

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Ohio Power)	
Company for Administration of the)	Case No. 20-1006-EL-UNC
Significantly Excessive Earnings Test for 2019)	
Pursuant to R.C. 4928.143(F) and Ohio)	
Adm.Code 4901:1-35-10.)	

In the Matter of the Application of Ohio Power)	
Company for Administration of the)	Case No. 21-541-EL-UNC
Significantly Excessive Earnings Test for 2020)	
Pursuant to R.C. 4928.143(F) and Ohio)	
Adm.Code 4901:1-35-10.)	

In the Matter of the Quadrennial Review)	
Required by R.C. 4928.143(E) for the)	Case No. 21-1166-EL-UNC
Electric Security Plan of Ohio Power Company.)	

**MOTION OF INDUSTRIAL ENERGY USERS-OHIO
TO INTERVENE AND MEMORANDUM IN SUPPORT**

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DECEMBER 8, 2021

COUNSEL FOR INDUSTRIAL ENERGY USERS-OHIO

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Industrial Energy Users-Ohio ("IEU-Ohio") respectfully moves the Public Utilities Commission of Ohio ("Commission"), pursuant to R.C. 4903.221 and Ohio Adm.Code 4901-1-11, for leave to intervene in the above-captioned matter with the full powers and rights granted by the Commission, specifically by statute or by the provisions of the Ohio Administrative Code, to intervening parties.

On April 25, 2018, the Commission approved, with modification, a stipulation and recommendation regarding the application filed by Ohio Power Company d/b/a AEP Ohio ("AEP Ohio") to implement an electric security plan ("ESP"). AEP Ohio's ESP was approved for a term of June 1, 2018, through May 31, 2024. Pursuant to R.C.

4928.143(F), the Commission must annually evaluate the earnings of AEP Ohio under its ESP to determine whether the ESP produces significantly excessive earnings for the electric utility. Further, pursuant to R.C. 4928.143(E), the Commission must test the plan in the fourth year (the quadrennial review) to determine whether the ESP, including its then-existing pricing and all other terms and conditions, continues to be more favorable in the aggregate, and during the remaining term of the ESP, as compared to the expected results that would otherwise apply under a Market Rate Offer. Accordingly, in these cases, the Commission will review AEP Ohio's earnings in 2019 and 2020 and will conduct the quadrennial review of AEP Ohio.

IEU-Ohio's members include customers of AEP Ohio who pay the rates and charges that result in AEP Ohio's earnings. Accordingly, resolution of this matter may directly affect rates and charges paid by IEU-Ohio members. As demonstrated further in the Memorandum in Support, IEU-Ohio has a direct, real, and substantial interest in the issues and matters involved in the above-captioned proceedings and is so situated that the disposition of this proceeding may, as a practical matter, impair or impede its ability to protect that interest. IEU-Ohio believes that its participation will not unduly prolong or delay this proceeding and that it will significantly contribute to the full development and equitable resolution of the factual and other issues. The interests of IEU-Ohio will not be adequately represented by other parties to the proceeding and, as such, IEU-Ohio is entitled to intervene with the full powers and rights granted by the Commission, specifically by statute and by the provisions of Commission rules to intervening parties.

Respectfully submitted,

/s/ Bryce A. McKenney

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MEMORANDUM IN SUPPORT

In support of this Motion to Intervene, IEU-Ohio states that it is an association of ultimate customers.¹ IEU-Ohio's members purchase substantial amounts of electric and related services from Ohio's electric distribution utilities ("EDU"), including from AEP Ohio.

IEU-Ohio's members work together to address matters that affect the availability and price of utility services. Additionally, IEU-Ohio seeks to promote customer-driven policies that will assure an adequate, reliable, and efficient supply of energy for all consumers at competitive prices. To this end, IEU-Ohio has worked and will continue to work to produce legislative, regulatory, and market outcomes that are consistent with the State policy contained in R.C. 4928.02.

¹ A current listing of IEU-Ohio member companies is available on IEU-Ohio's website at <http://www.ieu-ohio.org/member-list>.

IEU-Ohio has a real and substantial interest inasmuch as this proceeding may directly or indirectly impact the provision of electric service to IEU-Ohio members' manufacturing facilities. Specifically, IEU-Ohio's direct interest in this proceeding is the result of the effect that this proceeding shall have upon the price, adequacy, and reliability of the electric supply and related services within Ohio.

Respectfully submitted,

/s/ Bryce A. McKenney

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COUNSEL FOR INDUSTRIAL ENERGY USERS-OHIO

CERTIFICATE OF SERVICE

In accordance with Ohio Adm.Code 4901-1-05, the PUCO's e-filing system will electronically serve notice of the filing of this document upon the following parties. In addition, I hereby certify that a service copy of the foregoing *Motion to Intervene and Memorandum in Support of Industrial Energy Users-Ohio* was sent by, or on behalf of, the undersigned counsel for IEU-Ohio to the following parties of record this 8th day of December, 2021, *via* electronic transmission.

/s/ Bryce A. McKenney

Bryce McKenney

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Case No(s). 20-1006-EL-UNC, 21-0541-EL-UNC, 21-1166-EL-UNC

Summary: Motion of Industrial Energy Users-Ohio to Intervene and Memorandum
in Support electronically filed by Bryce A McKenney on behalf of Industrial Energy
Users-Ohio