

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Seeking)	
Approval of Ohio Power Company's Proposal)	
to Enter into an Affiliate Power Purchase)	Case Nos. 14-1693-EL-RDR
Agreement for Inclusion in the Power Purchase)	
Agreement Rider)	

In the Matter of the Application of Ohio Power)	
Company for Approval of Certain Accounting)	Case No. 14-1694-EL-AAM
Authority)	

**MOTION FOR LEAVE TO INTERVENE OF
THE RETAIL ENERGY SUPPLY ASSOCIATION**

Now comes the Retail Energy Supply Association (RESA)¹, who, pursuant to Section 4903.221, Revised Code and Rule 4901-1-11 of the Ohio Administrative Code, moves for intervention in the above styled proceeding. The reasons supporting the intervention are contained in the accompanying Memorandum in Support.

WHEREFORE, RESA respectfully requests that the Commission grant this motion for leave to intervene and that RESA be made a full party of record.

¹ RESA's members include: AEP Energy, Inc.; Champion Energy Services, LLC; Consolidated Edison Solutions, Inc.; Constellation NewEnergy, Inc.; Direct Energy Services, LLC; GDF SUEZ Energy Resources NA, Inc.; Homefield Energy; IDT Energy, Inc.; Integrys Energy Services, Inc.; Interstate Gas Supply, Inc. dba IGS Energy; Just Energy; Liberty Power; MC Squared Energy Services, LLC; Mint Energy, LLC; NextEra Energy Services; Noble Americas Energy Solutions LLC; NRG Energy, Inc.; PPL EnergyPlus, LLC; Stream Energy; TransCanada Power Marketing Ltd. and TriEagle Energy, L.P. The comments expressed in this filing represent only those of RESA as an organization and not necessarily the views of each particular RESA member.

Respectfully Submitted,



M. Howard Petricoff (0008287)
Michael J. Settineri (0073369)
Gretchen L. Petrucci (0046608)
VORYS, SATER, SEYMOUR AND PEASE LLP
52 East Gay Street
Columbus, Ohio 43215
Tel. (614) 464-5414
mhpetricoff@vorys.com
mjsettineri@vorys.com
glpetrucci@vorys.com

Attorneys for the Retail Energy Supply Association

**MEMORANDUM IN SUPPORT OF
THE MOTION TO INTERVENE OF
THE RETAIL ENERGY SUPPLY ASSOCIATION**

RESA is a broad and diverse group of retail energy suppliers who share the common vision that competitive retail energy markets deliver a more efficient, customer-oriented outcome than regulated utility structure. Many of RESA members are certificated as competitive retail electric service providers and are active in the Ohio retail electric and natural gas markets providing service to residential, commercial, industrial and governmental customers. In addition, some of RESA's members currently provide CRES service to retail customers in the Ohio Power service area. RESA has participated in the most recent American Electric Power electric security plan ("ESP III") proceedings involving Ohio Power in Case No. 13-2385-EL-SSO, et al. That case is the precursor to the application in the matter at bar, for Ohio Power is asking to expand Rider PPA to include additional rate payer guarantees.

The basic criteria for intervention in a Commission proceeding are established in Section 4903.221, Revised Code and detail has been provided in Rule 4901-1-11 of the Ohio Administrative Code. Rule 4901-1-11 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.

In addition to establishment of a direct interest, the factors that the Public Utilities Commission of Ohio (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 upon which the above rule is authorized). A review of these factors in light of following facts supports granting RESA's intervention.

As part of its ESP III proposal in Case No. 13-2385-EL-SSO, et al., Ohio Power proposed the PPA Rider. Under this proposed PPA Rider, Ohio Power sought authority to pass through to customers the differential between PJM market prices and a cost-based contractual price. Ohio Power proposed initially to include the Ohio Valley Electric Corporation (OVEC) contractual entitlement in the PPA Rider. By this Application, Ohio Power is proposing to enter into a new affiliate power purchase agreement (PPA) between it and AEP Generation Resources, Inc. for inclusion in the PPA Rider that is pending approval in Case Nos. 13-2385-EL-SSO, et al. Ohio Power is seeking Commission consideration of this additional PPA in parallel with the pending ESP III Application. Ohio Power has also proposed an expedited procedural schedule in this matter.

RESA opposed the PPA Rider in Case Nos. 13-2385-EL-SSO, et al. RESA's members have existing and potential business interests in the State that will be affected by the outcome of the proceeding. The Commission's decision in this matter will affect the viability of the competitive retail electric market in Ohio Power's service territory, in which some of the RESA members provide electric power and other products and services to retail service customers.

This motion to intervene meets any deadline established by the Attorney Examiner in these matters. The undersigned will accept service by electronic mail.

WHEREFORE, the Retail Energy Supply Association respectfully requests that the Commission grant this motion for leave to intervene and that RESA be made a full party of record.

Respectfully Submitted,



M. Howard Petricoff (0008287)
Michael J. Settineri (0073369)
Gretchen L. Petrucci (0046608)
VORYS, SATER, SEYMOUR AND PEASE LLP
52 East Gay Street
Columbus, Ohio 43215
Tel. (614) 464-5414
mhpetricoff@vorys.com
mjsettineri@vorys.com
glpetrucci@vorys.com

Attorneys for the Retail Energy Supply Association

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 referenced on the service list of the docket card who have electronically subscribed to the case. In addition, the undersigned certifies that a courtesy copy of the foregoing document is also being served (via electronic mail) on the 29th day of October, 2014 upon the persons/entities listed below.



M. Howard Petricoff

Steven T. Nourse
Matthew J. Satterwhite
American Electric Power Service Corporation
1 Riverside Plaza, 29th Floor
Columbus, OH 43215
stnourse@aep.com
mjsatterwhite@aep.com

Tony G. Mendoza
Sierra Club
Environmental Law Program
85 Second Street, 2nd Floor
San Francisco, CA 94105-3459
Tony.mendoza@sierraclub.org

Samuel C. Randazzo
Frank P. Darr
Matthew R. Pritchard
McNees Wallace & Nurick LLC
21 E. State Street, 17th Floor
Columbus, OH 43215
sam@mwncmh.com
fdarr@mwncmh.com
mpritchard@mwncmh.com

Christopher J. Allwein
Todd M. Williams
Nolan M. Moser
Williams Allwein & Moser, LLC
1500 W. Third Ave., Ste. 330
Columbus, OH 43212
callwein@wamenergylaw.com
nmoser@wamenergylaw.com
twilliams@wamenergylaw.com

Mark S. Yurick
Taft Stettinius & Hollister LLP
65 E. State Street, Ste. 1000
Columbus, OH 43215
myurick@taftlaw.com

Kevin R. Schmidt
88 E. Broad Street, Ste. 1770
Columbus, OH 43215
Schmidt@sppgrp.com

Michael L. Kurtz
David F. Boehm
Boehm, Kurtz & Lowry
36 E. Seventh Street, Ste. 1510
Cincinnati, OH 45202
mkurtz@BKLawfirm.com
dboehm@BKLawfirm.com

Trent Dougherty
1207 Grandview Avenue, Ste. 201
Columbus, OH 43212-3449
tdougherty@theOEC.org

Mark A. Hayden
Jacob A. McDermott
Scott J. Casto
FirstEnergy Service Company
76 S. Main Street
Akron, OH 44308
haydenm@firstenergycorp.com
jmcdermott@firstenergycorp.com
scasto@firstenergycorp.com

James F. Lang
N. Trevor Alexander
Calfee, Halter & Griswold LLP
The Calfee Building
1405 E. Sixth Street
Cleveland, OH 44114
jlang@calfee.com
talexander@calfee.com

Terrance O'Donnell
Dickinson Wright PLLC
150 E. Gay Street, Ste. 2400
Columbus, OH 43215
todonnell@dickinsonwright.com

Kurt P. Helfrich
Scott Campbell
Stephanie M. Chmiel
Thompson Hine LLP
41 S. High Street, Ste. 1700
Columbus, OH 43215-6101
Kurt.helfrich@ThompsonHine.com
Scott.campbell@ThompsonHine.com
Stephanie.Chmiel@ThompsonHine.com

Richard L. Sites
Ohio Hospital Association
155 E. Broad Street, 3rd Floor
Columbus, OH 43215-3620
ricks@ohanet.org

Thomas J. O'Brien
Bricker & Eckler LLP
100 S. Third Street
Columbus, OH 43215-4291
tobrien@bricker.com

Jeffrey W. Mayes
Monitoring Analytics, LLC
2621 Van Buren Avenue, Ste. 160
Valley Forge Corporate Center
Eagleville, PA 19403
Jeffrey.mayes@monitoringanalytics.com

Lisa Hawrot
Spilman Thomas & Battle, PLLC
Century Centre Building
1233 Main Street, Ste. 4000
Wheeling, WV 26003
lhawrot@spilmanlaw.com

Derrick Price Williamson
Spilman Thomas & Battle, PLLC
1100 Bent Creek Blvd., Ste. 101
Mechanicsburg, PA 17050
dwilliamson@spilmanlaw.com

Kimberly W. Bojko
Carpenter Lipps & Leland LLP
280 Plaza, Ste. 1300
280 N. High Street
Columbus, OH 43215
Bojko@carpenterlipps.com