

**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) Case No. 16-1852-EL-SSO
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. 16-1853-EL-AAM
Certain Accounting Authority)**

**JOINT MOTION TO INTERVENE OF
THE PJM POWER PROVIDERS GROUP AND
THE ELECTRIC POWER SUPPLY ASSOCIATION**

Pursuant to Section 4903.221, Revised Code, and Rule 4901-1-11, Ohio Administrative Code, the PJM Power Providers Group (“P3”) and the Electric Power Supply Association (“EPSA”) jointly move the Public Utilities Commission of Ohio (“Commission”) for intervention in this proceeding as full parties of record as further explained in the attached Memorandum in Support.

WHEREFORE, P3 and EPSA (herein after “Wholesale Suppliers”) respectfully request that the Commission grant this motion for joint intervention, given their interests, in this proceeding.

Respectfully Submitted,

/s/ Michael J. Settineri
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**MEMORANDUM IN SUPPORT OF THE MOTION TO INTERVENE OF
THE PJM POWER PROVIDERS GROUP AND
THE ELECTRIC POWER SUPPLY ASSOCIATION**

The PJM Power Providers Group (“P3”) is a non-profit organization whose members are energy providers in the PJM Interconnection LLC (“PJM”) region, conduct business in the PJM balancing authority area, and are signatories to various PJM agreements. Altogether, P3 members own over 84,000 megawatts (“MWs”) of generation assets, produce enough power to supply over 20 million homes, and employ over 40,000 people in the PJM region, representing 13 states and the District of Columbia. P3 strongly believes that properly designed and well-functioning competitive markets are the most effective means of ensuring a reliable supply of power to the PJM region, facilitating investments in energy generation of all types, and promoting prices that will allow consumers to enjoy the benefits of competitive electricity markets.¹

The Electric Power Supply Association (“EPSA”) is a national trade association representing leading competitive power suppliers, including generators and marketers. Competitive suppliers, which collectively account for 40 percent of the installed generating capacity in the United States, provide reliable and competitively priced electricity from environmentally responsible facilities. EPSA seeks to bring the benefits of competition to all power customers.²

P3 and EPSA (jointly “Wholesale Suppliers”) seek intervention as full parties of record in this proceeding out of concern that the application may have an adverse effect on the wholesale and retail markets both in Ohio and throughout the PJM regional system.

The standard for intervention at the Public Utilities Commission of Ohio (“Commission”) is governed by Rule 4901-1-11, Ohio Administrative Code, promulgated pursuant to Section 4903.221, Revised Code.

¹ The positions taken in this proceeding by P3 do not necessarily reflect the specific views of any particular member of P3 with respect to any argument or issue, but collectively will present P3’s positions.

² The positions taken in this proceeding do not necessarily reflect the specific views of any particular member of EPSA with respect to any argument or issue, but collectively will present EPSA’s positions.

Rule 4901-1-11, Ohio Administrative Code, 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.

To determine a direct interest, 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, Section 4903.221(B), Revised Code). A review of the intervention criteria in light of the following facts supports granting Wholesale Suppliers' intervention.

In its application, Ohio Power Company ("Ohio Power") is requesting Commission approval to modify its current Electric Security Plan ("ESP") including an extension of the ESP to May 31, 2024. Ohio Power's proposal includes a proposal to forego including the entitlement from the Ohio Valley Electric Corporation ("OVEC") units in Ohio Power's PPA Rider. Instead, Ohio Power would use that entitlement to serve Standard Service Offer ("SSO") load as early as Spring 2017 with full cost recovery through a series of riders (GENE, GENC and the Auction Cost Reconciliation Rider). Ohio Power also proposes other amendments to its ESP, including a Renewable Generation Rider that would be a placeholder for future nonbypassable charges related to specific renewable generation projects.

Wholesale Suppliers are an interested party to this proceeding. Specifically, the two trade associations' member companies may be potential participants in any wholesale auction that results from this proceeding. The Wholesale Suppliers' intervention and participation will promote the public interest in viable and competitive wholesale markets. Moreover, Ohio Power's OVEC

proposal will have a direct impact on the wholesale market as the addition of the OVEC entitlement to serve SSO load changes Ohio Power's current approach of using 100% competitive bidding for its SSO load. Ohio Power's application raises factual and legal issues which the Commission must fully understand prior to making a decision. Since the Wholesale Suppliers' members are wholesale market participants in the Ohio and PJM market, the Wholesale Suppliers can assist the Commission by providing evidence for the record that contains information and a practical perspective which only those active in the wholesale market can provide. The Wholesale Suppliers through its members have a unique interest in this proceeding that cannot be represented by existing parties, pursuant to Rule 4901-1-11(B)(5) of the Ohio Administrative Code. Finally, the Wholesale Suppliers' request for intervention is timely, and similar intervention requests by P3 and EPSA have been granted in both the Ohio Power and FirstEnergy PPA proceedings.³

For the reasons listed above, the Wholesale Providers respectfully submit that they meet the criteria set forth in Section 4903.221, Revised Code and Rule 4901-1-11 of the Ohio Administrative Code for intervention.

For purposes of receiving service in the proceeding, in addition to the undersigned, P3 requests that the following individuals be placed on the official service list:

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³ See *In re Application of Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company*, Case No. 14-1297-EL-SSO, Entry dated December 1, 2014 at p.3 (granting intervention) and see *In re Application Seeking Approval of Ohio Power Company's Proposal to Enter into an Affiliate Power Purchase Agreement for Inclusion in the Power Purchase Agreement Rider*, Case No. 14-1693-EL-RDR, Entry dated September 15, 2015 at p.4 (granting intervention).

WHEREFORE, Wholesale Suppliers respectfully request that the Commission grant P3's and EPSA's motion to intervene and that they be made full parties of record.

Respectfully Submitted,

/s/ Michael J. Settineri

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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 the public version of this document on the parties referenced in the service list of the docket card who have electronically subscribed to these cases. In addition, the undersigned certifies that a courtesy copy of the foregoing document is also being served upon the persons below via electronic mail this 8th day of December, 2016.

/s/ Michael J. Settineri
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