

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Ohio)
Power Company to update its)
gridSMART Phase 2 Rider rates.)

Case No. 21-499-EL-RDR

**MOTION TO INTERVENE AND MEMORANDUM IN SUPPORT
OF INTERSTATE GAS SUPPLY, INC.**

/s/ Stacie Cathcart

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MOTION TO INTERVENE

Pursuant to R.C. 4903.221 and Ohio Adm.Code 4901-1-11, Interstate Gas Supply, Inc. ("IGS" or "IGS Energy") moves to intervene in the above captioned proceedings. These dockets were established by Ohio Power Company ("AEP Ohio") for approval of its gridSMART Phase 2 rider application updated for the first quarter 2021.

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 proceedings, and that it is so situated that the disposition of these proceedings without IGS' participation may, as a practical matter, impair or impede IGS' ability to protect that interest. IGS further submits that its participation in these proceedings will not cause undue delay, will not unjustly prejudice any existing party, and will contribute to the throughout consideration of the issues raised in these proceedings.

IGS' interests will not be adequately represented by other parties to these proceedings and therefore, IGS is entitled to intervene in the proceedings with the full powers and rights granted to intervening parties.

Respectfully submitted,

/s/ Stacie Cathcart

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MEMORANDUM IN SUPPORT

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. IGS employs approximately 750 people in the State of Ohio. IGS contributes over \$100 million per year to the Ohio economy in payroll and taxes. In Ohio, IGS currently serves electric customers of various sizes in the AEP Ohio Service Territory. 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.

In these proceedings, AEP Ohio has proposed a smartGRID plan with cost recovery through its phase 2 rider rates. IGS respectfully submits that it is entitled to intervene in these proceedings because IGS has a real and substantial interest in these proceedings, the disposition of which may impair or impede its ability to protect that interest.

For purposes of considering requests for leave to intervene in Commission

proceedings, Ohio Adm.Code 4901-1-11(A) provides:

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 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.

Further, R.C. 4903.221(B) and Ohio Adm.Code 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 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; and
- (4) Whether the prospective intervenor will significantly contribute to full development and equitable resolution of the factual issues.

As a certified retail electric service provider, IGS has direct, real, and substantial interests in these proceedings. For example, AEP Ohio's application to implement changes in these rates will have a real and substantial impact on IGS given that our customers within AEP Ohio's service territory will be directly exposed to these rates and will impact their monthly energy costs. Resolution of this case without IGS involvement would greatly hinder our ability to be an advocate for our customers and to properly educate our customers on the fees and riders that appear on their bill. Further, IGS and its counsel have substantial experience appearing and practicing before the Commission, thus IGS's intervention will not unduly prolong or delay these proceedings. Additionally, it would be inappropriate to determine these proceedings without IGS's

participation, as the other parties in the case cannot adequately represent and protect the interests of IGS in these proceedings.

Finally, the Supreme Court of Ohio has held that intervention should be liberally allowed for those with an interest in the proceedings. *Ohio Consumers' Counsel v. Pub. Util. Comm.*, 111 Ohio St.3d 384, 2006-Ohio-5853. In light of the liberal interpretation of the intervention rules, IGS clearly meets the standards for intervention in these proceedings.

For the reasons set forth above, IGS respectfully requests the Commission grant this Motion to Intervene.

Respectfully submitted,

/s/ Stacie Cathcart
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CERTIFICATE OF SERVICE

I certify that this *Motion to Intervene and Memorandum in Support of Interstate Gas Supply, Inc.* was filed electronically through the Docketing Information System of the Public Utilities Commission of Ohio on April 14, 2022 and served via electronic mail to the following:

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/s/ Stacie Cathcart
Stacie Cathcart

**This foregoing document was electronically filed with the Public Utilities
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Summary: Motion Motion to Intervene by Interstate Gas Supply, Inc. electronically
filed by Stacie Cathcart on behalf of Interstate Gas Supply