

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Duke Energy Ohio, Inc. for an Adjustment to Rider MGP Rates.	) ) )	Case No. 14-0375-GA-RDR
In the Matter of the Application of Duke Energy Ohio, Inc. for Tariff Approval.	) )	Case No. 14-0376-GA-ATA
In the Matter of the Application of Duke Energy Ohio, Inc. for an adjustment to Rider MGP Rates.	) ) )	Case No. 15-0452-GA-RDR
In the Matter of the Application of Duke Energy Ohio, Inc. for Tariff Approval.	) )	Case No. 15-0453-GA-ATA
In the Matter of the Application of Duke Energy Ohio, Inc., for an Adjustment to Rider MGP Rates.	) ) )	Case No. 16-0542-GA-RDR
In the Matter of the Application of Duke Energy Ohio, Inc. for Tariff Approval.	) )	Case No. 16-0543-GA-ATA
In the Matter of the Application of Duke Energy Ohio, Inc. for an Adjustment to Rider MGP Rates.	) ) )	Case No. 17-0596-GA-RDR
In the Matter of the Application of Duke Energy Ohio, Inc. for Tariff Approval.	) )	Case No. 17-0597-GA-ATA
In the Matter of the Application of Duke Energy Ohio, Inc. for an Adjustment to Rider MGP Rates.	) ) )	Case No. 18-0283-GA-RDR
In the Matter of the Application of Duke Energy Ohio, Inc., for Tarif Approval.	) )	Case No. 18-0284-GA-ATA
In the Matter of the Application of Duke Energy Ohio, Inc. for Implementation of the Tax Cuts and Jobs Act of 2017.	) ) )	Case No. 18-1830-GA-UNC
In the Matter of the Application of Duke Energy Ohio, Inc. for Approval of Tariff Amendments.	) ) )	Case No. 18-1831-GA-ATA

In the Matter of the Application of Duke Energy Ohio, Inc. for an Adjustment to Rider MGP Rates.	)	
	)	Case No. 19-0174-GA-RDR
	)	
In the Matter of the Application of Duke Energy Ohio Inc., for Tariff Approval.	)	Case No. 19-0175-GA-ATA
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In the Matter of the Application of Duke Energy Ohio, Inc. for Authority to Defer Environmental Investigation and Remediation Costs.	)	
	)	Case No. 19-1085-GA-AAM
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In the Matter of the Application of Duke Energy Ohio, Inc. for Tariff Approval.	)	Case No. 19-1086-GA-UNC
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In the Matter of the Application of Duke Energy Ohio, Inc., for an Adjustment to Rider MGP Rates.	)	
	)	Case No. 20-0053-GA-RDR
	)	
In the Matter of the Application of Duke Energy Ohio, Inc. for Tariff Approval.	)	Case No. 20-0054-GA-ATA
	)	

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**MOTION FOR LEAVE TO INTERVENE, MOTION FOR PROCEDURAL SCHEDULE,  
AND MEMORANDUM IN SUPPORT OF INTERSTATE GAS SUPPLY, INC.**

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**MOTION FOR LEAVE TO INTERVENE AND MOTION TO ESTABLISH A  
PROCEDURAL SCHEDULE**

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Pursuant to R.C. 4903.221 and Ohio Administrative Code (“OAC”) Rule 4901-1-11, Interstate Gas Supply, Inc. (“IGS”) respectfully moves for leave to intervene — to the extent that leave is required— in the above-captioned proceedings in which Duke Energy Ohio, Inc. (“Duke”) and other parties filed a Stipulation and Recommendation (“Stipulation”). Notably, the Stipulation relates to several cases, including four matters that have no deadline for intervention.<sup>1</sup>

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<sup>1</sup> See, e.g., *In the Matter of the Application of Duke Energy Ohio, Inc. for Implementation of the Tax Cuts and Jobs Act of 2017*, Case No. 18-1830-GA-UNC (Dec. 21, 2018); *In the Matter of the Application of Duke Energy Ohio, Inc. for Approval of Tariff Amendments*, Case No. 18-1831-GA-ATA (Dec. 21, 2018); *In the*

Through the Stipulation, the parties seek to resolve several unrelated matters and they have included several additional recommendations and commitments that are completely unrelated to the subject matter of the underlying cases, including structural, operational, and administrative changes that directly impact the competitive market and its participants.

Indeed, the Stipulation includes commitments from Duke to perform the following: transition from its long-standing Gas Cost Recovery (“GCR”) mechanism to a competitive Standard Service Offer (“SSO”) auction format for natural gas supply; provide twenty-four months of aggregate shadow billing data to the Ohio Consumers’ Counsel (“OCC”) on an ongoing basis; and to implement billing system changes that will include the Price-to-Compare on all shopping customer bills.<sup>2</sup>

While IGS does not believe that this case or any of the unrelated cases are the proper forum for Duke to make commitments that will directly impact the competitive market and/or challenge long-standing Commission precedent, these commitments will undoubtedly alter the fundamental structure and administration of the competitive natural gas market in the Duke service territory. Therefore, IGS has a real and substantial interest in this proceeding that will not be protected absent its intervention.

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*Matter of the Application of Duke Energy Ohio, Inc. for an Adjustment to Rider MGP Rates*, Case No. 20-0053-GA-RDR (Mar. 31, 2020); *In the Matter of the Application of Duke Energy, Ohio, Inc., for Tariff Approval*, Case No. 20-0054-GA-ATA (Mar. 31, 2020).

<sup>2</sup> *In the Matter of the Application of Duke Energy Ohio, Inc., for an Adjustment to Rider MGP Rates*, Case Nos. 14-0375-GA-RDR, *et al.*, Stipulation and Recommendation at 16; 18-19 (Aug. 31, 2021). (hereinafter “Stipulation”)

The interest of IGS is also not represented by any other party in the proceeding. Moreover, the outcome of this proceeding will not only impact IGS' existing and potential business interests in the Duke service territory, but also the administration and operation of the Choice program.

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 this 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 just and expeditious resolution of the issues and concerns raised in this proceeding. IGS's interests are also not adequately represented by other parties.<sup>3</sup> Therefore, IGS is entitled to intervene in this proceeding with the full powers and rights granted to intervening parties.

Moreover, to the extent that leave is required to intervene, IGS has established that it satisfies the intervention standard set forth in R.C. 4903.221(B) and good cause exists to permit IGS's intervention. Ohio Adm. Code 4901-1-11(F) authorizes the Commission to grant motions to intervene out of time under extraordinary circumstances. As noted above, the Stipulation proposes to resolve several different cases and includes recommendations and commitments to implement processes that will directly impact the

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<sup>3</sup> IGS notes that no other supplier or trade association that represents suppliers intervened in any of the cases above and did not appear to participate in the negotiated settlement at issue in this case. IGS presumes that supplier inaction can be attributed to the fact that these cases are not the appropriate forum to resolve market-related issues.

administration and operation of the Choice program in the Duke service territory. The three commitments IGS identified above are completely unrelated to the scope of the above-captioned proceedings. Indeed, extraordinary circumstances exist in that IGS could not have anticipated that market-related issues would be addressed by the parties given the nature and scope of these cases. Given these extraordinary circumstances, IGS satisfies the Commission's standard for leave to intervene out of time.

Nevertheless, neither IGS nor any other prospective intervenor should be required to move to intervene out of time. Several of these cases have no intervention deadline. The fact that the parties also seek to resolve certain competitive market-related matters that are otherwise beyond the scope of these proceedings further warrants that the Commission should establish a new procedural schedule.

The Stipulation has been submitted to resolve several unrelated cases. Notably no party has moved to consolidate these cases or requested that the Commission establish a procedural schedule to permit the supporting parties—or opposing parties—to submit evidence and arguments so that the Commission may holistically evaluate the record and determine whether the Stipulation satisfies the three-prong test. R.C. 4903.09.

Consolidation is a prerequisite to considering the stipulation as filed.<sup>4</sup> Given that the Stipulation not only seeks to resolve issues in several unrelated cases, but also seeks to inject novel issues outside the scope of any of the underlying cases, IGS requests that the Commission proceed cautiously, and, in establishing any procedural schedule, the

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<sup>4</sup> IGS takes no position on whether the signatory parties have demonstrated that these cases should be consolidated. IGS reserves the right to respond to any request to consolidate these cases.

Commission should provide interested parties with sufficient opportunity and due process to conduct discovery, prepare testimony, and hold a hearing to develop a record. Therefore, to the extent that the Commission ultimately determines that these cases should be consolidated, IGS urges the Commission to also establish the following procedural schedule:

- Motions to Intervene: 30 days after consolidation;
- Discovery deadline (except depositions): 60 days after consolidation;
- Discovery response time: 10 calendar days;
- Testimony in opposition to the Stipulation: 60 days after consolidation;
- Hearing: 90 days after consolidation

. The reasons supporting this motion are set forth further in the attached memorandum in support.

Respectfully submitted,

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## MEMORANDUM IN SUPPORT

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### I. INTRODUCTION

On August 31, 2021, parties submitted a Stipulation in the above-captioned cases. The Stipulation proposes to resolve several unrelated cases and includes new subject matter that is completely unrelated to the scope of the underlying proceedings. Given that the Stipulation seeks to impact matters related to the competitive retail natural gas market, IGS submits that it should be granted intervention in the above-captioned cases. IGS demonstrated that it satisfied the criteria for intervention. Moreover, to the extent leave is necessary, IGS has established that extraordinary circumstances exist to warrant intervention beyond any prior date for intervention set in any of the above-captioned cases.

IGS notes that the parties have yet to move to consolidate these cases. Such consolidation (and a hearing), of course, is a prerequisite to the Commission's consideration of the Stipulation. IGS recommends that the Commission proceed cautiously when it establishes a procedural schedule in this case. Any schedule must appropriately balance the interests of the stipulating parties with the interests of parties that were excluded from settlement negotiations that resulted in the Stipulation that, if approved, will undoubtedly impact the competitive market.

## **II. ARGUMENT**

### **A. IGS satisfies the criteria for intervention**

IGS has over 30 years' experience serving customers in Ohio's competitive markets. IGS serves over 1 million customers nationwide and sells natural gas and electricity to customers in 11 states and in over 40 utility service territories. In Ohio, IGS currently serves gas customers of various sizes in the Duke Gas of Ohio, Dominion Energy Ohio, Duke Energy Ohio, and Vectren service territories. The IGS family of companies (which include IGS Solar, IGS Generation, IGS Home Services, and IGS CNG Services) also provide customer-focused energy solutions that complement IGS Energy's core commodity business, including: distributed generation, demand response, compressed natural gas refueling, back-up generation, and utility line protection.

The above-captioned cases seek Commission approval on matters that are unrelated to the activities of the competitive market or its participants. Here, Duke filed 12 separate applications<sup>5</sup> ("MGP Cases") in response to a pair of Commission Orders

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<sup>5</sup> See *In the Matter of the Application of Duke Energy Ohio, Inc. for an Adjustment to Rider MGP Rates*, Case No. 14-375-GA-RDR (Mar. 31, 2014); *In the Matter of the Application of Duke Energy Ohio, Inc. for*

that authorized it to defer and recover environmental investigation and remediation costs related to the cleanup of two former manufactured gas plant sites in Ohio. The MGP cases seek approval for Duke to adjust its Rider MGP to recover environmental and remediation cleanup costs related to those plants and incurred during the prior year(s). Additionally, the above-captioned cases include two applications<sup>6</sup> (“East End cases”) that seek Commission authorization to continue to not only defer environmental investigation and remediation costs incurred as a result of the cleanup of Duke’s East End site, but also to defer income statement recognition of those costs after a specific date. Duke’s 12 MGP cases were eventually consolidated via separate Commission Orders and, in each instance, a new procedural schedule was established that also set forth new deadline(s) for interested parties to intervene.<sup>7</sup> Although a deadline for intervention in the East End cases was also established via a separate Commission entry, the East End

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*Tariff Approval*, Case No. 14-376-GA-ATA (Mar. 31, 2014); *In the Matter of the Application of Duke Energy Ohio, Inc. for an Adjustment to Rider MGP Rates*, Case No. 15-452-GA-RDR (Mar. 31, 2015); *In the Matter of the Application of Duke Energy Ohio, Inc. for Tariff Approval*, Case No. 15-453-GA-ATA (Mar. 31, 2015); *In the Matter of the Application of Duke Energy Ohio, Inc. for an Adjustment to Rider MGP Rates*, Case No. 16-542-GA-RDR (Mar. 31, 2016); *In the Matter of the Application of Duke Energy Ohio, Inc. for Tariff Approval*, Case No. 16-543-GA-ATA (Mar. 31, 2016); *In the Matter of the Application of Duke Energy Ohio, Inc. for an Adjustment to Rider MGP Rates*, Case No. 17-596-GA-RDR (Mar. 31, 2017); *In the Matter of the Application of Duke Energy Ohio, Inc. for Tariff Approval*, Case No. 17-597-GA-ATA (Mar. 31, 2017); *In the Matter of the Application of Duke Energy Ohio, Inc. for an Adjustment to Rider MGP Rates*, Case No. 18-283-GA-RDR (Mar. 28, 2018); *In the Matter of the Application of Duke Energy Ohio, Inc. for Tariff Approval*, Case No. 18-284-GA-ATA (Mar. 28, 2018); *In the Matter of the Application of Duke Energy Ohio, Inc. for an Adjustment to Rider MGP Rates*, Case No. 19-174-GA-RDR (Mar. 29, 2019); *In the Matter of the Application of Duke Energy Ohio, Inc. for Tariff Approval*, Case No. 19-175-GA-ATA (Mar. 29, 2019).

<sup>6</sup> See *In the Matter of the Application of Duke Energy Ohio, Inc., for Authority to Defer Environmental Investigation and Remediation Costs*, Case No. 19-1085-GA-AAM; *In the Matter of the Application of Duke Energy Ohio, Inc., for Tariff Approval*, Case No. 19-1086-GA-UNC (May 10, 2019).

<sup>7</sup> *In the Matter of the Application of Duke Energy, Ohio, Inc. for an Adjustment to Rider MGP Rates*, Case Nos. 14-375-GA-RDR et al., Entry at 3-4 (Jun. 28, 2018); *In the Matter of the Application of Duke Energy, Ohio, Inc. for authority to Defer Environmental Investigation and Remediation Costs*, Case Nos. 19-174 et al., Entry at 8-9 (Aug. 13, 2019).

cases and MGP cases have not been consolidated.<sup>8</sup>

Two additional cases concern matters related to the Tax Cuts and Jobs Act of 2017 (“TCJA cases”). In the TCJA cases, Duke filed an application seeking Commission approval to amend certain tariffs to flow through the benefits of the TCJA for natural gas distribution operations, to reduce its overall its base revenue requirement, and to adopt a new tariff (i.e. Rider Gas TJCA) to provide a credit in base distribution rates that reflects the reduction in the federal income tax and excess accumulated deferred income taxes related to natural gas service.<sup>9</sup> A motion to consolidate the TCJA cases with the MGP and East End cases has not yet been filed, nor has a procedural schedule been established.

Through the two remaining applications captioned above, Duke seeks Commission approval to adjust its Rider MGP to recover environmental investigation and remediation costs associated with the 2019 cleanup of its manufactured gas plant sites.<sup>10</sup> These applications also have not been consolidated with the MGP, East End, or TCJA cases; nor has a procedural schedule been established. More importantly, the foregoing demonstrates that not one of the 18 applications captioned above seek Commission approval to address or resolve market-related issues.

Yet, on August 31, 2021, Duke filed a Stipulation that committed, among other

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<sup>8</sup> *In the Matter of the Application of Duke Energy Ohio, Inc., for Authority to Defer Environmental Investigation and Remediation Costs*, Case No. 19-1085-GA-AAM, Entry 3-4 (Aug.13, 2019).

<sup>9</sup> *In the Matter of the Application of Duke Energy Ohio, Inc. for Implementation of the Tax Cuts and Jobs Act of 2017*, Case No. 18-1830-GA-UNC; *In the Matter of the Application of Duke Energy Ohio, Inc. for Approval of Tariff Amendments*, Case No. 18-1831-GA-ATA (Dec. 21, 2018). (hereinafter “TCJA cases”)

<sup>10</sup> *In the Matter of the Application of Duke Energy, Ohio, Inc. for an Adjustment to Rider MGP Rates*, Case No. 20-0053-GA-RDR; *In the Matter of the Application of Duke Energy Ohio, Inc. for Tariff Approval*, Case No. 20-0054-GA-ATA (Mar. 31, 2020).

things, to provide the OCC with twenty-four months' aggregate customer shadow billing information and to add Price-to-Compare messaging on shopping customer bills.<sup>11</sup> Of course, these proposals have previously been rejected by the Commission.<sup>12</sup> The Stipulation also included a commitment by Duke to file a separate application to transition away from its longstanding GCR mechanism to a natural gas auction in the form of an SSO.<sup>13</sup> Given that these cases are unrelated to Duke's commodity sales or ancillary services, the record is bereft of any evidence that Duke can satisfy the criteria set forth in R.C. 4929.04 necessary to transition from a GCR to an SSO auction. Thus, the Stipulation seeks to predetermine the structure of an exit the merchant function application without input from competitive retail natural gas market participants.

IGS participates in Duke's Choice program and serves residential and commercial customers throughout its service territory. The foregoing demonstrates that that the Commission should grant IGS's request to intervene in this proceeding to protect its interest as a competitive market participant.

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 IGS' ability to protect that interest. For purposes of considering requests for leave to intervene in a Commission proceeding, 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

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<sup>11</sup> Stipulation at 18-19.

<sup>12</sup> See, e.g., *In the Matter of the Regulation of the Purchased Gas Adjustment Clauses Contained within the Rate Schedules of Duke Energy Ohio, Inc. and Related Matters*, Case Nos. 18-218-GA-GCR et al., Opinion and Order at 23-24 (Dec. 18, 2019).

<sup>13</sup> Stipulation at 16.

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.<sup>14</sup>

Further, RC 4903.221(B) and OAC Rule 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; (4) Whether the prospective intervener will significantly contribute to full development and equitable resolution of the factual issues.

Regarding the first prong of the Commission's criteria, precedent holds that retail suppliers have been granted intervention in Commission proceedings that may impact retail choice programs, customers, and the competitive market. In Duke's GCR proceeding, for example, the Commission stated:

The thrust of [Duke's] argument is that IGS does not have a real and substantial interest in this GCR proceeding. The examiner finds that issues related to the competitive market, competitive suppliers, and their customers may arise in this proceeding. Such issues have been a part of the utility's prior GCR cases before the Commission.<sup>15</sup>

IGS has a substantial interest in this proceeding insofar as IGS, Choice customers, and the competitive market will be affected by the commitments included in the Stipulation. The integrity and balance of the competitive market is undoubtedly impacted

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<sup>14</sup> Ohio Adm. Code 4901-1-11(A).

<sup>15</sup> *In the matter of the regulation of the purchased gas adjustment clauses contained within the rate schedules of Cincinnati Gas & Electric Company and related matters*, Case No. 05-218-GA-GCR, Entry at 2 (Nov. 15, 2005).

by Duke's commitment to provide shadow billing data and to include a price-to-compare on shopping customer bills. Notably, matters related to the presentation of the price-to-compare on customer bills are typically resolved in rulemaking proceedings.<sup>16</sup> The overall market structure in Duke's service territory is also impacted by Duke's commitment to file an application seeking authority to transition from a GCR mechanism to an SSO auction format. For these reasons, IGS has a direct, real, and substantial interest in this proceeding, and good cause exists to warrant IGS's intervention.

While IGS acknowledges that its motion to intervene may be considered untimely in some of the above-captioned cases, Ohio Adm. Code 4901-1-11(F) authorizes the Commission to grant motions to intervene out of time under extraordinary circumstances. The Commission has previously found that extraordinary circumstances exist where the scope of the proceeding expanded and/or changed to include issues that were unforeseen by the moving parties.<sup>17</sup>

Here, the Stipulation expanded the scope of these proceedings by introducing administrative and operational commitments that directly impact the competitive market and its participants. Extraordinary circumstances exist in that no supplier could have anticipated that the Stipulation would include the commitments at issue in this memorandum given the scope of these proceedings. Simply put, these commitments

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<sup>16</sup> See, generally, *In the Matter of the Commission's Review of the Minimum Gas Service Standards in Chapter 4901:1-13 of the Ohio Administrative Code*, Case No. 19-1429-GA-ORD, Finding and Order (Feb. 24, 2021).

<sup>17</sup> See, e.g., *In the Matter of the Review of Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company's Compliance with R.C. 4928.17 and Ohio Adm. Code Chapter 4901:1-37*, Case No. 17-974-EL-UNC, Entry at 4 (May 18, 2021). In which the motions for leave to intervene of NOPEC, ELPC, OPAC, Calpine, NRDC, CUB, IEU-Ohio, and OMAEG were granted after the case was expanded to include an investigation of the time period leading up to the passage of H.B. 6.



took IGS – and presumably other market participants – completely by surprise. Given the circumstances and the fact that IGS also agrees to take the record as it finds it; IGS satisfies the standard for intervention set forth in Ohio Adm. Code 4901-1-11.

IGS' intervention also will not unduly delay this proceeding. The Commission has yet to establish a procedural schedule to consider the Stipulation, and the procedural schedule that IGS proposes will provide market participants with sufficient opportunity and due process to conduct discovery, prepare testimony, and hold a hearing to develop a record and probe certain commitments that appear to run afoul of Ohio law and the Commission's rules. Given that a new procedural schedule will be established once a motion to consolidate the above-captioned matters is granted, IGS' request to intervene will not prolong the proceeding, and its request to intervene should be granted.

Further, IGS is so situated that without its' ability to fully participate in this proceeding, IGS's substantial interest will be prejudiced. Others participating in this proceeding do not represent IGS' interests. Inasmuch as others participating in this proceeding cannot adequately protect IGS' interests, it would be inappropriate to determine this proceeding without IGS' participation.

Finally, the Supreme Court of Ohio has held that intervention should be liberally allowed for those with an interest in the proceeding.<sup>18</sup> In light of the liberal interpretation of the intervention rules, IGS clearly meets the standards for intervention in this proceeding.

#### **B. The Commission Should Establish a Reasonable Procedural Schedule**

The Stipulation in these proceedings seeks to resolve matters that will impact the

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<sup>18</sup> *Ohio Consumers' Counsel v. Pub. Util. Comm.*, (2006) 111 OhioSt.3d 384, 388.

competitive retail natural gas market. Yet, the entire retail natural gas supplier community was excluded from the negotiations leading up to the Stipulation. Given the gravity of the matters addressed by the Stipulation and the opaque nature through which the settlement was reached, the Commission should establish a procedural schedule that ensures due process for competitive retail natural gas suppliers. To that end, IGS suggest the following schedule:

- Motions to Intervene: 30 days after consolidation;
- Discovery deadline (except depositions): 60 days after consolidation;
- Discovery response time: 10 calendar days;
- Testimony in opposition to the Stipulation: 60 days after consolidation;
- Hearing: 90 days after consolidation

Such a procedural schedule will afford parties the opportunity to prepare for the hearing in this case and ensure that the Stipulation is considered based upon a sufficiently developed record.

### **III. CONCLUSION**

For the reasons set forth above, IGS respectfully requests the Commission grant this Motion to Intervene and issue an Order establishing a new procedural schedule.

Respectfully submitted,

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***Willing to Accept Service by Email***

## **CERTIFICATE OF SERVICE**

I certify that this *Motion for Leave to Intervene and Motion to Establish a Procedural Schedule and Memorandum of Support of Interstate Gas Supply, Inc.* was filed electronically with the Docketing Division of the Public Utilities Commission of Ohio on this 17<sup>th</sup> day of September 2021.

/s/ Michael Nugent  
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Summary: Motion for Leave to Intervene and to Establish a Procedural Schedule and Memorandum in Support electronically filed by Mr. Michael A. Nugent on behalf of Interstate Gas Supply, Inc.