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BOEHM, KURTZ & LOWRY

ATTORNEYS AT LAW  
36 EAST SEVENTH STREET  
SUITE 1510  
CINCINNATI, OHIO 45202  
TELEPHONE (513) 421-2255  
TELECOPIER (513) 421-2764

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June 30, 2008

Public Utilities Commission of Ohio  
PUCO Docketing  
180 E. Broad Street, 10th Floor  
Columbus, Ohio 43215

In re: Case Nos. 08-709-EL-AIR, et. al.

Dear Sir/Madam:

Please find enclosed an original and ten (10) copies of the OHIO ENERGY GROUP'S MOTION FOR LEAVE TO INTERVENE filed in the above-referenced matter.

Copies have been served on all parties on the attached certificate of service. Please place this document of file.

Respectfully yours,



David F. Boehm, Esq.  
Michael L. Kurtz, Esq.  
BOEHM, KURTZ & LOWRY

MLKkew  
Encl.  
Cc: Certificate of Service

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**CERTIFICATE OF SERVICE**

I hereby certify that true copy of the foregoing was served by ordinary mail, unless otherwise noted, this 30<sup>th</sup> day of June, 2008 to the following:

DUKE ENERGY OHIO  
PAUL G. SMITH  
139 E. FOURTH STREET  
CINCINNATI OH 45202

\*SCHAFFER, ANITA M  
DUKE ENERGY OHIO  
139 E. FOURTH ST PO BOX 960  
CINCINNATI OH 45202

SPILLER, AMY B  
139 FOURTH STREET 25 ATRIUM II  
CINCINNATI OH 45202

WATTS, ELIZABETH H.  
139 EAST FOURTH STREET  
25 ATRIUM II  
CINCINNATI OH 45202

COLBERT, PAUL ATTORNEY AT LAW  
CINCINNATI GAS & ELECTRIC COMPANY  
139 EAST FOURTH STREET  
2500 ATRIUM II BLDG  
CINCINNATI OH 45201-0960

D'ASCENZO, ROCCO ATTORNEY AT LAW  
CINCINNATI GAS & ELECTRIC CO.  
139 EAST FOURTH ST, ROOM 2500  
25TH FLOOR, ATRIUM II BUILDING  
CINCINNATI OH 45201-0960



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David F. Boehm, Esq.  
Michael L. Kurtz, Esq.

**BEFORE THE  
PUBLIC UTILITY COMMISSION OF OHIO**

<b>In The Matter Of The Application Of Duke Energy</b>	<b>:</b>	<b>Case No. 08-709-EL-AIR</b>
<b>Oho, Inc. For An Increased In Electric Distribution</b>	<b>:</b>	
<b>Rates</b>	<b>:</b>	
	<b>:</b>	
<b>In The Matter Of The Application Of Duke Energy</b>	<b>:</b>	<b>Case No. 08-710-EL-ATA</b>
<b>Ohio, Inc For Tariff Approval</b>	<b>:</b>	
	<b>:</b>	
<b>In The Matter Of The Application Of Duke Energy</b>	<b>:</b>	<b>Case No. 08-711-EL-AAM</b>
<b>Ohio, Inc. For Approval To Change Accounting</b>	<b>:</b>	
<b>Methods</b>	<b>:</b>	

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**THE OHIO ENERGY GROUP'S  
MOTION FOR LEAVE TO INTERVENE**

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Pursuant to the Ohio Rev. Code §4903.22.1 and Ohio Admin. Code §4901-1-11, the Ohio Energy Group. ("OEG") moves for leave to intervene in this proceeding. The Public Utility Commission of Ohio ("Commission") should grant OEG leave to intervene because OEG has a real and substantial interest in the proceeding, and the Commission's disposition of this proceeding may impair or impede OEG's ability to protect that interest.

Respectfully submitted,



David F. Boehm, Esq.

Michael L. Kurtz, Esq.

**BOEHM, KURTZ & LOWRY**

36 East Seventh Street, Suite 1510

Cincinnati, Ohio 45202

Ph: (513) 421-2255 Fax: (513) 421-2764

E-Mail: [dboehm@BKLawfirm.com](mailto:dboehm@BKLawfirm.com)

[mkurtz@BKLawfirm.com](mailto:mkurtz@BKLawfirm.com)

June 30, 2008

**COUNSEL FOR OHIO ENERGY GROUP**

**BEFORE THE  
PUBLIC UTILITY COMMISSION OF OHIO**

<b>In The Matter Of The Application Of Duke Energy</b>	<b>:</b>	<b>Case No. 08-709-EL-AIR</b>
<b>Oho, Inc. For An Increased In Electric Distribution</b>	<b>:</b>	
<b>Rates</b>	<b>:</b>	
	<b>:</b>	
<b>In The Matter Of The Application Of Duke Energy</b>	<b>:</b>	<b>Case No. 08-710-EL-ATA</b>
<b>Ohio, Inc For Tariff Approval</b>	<b>:</b>	
	<b>:</b>	
<b>In The Matter Of The Application Of Duke Energy</b>	<b>:</b>	<b>Case No. 08-711-EL-AAM</b>
<b>Ohio, Inc. For Approval To Change Accounting</b>	<b>:</b>	
<b>Methods</b>	<b>:</b>	

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**MEMORANDUM IN SUPPORT OF  
THE OHIO ENERGY GROUP'S  
MOTION TO INTERVENE**

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Pursuant to Ohio Rev. Code §4903.22.1 and Ohio Admin. Code §4901-01-11, the Public Utility Commission of Ohio should grant OEG leave to intervene in this proceeding.

OEG is a non-profit entity organized to represent the interests of large industrial customers in electric and gas regulatory proceedings before the Public Utility Commission of Ohio ("Commission"). OEG's members who are participating in this intervention are: AK Steel Corporation, Air Products & Chemicals, Inc., British Petroleum, Ford Motor Company, General Electric – Aircraft Engines, The Procter and Gamble Co., and Worthington Industries. These companies purchase electric distribution services from Duke Energy Ohio, Inc. Therefore, the interests of OEG's members may be directly affected by the outcome of this proceeding. OEG intends to play a constructive role in this case and provide information which will assist the Commission.

No other party to this proceeding can adequately represent OEG's interest. Intervention would not unduly delay the proceeding nor unjustly prejudice any existing party.

Accordingly, OEG has a real and substantial interest and is entitled to intervene in this action under Ohio Rev. Code §4903.22.1 and Ohio Admin. Code §4901-1-11.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "David F. Boehm", is written over a horizontal line.

David F. Boehm, Esq.

Michael L. Kurtz, Esq.

**BOEHM, KURTZ & LOWRY**

36 East Seventh Street, Suite 1510

Cincinnati, Ohio 45202

Ph: (513) 421-2255 Fax: (513) 421-2764

E-Mail: [dboehm@BKLawfirm.com](mailto:dboehm@BKLawfirm.com)

[mkurtz@BKLawfirm.com](mailto:mkurtz@BKLawfirm.com)

**COUNSEL FOR THE OHIO ENERGY GROUP**

June 30, 2008