

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Self Complaint of)
Vectren Energy Delivery Ohio, Inc.)
Regarding Its Pooling Service Tariffs and) Case No. 17-2284-GA-SLF
Application of Commission Rules)
Concerning Customer Information)

**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/ Gretchen L. Petrucci
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Counsel for the Retail Energy Supply Association

**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 Vectren Energy Delivery Ohio, Inc. (“VEDO”).

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 its self-complaint, VEDO is seeking guidance from the Commission as to when, how and whether it must make the eligible-customer list available to Commission-certified CRNGS providers.² The requested guidance would affect other CRNGS providers currently participating in the VEDO market and those who may participate in the future. The Commission's guidance will likely impact the provision of eligible-customer lists in other gas utilities with Choice programs as well because the same CRNGS rules apply. This proceeding could also impact the gas utilities' ability to control access to customer information and the circumstances under which CRNGS providers may use that information.

RESA members have existing and potential business interests that will be directly and immediately affected by the outcome of the proceeding. RESA is an association of knowledgeable, experienced competitive providers who can contribute to a just and expeditious resolution of the issues involved, especially since RESA was actively involved in the development of the CRNGS rules that VEDO has cited. No other party to this proceeding represents RESA's interests. At this time, there is no CRNGS provider that is a party to this proceeding yet. Also, RESA's intervention request is timely and its intervention would not result in an undue delay of the proceeding.

The undersigned will accept service by electronic mail.

² *See*, Self-Complaint at ¶44.

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

Respectfully Submitted,

/s/ Gretchen L. Petrucci

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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 15th day of December 2017.

/s/ Gretchen L. Petrucci

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