

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of)
Columbia Gas of Ohio, Inc. for Approval to)
Amend its Rules and Regulations for) **Case No. 18-0524-GA-ATA**
Service)
)

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

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

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

Respectfully Submitted,

/s/ Michael J. Settineri
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**MEMORANDUM IN SUPPORT OF
THE MOTION TO INTERVENE OF
THE RETAIL ENERGY SUPPLY ASSOCIATION**

The Retail Energy Supply Association¹ (“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 a regulated utility structure. Many of RESA’s members are certified as competitive retail natural gas service (“CRNGS”) providers and are active in the Ohio retail markets providing service to residential, commercial, industrial and governmental customers. In addition, some of RESA’s members currently provide competitive retail natural gas service to retail customers in the service area of Columbia Gas of Ohio, Inc. (“Columbia”).

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

When deciding a motion to intervene, the factors that the Commission considers in implementing the above rule are the nature of the intervenor’s interest, the extent that interest is

¹ 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 the Association. Founded in 1990, RESA is a broad and diverse group of more than twenty retail energy suppliers dedicated to promoting efficient, sustainable and customer-oriented competitive retail energy markets. RESA members operate throughout the United States delivering value-added electricity and natural gas service at retail to residential, commercial and industrial energy customers. More information on RESA can be found at www.resausa.org.

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 RESA's intervention in this proceeding.

In its application, Columbia seeks Commission approval of tariff revisions relating to Columbia's new upstream and city gate capacity contracts that went into effect April 1, 2018. Although suppliers are responsible for paying for capacity (released to SCO suppliers and Choice suppliers), Columbia unilaterally determined what interstate pipelines to use for capacity and the amounts of the contracted for capacity. Now, Columbia seeks Commission approval of those tariff sheets which in turn will allow Columbia to receive implicit approval for its unilateral long-term contracting decisions. Columbia also seeks approval to pass through to suppliers penalties imposed by interstate pipelines on Columbia.²

RESA members have existing and potential business interests that will be directly and immediately affected by the outcome of this proceeding. Both SCO and Choice suppliers are required to use Columbia's contracted-for capacity when making deliveries to Columbia's system and would be subject to Columbia's new tariff sheets (including penalties). Also, under Columbia's current Program Outline, Columbia retains a combination of firm interstate and intrastate pipeline transportation and storage capacity and local gas supplies that in the aggregate provide firm city gate deliverability of 1,940,214 Dth.³ That requirement, along with other related capacity obligations, was the result of a negotiated and approved settlement (which relieved Columbia of capacity contract audit oversight).

² *See* Proposed redlined tariff sheets, Section VII, pages 3, 5-7.

³ *See* Second Revised Program Outline filed November 28, 2017 in Case No. 12-2637-GA-EXM.

RESA, as an association of knowledgeable, experienced competitive providers, will contribute to a just and expeditious resolution of the issues involved in this proceeding. No other party to this proceeding represents RESA's interests. Also, RESA's intervention request is timely and its intervention would not result in an undue delay of the proceeding.

WHEREFORE, RESA respectfully requests that the Commission grant this motion to intervene and that RESA be made a full party of record. RESA also requests that the Commission set this matter for hearing pursuant to ORC Section 4909.18.

The undersigned will accept service by electronic mail.

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 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 20th day of April 2018.

/s/ Michael J. Settineri

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Summary: Motion to Intervene electronically filed by Mr. Michael J. Settineri on behalf of Retail Energy Supply Association