

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of The	)	
Dayton Power and Light Company d/b/a	)	Case No. 22-0900-EL-SSO
AES Ohio for Approval of Its Electric	)	
Security Plan.	)	
	)	
In the Matter of the Application of The	)	Case No. 22-0901-EL-ATA
Dayton Power and Light Company d/b/a	)	
AES Ohio for Approval of Revised Tariffs.	)	
	)	
In the Matter of the Application of Dayton	)	
Power and Light Company d/b/a AES Ohio	)	Case No. 22-0902-EL-AAM
for Approval of Accounting Authority	)	
Pursuant to Ohio Rev. Code § 4905.13.	)	

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**MOTION TO INTERVENE  
OF  
ARMADA POWER, LLC**

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

The reasons supporting the requested intervention are contained in the accompanying memorandum in support. Armada respectfully requests that it be granted leave to intervene in these proceedings.

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**MEMORANDUM IN SUPPORT**

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Armada is a limited liability company organized under the laws of the State of Delaware, with its principal office at 230 West Street, Suite 150, Columbus, Ohio 43215. Armada is a transformative technology company that manufactures and incorporates smart technologies into a secure platform to optimize individual devices into a larger, aggregated, controlled, and cohesive grid response tool. Armada has been operating within PJM Interconnection’s footprint for several years and plans to expand its footprint into the western and southeastern regions of the country. Armada participates in regulatory proceedings in jurisdictions across the country to protect and enhance its technology and the electric grid.

On September 26, 2022, the Dayton Power and Light Company d/b/a AES Ohio (“AES Ohio”) filed its fourth Application for Approval of its Electric Security Plan, Proposed Tariffs, and for Accounting Authority (“ESP 4”) with a three-year term. AES Ohio is seeking an accelerated

review and approval process for its ESP 4, which includes a wide range of changes including various riders and programs that would impact all customers within the AES Ohio service territory.

Under OAC Rule 4901-1-11 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 impair or impeded his or her ability to protect that interest, unless the person's interest is adequately represented by existing parties. The Supreme Court of Ohio has held that intervention should be liberally allowed by the Commission. *Ohio Consumers' Counsel v. Pub. Util. Comm*, 111 Ohio St. 3d 384, 388 (Ohio 2006) ("intervention ought to be liberally allowed so that the positions of all persons with a real and substantial interest in the proceedings can be considered by the PUCO"). Furthermore, the Commission 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 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.

Armada satisfies the intervention requirements above. First, Armada has a significant interest in the AES Ohio's pending application. Armada's technology and customer base has the ability to enhance and stabilize the electric grid to the benefit of ratepayers and the environment, providing improved distribution reliability and grid resiliency. Second, Armada's technology within the marketplace falls within the considerations detailed in the ESP 4. The ongoing negotiations, discussions, and resolutions of issues raised within the proceedings will significantly and directly affect the economic interests and development of Armada's business. Third, Armada will not unduly prolong or delay the proceedings. Armada plans to be fully engaged and follow

the procedural schedule accordingly. Fourth, Armada will significantly contribute to the full development and equitable resolution of the factual issues. As mentioned, Armada has transformative technology that will optimize individual devices into larger aggregated, controlled, and cohesive grid tools that will benefit the electric grid. To that end, Armada's unique and collaborative perspective of how technologies can positively affect the electric grid within AES Ohio's service area will be valuable to the resolution of the proceedings. Lastly, no other party to this proceeding is positioned to protect Armada's interest or advance its position related to the AES Ohio's application and the ESP 4. Armada's technology and business model is unique to the marketplace and will only be adequately protected and represented if it is granted intervention.

Due to the reasons set forth above, Armada Power, LLC respectfully requests that its Motion to Intervene be granted.

Respectfully submitted,

/s/ Henry Eyman  
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(willing to accept service by e-mail)

**Counsel for Armada Power**

### **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 14<sup>th</sup> day of October, 2022. In accordance with Rule 4901-1-05, Ohio Administrative Code, the PUCO'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 this case. In addition, the undersigned hereby certifies that a copy of the foregoing is being served via electronic mail upon the parties listed below.

/s/ Henry Eyman

Henry Eyman

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**Case No(s). 22-0900-EL-SSO, 22-0901-EL-ATA, 22-0902-EL-AAM**

Summary: Motion to Intervene and Memorandum in Support of Armada Power, LLC  
electronically filed by Mr. Henry Eyman on behalf of Armada Power, LLC