

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of	)	
Ohio Power Company for Authority to	)	Case No. 23-23-EL-SSO
Establish a Standard Service Offer Pursuant	)	
to Section 4928.143, Revised Code, in the	)	
Form of an Electric Security Plan	)	
	)	
In the Matter of the Application of	)	
Ohio Power Company for Approval of	)	
Certain Accounting Authority	)	Case No. 23-24-EL-AAM

---

**MOTION TO INTERVENE  
OF  
NATIONWIDE ENERGY PARTNERS, LLC**

---

Pursuant to Ohio Revised Code 4903.221 and Ohio Administrative Code 4901-1-11, Nationwide Energy Partners, LLC (“NEP”) moves to intervene in these proceedings as a party of record. The reasons supporting the requested intervention are contained in the accompanying Memorandum in Support. Because NEP has a real and substantial interest in the proceedings, which cannot be adequately represented by any other party, NEP respectfully requests that the Commission grant NEP’s Motion to Intervene as a party of record with the full rights and powers afforded thereto.

Respectfully submitted,

/s/ Brian A. Gibbs  
Brian A. Gibbs (0088260)  
**Nationwide Energy Partners, LLC**  
230 West Street, Suite 150  
Columbus, Ohio 43215  
PH: 614-446-8485  
Email: [brian.gibbs@nationwideenergypartners.com](mailto:brian.gibbs@nationwideenergypartners.com)  
(willing to accept service by email)  
***Counsel for Nationwide Energy Partners***

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of	)	
Ohio Power Company for Authority to	)	Case No. 23-23-EL-SSO
Establish a Standard Service Offer Pursuant	)	
to Section 4928.143, Revised Code, in the	)	
Form of an Electric Security Plan	)	
	)	
	)	
In the Matter of the Application of	)	
Ohio Power Company for Approval of	)	Case No. 23-24-EL-AAM
Certain Accounting Authority	)	

---

**MEMORANDUM IN SUPPORT**

---

R.C. 4903.221 and O.A.C. 4901-1-11 establish the standard for intervention in the subject proceedings as a full party of record. Rule 4901-1-11 provides in relevant part:

(A) 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 situation 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.

The Public Utilities Commission should consider factors such as the nature and extent of an 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 proceedings. These factors support the Commission's granting of NEP's request to intervene.

In this proceeding, Ohio Power Company (“AEP”) filed an application for its fifth electric security plan (ESP V). This proposed plan includes additional riders as well as rate changes for existing riders. Overall, AEP is asking for approximately \$2.2B through May 2030.

According to AEP, a major focus of the proposed ESP V is its Community Grid Resiliency Pilot Program, which AEP seeks to recover through its Customer Experience Rider. The Community Grid Resiliency Pilot Program consists of battery and energy storage systems on the line side of customer facilities, portable generators, and the installation of microgrid systems within select communities.

As to the last component, AEP seeks approval to install 2-4 microgrid systems within select communities to operate independently (island) or in conjunction with the central grid. [Garrett Testimony p. 8, ll. 18-20]. AEP states that it will install battery storage, smart controls, and small-scale generation such as solar, wind and gas-generators to create these microgrids. It is unclear whether AEP will use third-party contractors to do so. AEP simply states that it “will work with the community and specific building owners to complete engineering and then plan the installation of the infrastructure.” [Garrett Testimony p. 10, ll. 20-22]. It is also unclear who will own this on-site generation, whether it will comply with utility ownership of generation, and if or how AEP may use its monopoly status to affect companies already offering these services competitively in Ohio.

NEP 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. NEP provides engineering design, data collection and analytic services, EV charging, microgrid construction, and other related energy services for property owners, managers and developers of apartment complexes and condominium buildings.

Many of NEP's customers are in the AEP service territory, and at its warehouse, NEP itself receives electric service from AEP Ohio. NEP is knowledgeable and experienced in the energy industry, including the development of microgrids specifically. NEP has participated in and contributed to numerous Commission proceedings, including AEP Ohio's most recent rate case, Case No. 20-0585-EL-AIR.

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.

NEP satisfies the intervention requirements above. First, NEP has a significant interest in AEP Ohio's pending application, since NEP's business involves EV charging, microgrid construction, engineering design services and other services related to energy service for property owners, managers and developers of apartment complexes and condominium buildings. Second, the ongoing negotiations, discussions, and resolutions of issues raised within the proceedings will

significantly and directly affect the economic interests and development of NEP's business. Third, NEP will not unduly prolong or delay the proceedings. NEP plans to be fully engaged and follow the procedural schedule accordingly. Fourth, NEP will significantly contribute to the full development and equitable resolution of the factual issues. Lastly, no other party to this proceeding is positioned to protect NEP's interest or advance its position related to AEP Ohio's application and the ESP V.

For the reasons set forth above, Nationwide Energy Partners, LLC respectfully requests that its Motion to Intervene be granted.

Respectfully submitted,

/s/ Brian A. Gibbs

Brian A. Gibbs (0088260)

**Nationwide Energy Partners, LLC**

230 West Street, Suite 150

Columbus, Ohio 43215

PH: 614-446-8485

Email: [brian.gibbs@nationwideenergypartners.com](mailto:brian.gibbs@nationwideenergypartners.com)

(willing to accept service by email)

***Counsel for Nationwide Energy Partners***

**CERTIFICATE OF SERVICE**

I hereby certify that the Public Utilities Commission of Ohio's e-filing system will electronically serve a copy of this filing on all parties referenced in the service list of the docket who have electronically subscribed to this case.

/s/ Brian A. Gibbs

Brian A. Gibbs (0088260)

**This foregoing document was electronically filed with the Public Utilities  
Commission of Ohio Docketing Information System on**

**1/30/2023 11:03:14 AM**

**in**

**Case No(s). 23-0023-EL-SSO, 23-0024-EL-AAM**

Summary: Motion to Intervene and Memorandum in Support electronically filed by  
Brian A Gibbs on behalf of Nationwide Energy Partners