

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Duke Energy Ohio, Inc., for an Increase in Electric Distribution Rates.)	Case No. 21-887-EL-AIR
)	
In the Matter of the Application of Duke Energy Ohio, Inc., for Tariff Approval.)	Case No. 21-888-EL-ATA
)	
In the Matter of the Application of Duke Energy Ohio, Inc., for Approval to Change Accounting Methods.)	Case No. 21-889-EL-AAM
)	

MOTION TO INTERVENE OF CHARGEPOINT, INC.

Pursuant to Ohio Revised Code Section (“R.C.”) 4903.221, Ohio Administrative Code (“OAC”) 4901-1-11, ChargePoint, Inc. (“ChargePoint”) moves for leave to intervene in these proceedings. The Public Utilities Commission of Ohio (“Commission”) should grant ChargePoint leave to intervene because ChargePoint has a real and substantial interest in these proceedings, and the Commission’s disposition of these proceedings may impair or impede ChargePoint’s ability to protect that interest.

Consistent with the requirements of R.C. 4903.221 and OAC 4901-1-11, ChargePoint is a real party in interest in these proceedings. ChargePoint submits that its interest is not represented by existing parties and thus its interests are not now represented. ChargePoint’s participation will not unduly delay these proceedings or prejudice any existing party. By granting ChargePoint’s motion to intervene, the Commission will permit ChargePoint to contribute to the just and expeditious resolution of the issues and concerns set forth in these proceedings.

Respectfully submitted on behalf of
CHARGEPOINT, INC.



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MEMORANDUM IN SUPPORT

ChargePoint is a corporation organized under the laws of the State of Delaware, with a principal office at 254 East Hacienda Avenue, Campbell, California 95008. ChargePoint is the world's leading open electric vehicle ("EV") charging network, with over 60,000 independently-owned and operated Level 2 and DC fast charging ports. Nationwide, ChargePoint has thousands of customers, including major employers, municipalities, universities, real estate developers, energy companies, and parking garage facility owners and operators providing EV charging and related services to EV drivers. ChargePoint actively participates in regulatory policy engagements in jurisdictions across the country.

On October 1, 2021, Duke Energy Ohio, Inc. ("Duke") filed an application to increase its electric distribution rates, which could ultimately affect ChargePoint. To date, no procedural schedule has been set and there is not yet a deadline for interventions. Therefore, this motion to intervene is timely.

Under OAC 4901-1-11(A)(2), intervention may be permitted in a proceeding if that party 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 deciding whether to permit intervention, the Commission, the legal director, the deputy legal director, or an attorney examiner shall consider:

- (1) The nature and extent of the prospective intervenor's interest.
- (2) The legal position advanced by the prospective intervenor and its probable relation to the merits of the case.
- (3) Whether the intervention by the prospective intervenor will unduly prolong or delay the proceedings.
- (4) Whether the prospective intervenor will significantly contribute to full development and equitable resolution of the factual issues.
- (5) The extent to which the person's interest is represented by existing parties.

ChargePoint meets these criteria for intervention. First, ChargePoint has a significant interest in Duke's pending applications. ChargePoint and its customers represent a significant portion of the established and growing electric vehicle infrastructure sector in Ohio.

ChargePoint's position and market presence relates directly to the details of the applications. ChargePoint has a substantial and specific economic interest in the sustainable and scalable growth of the EV charging infrastructure in Ohio. ChargePoint's business engagements in the state are directly affected by the discussion and resolution of the topics covered in these proceedings. Consistent with the requirements of R.C. 4903.221 and OAC. Rule 4901-1-11, the interests of ChargePoint in these proceedings cannot be adequately represented or protected by any other party.

ChargePoint's intervention will not unduly prolong or delay the proceedings. ChargePoint has filed for intervention in advance of a procedural schedule set forth by the Commission and fully intends to contribute to all forthcoming procedural activities as a responsible party.

Finally, ChargePoint's intervention will significantly contribute to the full development of the record and its resolution. ChargePoint has deployed charging infrastructure throughout the United States, bringing to bear significant experience in developing scalable and sustainable EV charging markets. ChargePoint's intervention provides a unique, practical perspective on how Duke's applications may positively or adversely affect EV drivers, EV charging station site hosts, Ohio ratepayers, and the overall potential for growth in Ohio's EV market.

For these reasons, the ChargePoint respectfully requests that its Motion to Intervene be granted.

Respectfully submitted on behalf of
CHARGEPOINT, INC.



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CERTIFICATE OF SERVICE

I certify that the foregoing was filed electronically through the Docketing Information System of the Public Utilities Commission of Ohio on this 29th day of November 2021. The PUCO's e-filing system will electronically serve notice of the filing of this document on counsel for all parties.



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Case No(s). 21-0887-EL-AIR, 21-0888-EL-ATA, 21-0889-EL-AAM

Summary: Motion to Intervene of ChargePoint, Inc. and Memorandum in Support
electronically filed by Teresa Orahoad on behalf of Dylan F. Borchers