**Before**

**The Public Utilities Commission of Ohio**

In the Matter of the Commission's )

Investigation of Ohio's Retail Electric ) Case No. 12-3151-EL-COI

Service Market. )

**Industrial Energy Users-Ohio’s**

**Motion to Intervene and Memorandum in Support**

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**Before**

**The Public Utilities Commission of Ohio**

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Investigation of Ohio's Retail Electric ) Case No. 12-3151-EL-COI

Service Market. )

**Motion to Intervene**

Industrial Energy Users-Ohio (“IEU-Ohio”) hereby respectfully moves the Public Utilities Commission of Ohio (“Commission”), pursuant to Section 4903.221, Revised Code, and Rule 4901-1-11, Ohio Administrative Code, for leave to intervene in the above-captioned matter with the full powers and rights granted by the Commission, specifically by statute or by the provisions of the Ohio Administrative Code, to intervening parties.

On December 12, 2012, the Public Utilities Commission of Ohio (“PUCO” or “Commission”) issued an Entry initiating an investigation regarding the health, strength and vitality of the competitive retail electric service market and actions that the Commission may take to enhance the health, safety and vitality of that market. As part of the investigation, interested parties have an opportunity to respond to numerous questions regarding default service as well as Ohio’s corporate separation requirements. Based on the content of the questions, it appears that this investigation may impact the ultimate price paid as well as the size and scope of the “customer choice” opportunity available to IEU-Ohio’s many members.

As demonstrated further in the Memorandum in Support attached hereto and incorporated herein, IEU-Ohio has a direct, real, and substantial interest in the issues and matters involved in this investigation, and is so situated that the disposition of this proceeding may, as a practical matter, impair or impede its ability to protect that interest. IEU-Ohio believes that its participation will not unduly prolong or delay this proceeding and that it will significantly contribute to the full development and equitable resolution of the factual and other issues in the proceeding. The interests of IEU‑Ohio will not be adequately represented by other parties to the proceeding and, as such, IEU‑Ohio is entitled to intervene with the full powers and rights granted by the Commission, specifically by statute and by the provisions of the Ohio Administrative Code, to intervening parties.

Respectfully submitted,

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**Memorandum in Support**

In support of this Motion to Intervene, IEU-Ohio states that it is an association of ultimate customers. A current listing of IEU-Ohio member companies is available on IEU-Ohio's website at http://www.ieu-ohio.org/member\_list.aspx. IEU-Ohio’s members purchase substantial amounts of electric and related services from Ohio’s electric distribution utilities (“EDU”).

IEU-Ohio’s members are commercial and industrial customers that work together to address matters that affect the availability and price of utility services which they need to operate their facilities in Ohio and to successfully compete in the global economy. Additionally, IEU-Ohio seeks to promote customer-driven policies that will assure an adequate, reliable, and efficient supply of energy for all consumers at competitive prices. To this end, IEU-Ohio was actively involved in the legislative process that produced Chapter 4928, Revised Code, in its original and current form as well as the many related regulatory proceedings initiated by the Commission on its own initiative or by other parties.

On December 12, 2012, the Commission issued an Entry initiating an investigation regarding the health, strength and vitality of the competitive retail electric service market and actions that the Commission may take to enhance the health, safety and vitality of that market. As part of the investigation, interested parties have an opportunity to respond to numerous questions regarding default service as well as Ohio’s corporate separation requirements. Based on the content of the questions, it appears that this investigation may impact the ultimate price paid as well as the size and scope the “customer choice” opportunity available to IEU-Ohio’s many members.

IEU-Ohio has a real and substantial interest inasmuch as this proceeding may directly or indirectly impact the provision of electric service to IEU-Ohio members’ manufacturing facilities. Specifically, IEU-Ohio’s direct interest in this proceeding is the result of the effect that this proceeding shall have upon the price, adequacy, and reliability of the electric supply and related services within Ohio.

Respectfully submitted,

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#### Certificate of Service

I hereby certify that a copy of the foregoing *Industrial Energy Users-Ohio’s Motion to Intervene and Memorandum in Support* was served upon the following parties of record this 1st day of March 2013, *via* electronic transmission, hand-delivery or first class U.S. mail, postage prepaid.

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