

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Review of the Non-Market-Based)	
Services Rider Pilot Program Established by of Ohio)	Case No. 22-391-EL-RDR
Edison Company, The Cleveland Electric Illuminating)	
Company, and the Toledo Edison Company)	

**NUCOR STEEL MARION, INC.'S MOTION FOR INTERVENTION
AND MEMORANDUM IN SUPPORT**

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I. MOTION FOR INTERVENTION

Pursuant to Ohio Revised Code §4903.221 and Ohio Administrative Code 4901-1-11, Nucor Steel Marion, Inc. ("Nucor") respectfully moves the Public Utilities Commission of Ohio (the "Commission") for leave to intervene in the above-captioned docket, for the reasons more fully set forth in the following Memorandum in Support.

II. MEMORANDUM IN SUPPORT

For purposes of considering requests for leave to intervene in a Commission proceeding, O.A.C. 4901-1-11(A) provides that:

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.

Further, R.C. § 4903.221(B) and O.A.C. 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; (4) Whether the prospective intervenor will significantly contribute to full development and equitable resolution of the factual issues.

O.A.C. 4901-1-11(B) also provides that an additional factor in considering a request to intervene will be the extent to which the person's interest is represented by existing parties.

Nucor is a large industrial consumer of electricity delivered to it by the Ohio Edison Company ("Ohio Edison"). Nucor uses electricity throughout its operations, but in particular, Nucor uses substantial quantities of electricity to melt steel scrap, recycling it to make new steel. The cost of electricity is critical to Nucor's competitiveness in the national and international steel markets.

On April 20, 2022, the Attorney Examiner issued an Entry directing Commission Staff to issue a request for proposals "to assist Staff with the review of Rider NMB Pilot Program" as established by Ohio Edison, The Cleveland Electric Illuminating Company, and The Toledo Edison Company. As a customer of Ohio Edison and a party to the stipulation approved by the Commission in Case No. 14-1297-EL-SSO addressing the Rider NMB Pilot Program, the outcome of this proceeding may have a significant effect on Nucor. Accordingly, Nucor has direct, real, and substantial interests in this proceeding. Moreover, Nucor is so situated that the disposition of this proceeding without Nucor's ability to fully participate in this proceeding will prejudice and impede Nucor's ability to protect its substantial business interests.

Further, other parties choosing to participate in this proceeding would not represent Nucor's interests. Nucor submits that its unique perspectives will contribute to the full, equitable, and expeditious resolution of this proceeding. Lastly, Nucor's intervention will not

unduly delay the proceeding, or unjustly prejudice the interests of any existing party to this proceeding.

III. CONCLUSION

For the reasons set forth above, Nucor respectfully requests the Commission to grant Nucor's request to intervene in the above-captioned proceeding.

Respectfully submitted,

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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 who have electronically subscribed to this case. In addition, I hereby certify that a copy of the foregoing was served upon the following parties of record or as a courtesy, via electronic transmission on November 1, 2022.

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Summary: Motion Nucor Steel Marion, Inc.'s Motion for Intervention and
Memorandum in Support electronically filed by Mr. Michael K. Lavanga on behalf of
Nucor Steel Marion, Inc.