

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Ohio Edison)
Company, The Cleveland Electric Illuminating)
Company and The Toledo Edison Company for) Case Nos. 14-1297-EL-SSO
Authority to Provide for a Standard Service)
Offer Pursuant to R.C. § 4928.143 in the Form)
of an Electric Security Plan.)

**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.

Respectfully Submitted,



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¹ RESA's members include: Champion Energy Services, LLC; ConEdison *Solutions*; Constellation NewEnergy, Inc.; Direct Energy Services, LLC; Energy Plus Holdings, LLC; Exelon Energy Company; GDF SUEZ Energy Resources NA, Inc.; Green Mountain Energy Company; Hess Corporation; Integrys Energy Services, Inc.; Just Energy; Liberty Power; MXenergy; NextEra Energy Services; Noble Americas Energy Solutions LLC; PPL EnergyPlus; Reliant Energy Northeast LLC and TriEagle Energy, L.P.. The comments expressed in this filing represent the position of RESA as an organization but may not represent the views of any particular member of RESA.

**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 FirstEnergy service area. RESA has participated in most of the electric security plan ("ESP") proceedings since 2010, including the prior FirstEnergy utility ESPs.

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.

In its application, Ohio Edison Company, The Cleveland Electric Illuminating Company and The Toledo Edison Company (collectively, "FirstEnergy") is requesting Commission approval of a standard service offer ("SSO") pursuant to Section 4928.141, Revised Code. FirstEnergy proposes to implement an Electric Security Plan ("ESP IV") to provide generation service pricing for the period June 1, 2016 through May 31, 2019. According to FirstEnergy, ESP IV is designed to provide customers competitive, yet stable pricing of energy services through the proposed three-year term, enhancements to the delivery system through continued investment in the delivery system, and an Economic Stability Program to stabilize retail rates and protect against increasing market prices and volatility in the longer term. FirstEnergy alleges that many existing benefits from its current ESP will continue to include procurement of default generation via a competitive auction using a staggered or laddered schedule of procurements. The proposed ESP IV also provides rider which is non bypassable by which retail customers will assure all costs and an 11.15% return on generation assets no longer owned by the FirstEnergy utility.

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 FirstEnergy'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 the October 1, 2014 deadline established by the Attorney Examiner's Entry of August 29, 2014. 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,



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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 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 1st day of October, 2014 upon the persons/entities listed below.



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