

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Ohio Power    )  
Company to Adjust the Economic            )    Case No. 22-88-EL-RDR  
Development Cost Recovery Rider Rate        )

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**MOTION TO INTERVENE OF  
PRO-TEC COATING COMPANY, LLC**

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Pursuant to R.C. 4903.221 and Ohio Adm. Code 4901-1-11, PRO-TEC Coating Company, LLC (PRO-TEC) respectfully moves the Public Utilities Commission of Ohio (Commission) to intervene in this matter with the full powers and rights granted to intervening parties. As demonstrated in the attached Memorandum in Support, PRO-TEC has a real and substantial interest in this proceeding that may be adversely affected by the outcome herein, and which cannot be adequately represented by any other party. Accordingly, PRO-TEC satisfies the standard for intervention set forth in Ohio statutes and regulations.

Therefore, PRO-TEC respectfully requests that the Commission grant this motion to intervene for the reasons stated herein and as more fully set forth in the attached Memorandum in Support, PRO-TEC also requests that it be made a full party of record in these proceedings.

Respectfully submitted,

/s/ Thomas V. Donadio

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**MEMORANDUM IN SUPPORT**

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On February 1, 2022, Ohio Power Company (AEP Ohio) filed an Application seeking to update the rate for its Economic Development Cost Recovery Rider (Rider EDR).<sup>1</sup> Rider EDR is “adjusted periodically to recover economic development amounts authorized by the Commission.”<sup>2</sup>

R.C. 4903.221 and Ohio Adm. Code 4901-1-11 establish the standard for intervention in the above-captioned proceedings. R.C. 4903.221 provides, in part, that any person “who may be adversely affected” by a Commission proceeding is entitled to seek intervention in that proceeding. R.C. 4903.221(B) further requires the Commission to consider the nature and extent of the prospective intervenor’s interest, the legal position advanced by the prospective intervenor and its probable relation to the merits of the case, whether the intervention by the prospective intervenor will unduly prolong or delay the proceeding, and the prospective intervenor’s potential contribution to a just and expeditious resolution of the issues involved.

PRO-TEC is a customer of AEP Ohio, and pursuant to the Commission’s February 27, 2019 Finding and Order in Case No. 19-124-EL-AEC, PRO-TEC receives service

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<sup>1</sup> Application at ¶ 3.

<sup>2</sup> *Id.* at ¶ 2.

from AEP Ohio pursuant to the terms of a reasonable arrangement.<sup>3</sup> As one of the AEP Ohio customers operating under an economic development arrangement, this proceeding regarding AEP Ohio's recovery of costs for such arrangements impacts PRO-TEC's interests, and the Commission will be required to review information related to PRO-TEC's reasonable arrangement with AEP Ohio as part of its assessment of AEP Ohio's Application.

For these reasons, PRO-TEC has a direct, real, and substantial interest in the issues raised in this proceeding, including in the treatment of confidential information related to PRO-TEC's reasonable arrangement with AEP Ohio, and is so situated that the disposition of the proceeding may, as a practical matter, impair or impede its ability to protect that interest. PRO-TEC's interest will not be adequately represented by other parties to the proceeding and its timely intervention will not unduly delay or prolong the proceeding.

Because PRO-TEC satisfies the criteria set forth in R.C. 4903.221 and Ohio Adm. Code 4901-1-11, Ohio law authorizes PRO-TEC to intervene in this proceeding with the full powers and rights granted by the Commission to intervening parties. PRO-TEC respectfully requests that the Commission grant this motion to intervene and make PRO-TEC a full party of record.

Respectfully submitted,

/s/ Thomas V. Donadio

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(willing to accept service by email)

*Counsel for PRO-TEC*

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<sup>3</sup> See *In the Matter of the Application of PRO-TEC Coating Company, LLC for Approval of a Reasonable Arrangement with Ohio Power Company*, Case No. 19-124-EL-AEC, Finding and Order at ¶ 30 (February 27, 2019).

### **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 hereby certifies that a copy of the foregoing document also is being served via electronic mail on February 2, 2022 upon the parties listed below.

/s/ Thomas V. Donadio  
Thomas V. Donadio

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Summary: Motion to Intervene and Memorandum in Support electronically filed by  
Mrs. Kimberly W. Bojko on behalf of PRO-TEC Coating Company, LLC