

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Duke)
Energy Ohio, Inc., for Approval of a General)
Exemption of Certain Natural Gas) Case No. 21-0903-GA-EXM
Commodity Sales Services or Anc.)

In the Matter of the Application of Duke)
Energy Ohio, Inc., for Tariff Approval.) Case No. 21-0904-EL-ATA

In the Matter of the Application of Duke)
Energy Ohio, Inc., for Approval to Change) Case No. 21-0905-EL-AAM
Accounting Methods.)

**MOTION TO INTERVENE OF
SPIRE MARKETING INC.**

Pursuant to Ohio Revised Code Section (“R.C.”) 4903.221 and Ohio Administrative Code (“O.A.C.”) Rule 4901-1-11, Spire Marketing Inc. (“Spire”) moves to intervene in the above-captioned proceedings. As set forth in more detail in the attached memorandum in support, Spire requests that the Public Utilities Commission of Ohio (the “Commission” or “PUCO”) grant Spire’s motion because it has a real and substantial interest in these proceedings, the Commission’s disposition of these proceedings may impair or impede Spire’s ability to protect that interest, and Spire’s participation will not cause undue delay.

Respectfully submitted on behalf of
SPIRE MARKETING INC.



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MEMORANDUM IN SUPPORT

Spire Marketing Inc. (“Spire”) is a wholly-owned subsidiary of Spire Inc., and is certified to provide retail natural gas service in the State of Ohio. Spire has successfully served utilities, power plants, industrial and commercial customers in the Midwest, Mid-continent and Gulf Coast regions of the United States. Spire maintains storage positions in nine states in the U.S., including Ohio, totaling approximately 20 billion cubic feet (“Bcf”) of natural gas storage. Spire also manages firm and interruptible transportation capacity on dozens of pipelines throughout the U.S., and buys and sells between 2.2 and 3 Bcf of natural gas per day.

Spire has also participated as a successful bidder in the standard choice offer (“SCO”) auctions for CenterPoint Energy d/b/a Vectren Energy Delivery of Ohio (“Vectren”), Columbia Gas of Ohio, Inc. (“Columbia”), and The East Ohio Gas Company d/b/a Dominion Energy Ohio (“Dominion”). As part of its participation in these natural gas companies’ SCO programs, Spire has served approximately 160,000 Ohio retail natural gas customers and facilitated the delivery of approximately 13 Bcf of natural gas to Ohio customers.

On October 1, 2021, Duke Energy Ohio, Inc. (“Duke”) filed an application seeking Commission approval to implement a standard service offer (“SSO”) wholesale auction procedure to secure its commodity sales supply. In its application, Duke is seeking to implement a wholesale auction process that will replace Duke’s current gas cost recovery process. This new wholesale auction may be in place for many years and will shape how SSO service will be provided within Duke natural gas territory.

Spire respectfully requests that the Commission grant its motion to intervene in these proceedings. The standard for intervention at the Commission is O.A.C. 4901-1-11, which was promulgated pursuant to R.C. Section 4903.221. O.A.C. 4901-1-11 states in part:

Upon timely motion, any person shall be permitted to intervene in a proceeding upon a showing that:

* * *

(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.

When deciding a motion to intervene, the factors that the Commission considers in implementing the above rule are the nature of the intervenor’s interest, the extent that interest is represented by existing parties, the intervenor’s potential contribution to a just and expeditious resolution of the issues involved, and whether intervention would result in an undue delay of the proceeding. *See also* R.C. 4903.221(B).

Because Spire is an active participant in wholesale auction programs for natural gas companies in Ohio. Spire has a significant interest in Duke’s implementation of its wholesale auction. Spire will be affected by the Commission’s determination in these matters and should be permitted to intervene because it has a real and substantial interest in these proceedings. Spire’s interest in these proceedings is not adequately addressed by any other party. Further, as an active and experienced

SCO provider, Spire's participation will enhance the effectiveness of these proceedings. In addition, because no procedural has been issued, Spire's requests to intervene is timely. Therefore, Spire's intervention will not unduly delay these proceedings.

Accordingly, Spire respectfully requests that the Commission grant its motion to intervene in these proceedings.

Respectfully submitted on behalf of
SPIRE MARKETING INC.



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CERTIFICATE OF SERVICE

In accordance with O.A.C. 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* was sent by, or on behalf of, the undersigned counsel to the following parties of record this 23rd day of May 2022.



Devin D. Parram

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Case No(s). 21-0903-GA-EXM, 21-0904-GA-ATA, 21-0905-GA-AAM

Summary: Motion to Intervene of Spire Marketing Inc. electronically filed by Teresa Orahood on behalf of Devin D. Parram