

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Ohio Power)	
Company for Authority to Establish a Standard)	
Service Offer Pursuant to §4928.143, Ohio)	Case No. 23-23-EL-SSO
Rev. Code, in the Form of an Electric Security)	
Plan.)	

In the Matter of the Application of Ohio Power)	
Company For Approval of Certain Accounting)	Case No. 23-24-EL-AAM
Authority)	

**NORTHEAST OHIO PUBLIC ENERGY COUNCIL’S
MOTION TO INTERVENE**

Pursuant to R.C. 4903.221 and O.A.C. 4901-1-11, the Northeast Ohio Public Energy Council (“NOPEC”) respectfully requests that the Public Utilities Commission of Ohio grant its motion to intervene in this proceeding. The reasons supporting NOPEC’s motion to intervene are contained in the accompanying Memorandum in Support.

Respectfully submitted,



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MEMORANDUM IN SUPPORT

I. INTRODUCTION

The Northeast Ohio Public Energy Council (“NOPEC”) is a regional council of governments established under R.C. Chapter 167. NOPEC is made up of more than 200 member counties, townships and municipal corporations in 19 Ohio counties. It provides governmental aggregation services in Ohio Power Company’s (“AEP Ohio”) service territory, as well as in the service territories of The Cleveland Electric Illuminating Company and Ohio Edison Company.

On January 6, 2023, AEP Ohio filed an application in this docket for approval of its fifth electric security plan (“ESP V”). Among other issues affecting residential and small business customers, AEP Ohio’s ESP V proposes to implement a new, placeholder Government Aggregation Standby Rider (“GASR”) to be populated in a subsequent proceeding. The GASR’s intent is to charge governmental aggregators for the ability to return their customers to the standard service offer (“SSO”) at SSO pricing, if the customers are returned prior to the end of the aggregation term. The GASR revenues would be remitted to SSO suppliers. If governmental aggregators do not elect to take this standby service, their residential and small business customers returning to the SSO prior to the end of the aggregation term would be served at then-market prices for a minimum period of two years.

R.C. 4903.221(B) and OAC Rule 4901-1-11(A)(2) govern intervention in Commission proceedings. Substantially similar in substance, these provisions provide that the Commission may consider the following in determining whether to grant intervention:

- (1) The nature and extent of the person's interest;¹
- (2) The legal position of the person seeking intervention and its relation to the merits of the case;²
- (3) Whether intervention would unduly delay the proceeding or unjustly prejudice any existing party;³
- (4) The person's potential contribution to full development and equitable resolution of the issues involved in the proceeding;⁴ and
- (5) The extent to which the person's interest is represented by existing parties.⁵

NOPEC has a real and substantial interest in this proceeding, considering that AEP Ohio's ESP V proposes to increase the rates and charges to the residential and small business customers that reside in the communities NOPEC represents. Significant among these rates and charges is the newly proposed GASR that will affect only the rates of governmental aggregation customers. NOPEC has a vital interest that any standby charge proposed under R.C. 4988.143(D)(2)(d) is just, reasonable and lawful.

The deadline for intervention has not expired and NOPEC's motion to intervene will not unduly delay this proceeding, or unjustly prejudice any existing party. NOPEC will work cooperatively with others in the case in order to maximize case efficiency where practical, to reach an equitable resolution of all issues.

¹ R.C. 4903.221(B)(1) and OAC 4901-1-11(B)(1).

² R.C. 4903.221(B)(2) and OAC 4901-1-11(B)(2).

³ R.C. 4903.221(B)(3) and OAC 4901-1-11(B)(3).

⁴ R.C. 4903.221(B)(4) and OAC 4901-1-11(B)(4).

⁵ OAC 4901-1-11(B)(5).

Finally, NOPEC submits that no current party represents its unique interests in assuring that electricity prices to residents of its member communities are just and reasonable. Disposition of this proceeding without its participation will impair or impede NOPEC's ability to protect those interests.

WHEREFORE, NOPEC respectfully request that its motion to intervene be granted.

Respectfully submitted,



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CERTIFICATE OF SERVICE

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 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 31st day of March 2023.



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Summary: Motion to Intervene and Memorandum in Support by Northeast Ohio Public Energy Council electronically filed by Teresa Orahoad on behalf of Dane Stinson.