STAND ENERGY CORPORATION

Pursuant to Ohio Revised Code § 4903.221 and O.A.C. 4901-1-11, Stand Energy Corporation (“Stand Energy”) hereby moves to intervene in this proceeding. Stand Energy has a real and substantial interest in this proceeding and its interests, which may be prejudiced by the result of this proceeding, is not represented by existing parties. Thus, as set forth more fully in the attached memorandum in support, Stand Energy respectfully requests that the Commission grant this timely request to intervene.

Respectfully submitted,

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**MEMORANDUM IN SUPPORT OF THE MOTION
TO INTERVENE OF STAND ENERGY CORPORATION**

I. INTRODUCTION

In this proceeding (the “Application”), Cobra Pipeline Company, Ltd. (“Cobra”) seeks authorization from the Public Utilities Commission of Ohio (the “Commission”) for the transfer of assets from Cobra to Utility Pipeline, Ltd., (“UPL”), then to Knox Energy Cooperative Association, Inc. (“Knox”). The Application will significantly impact customers through, among other things, revised rates and charges. Stand Energy is a customer in Cobra’s current service territory. Accordingly, Stand Energy has a real and substantial interest in this proceeding, and the Commission’s disposition of this proceeding may impair or impede its ability to protect that interest. Thus, Stand Energy respectfully requests that the Commission grant its motion to intervene in this proceeding.

II. LEGAL STANDARD

R.C. § 4903.221 provides that any “person who may be adversely affected by a public utilities commission proceeding” may intervene in the proceeding. The Commission’s own rules reinforce the right to intervene:

“Upon timely motion, any person *shall be* permitted to intervene in a proceeding upon a showing that . . . [t]he 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.” O.A.C. 4901-1-11(A) (emphasis added).

“The regulation’s text is very similar to Civ. R. 24 – the rule governing intervention in civil cases in Ohio – which is generally liberally construed in favor of intervention.” *Ohio Consumers’ Counsel v. Pub. Util. Comm.*, 111 Ohio St. 3d 384, 387 (2006) (internal quotations omitted). In considering a motion to intervene, the Commission’s rule directs that the Commission should consider: 1) the nature and extent of the intervenor’s interest; 2) the legal position advanced by the intervenor and its probable relation to the merits of the case; 3) whether intervention will unduly prolong or delay the proceedings; 4) whether the intervenor will significantly contribute to full development and equitable resolution of the factual issues; and 5) the extent to which the intervenor’s interest is represented by existing parties. *See* O.A.C. 4901-1-11(B)(1)-(5); *see also* R.C. § 4903.221(B)(1)-(4). Stand Energy’s Motion to Intervene satisfies each of these factors.

III. ARGUMENT

A. The Nature and Extent of Stand Energy’s Interest

Stand Energy is directly affected by the Application as a customer in Cobra’s service territory. As such, Stand Energy has a substantial interest in the outcome of this proceeding and in ensuring that service is uninterrupted and that Stand Energy’s existing service agreement is honored. Those interests cannot be represented by any other party to this proceeding, as no other party to this proceeding represents Stand Energy’s interests as a customer.

B. The Legal Position Asserted by Stand Energy

Stand Energy supports Cobra, UPL, and Knox’s goals of providing safe and reliable service. However, the specific details regarding how the Application is implemented may have a significant impact on Stand Energy, as an existing customer of Cobra. As such, Stand Energy seeks to intervene to ensure that the Application is implemented in an orderly manner consistent with all relevant legal principles.

C. Stand Energy’s Intervention Will Not Unduly Prolong or Delay The Proceeding

On July 16, 2021, the Commission accepted the Application for filing from Cobra, UPL, and Knox. The Attorney Examiner has established August 20, 2021 as the deadline for filing comments. As a result, Stand Energy’s Motion to Intervene is timely and will not prejudice any existing parties or unduly prolong or delay the proceedings.¹

D. Stand Energy’s Interests Are Not Already Represented by Existing Parties.

Stand Energy has over 37 years of experience supplying natural gas in Ohio. Stand Energy has senior legal and regulatory employees with more than 50 years of combined experience in Ohio.

Stand Energy is a Cobra customer with operations in Cobra’s service territory. Stand Energy can and will contribute to the full development of factual issues in this case. Stand Energy has substantial experience in Commission proceedings and its experience will benefit the Commission’s review of the Application. In addition, Stand Energy’s participation will

¹ See O.A.C. 4901:1-11(E) (providing that a motion to intervene “will not be considered timely if it is filed later than five days prior to the scheduled date of the hearing or any specific deadline established by order of the commission for purposes of a particular proceeding”).

contribute to the full development and resolution of the issues raised by the Application. Stand Energy's interests are not already represented by any existing party.

IV. CONCLUSION

WHEREFORE, Stand Energy respectfully requests that the Commission grant this Motion to Intervene and allow Stand Energy to be made a party of record to this proceeding.

Respectfully submitted,

/s/ Kate E. Russell-Bedinghaus
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CERTIFICATE OF SERVICE

I certify that the foregoing was filed electronically through the Docketing Information System (DIS) of the Public Utilities Commission of Ohio on this 28th day of July, 2021. The DIS e-filing system will electronically serve notice of this document on counsel for all parties.

/s/ Kate E. Russell-Bedinghaus
Kate E. Russell-Bedinghaus (0072613)

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This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

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in

Case No(s). 21-0803-GA-ATR

Summary: Motion to Intervene of Stand Energy Corporation electronically filed by Mrs. Kate E Russell-Bedinghaus on behalf of Stand Energy Corporation