

FAX

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11 Pages

August 28, 2008

Chief of Docketing
The Public Utilities Commission of Ohio
180 East Broad Street
Columbus, Ohio 43215-3793

SUBJECT:

In the Matter of the Application of Ohio)
Edison Company, The Cleveland Electric)
Illuminating Company and The Toledo Edison)
Company for Authority to Establish a Standard)
Service Offer Pursuant to R.C. 4928.143 in the)
Form of an Electric Security Plan.)

Case No. 08-935-EL-SSO

In the Matter of the Application of Ohio)
Edison Company, The Cleveland Electric)
Illuminating Company and The Toledo Edison)
Company for Approval of a Market Rate Offer)
To Conduct a Competitive Bidding Process)
For Standard Service Offer Electric Generation)
Supply, Accounting Modifications Associated)
With Reconciliation Mechanism, and Tariffs)
For Generation Service)

Case No. 08-936-EL-SSO

We are enclosing a Motion to Intervene for our clients, the Citizens Coalition. . .

We are faxing this. Please file it today. We are mailing twenty copies and the original by regular mail. Other parties are being served. We have also enclosed an envelope addressed back to us. Please time-stamp one of the enclosed copies and return this to us.

Let us know of any problems.

(Continued on next page)

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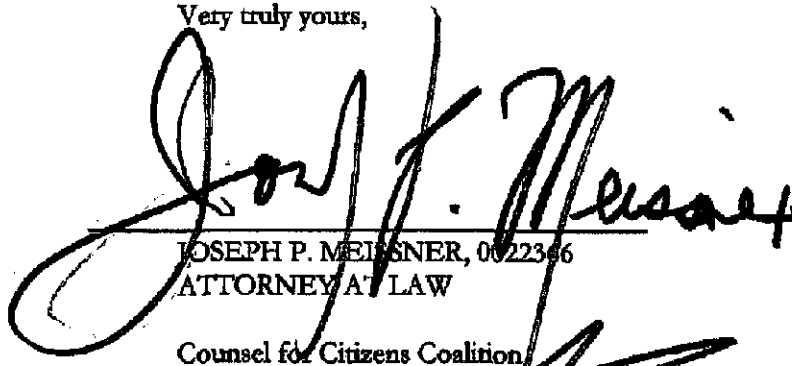
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Thank you.

Very truly yours,



JOSEPH P. MEISNER, 0022346
ATTORNEY AT LAW
Counsel for Citizens Coalition

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of Ohio)	
Edison Company, The Cleveland Electric)	Case No. 08-935-EL-SSO
Illuminating Company and The Toledo Edison)	
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To Conduct a Competitive Bidding Process)	
For Standard Service Offer Electric Generation)	
Supply, Accounting Modifications Associated)	
With Reconciliation Mechanism, and Tariffs)	
For Generation Service.)	

**MOTION TO INTERVENE ON BEHALF OF THE
NEIGHBORHOOD ENVIRONMENTAL COALITION
THE EMPOWERMENT CENTER OF GREATER CLEVELAND,
UNITED CLEVELANDERS AGAINST POVERTY,
CLEVELAND HOUSING NETWORK.
AND
THE CONSUMERS FOR FAIR UTILITY RATES
AND MEMORANDUM IN SUPPORT**

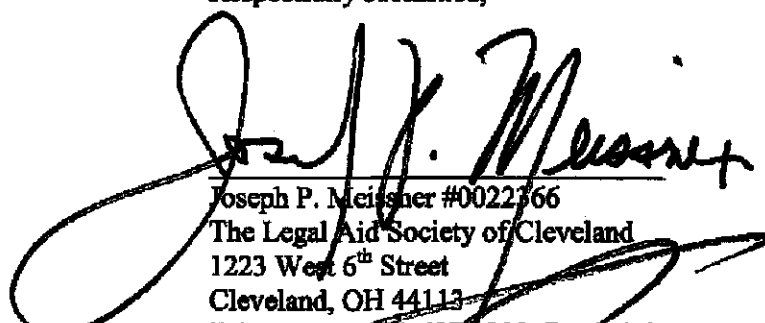
Now comes The Neighborhood Environmental Coalition (hereinafter
"Coalition"), The Consumers for Fair Utility Rates (hereinafter "Consumers"), United
Clevelanders Against Poverty, Cleveland Housing Network, and The Empowerment
Center of Greater Cleveland (hereinafter "Center") who, through their counsel, hereby

Move to Intervene in the above-captioned matters pursuant to Ohio Law, The Rules and Regulations pertaining to the Public Utilities Commission of Ohio, and the relevant case law. All five of the interveners are hereinafter referred to as "The Citizens Coalition."

The Citizens Coalition specifically seeks the full powers and rights granted by the Commission specifically, by statute and by the provisions of the Ohio Administrative Code to intervening parties.

The reasons for granting this Motion are contained in the Memorandum in Support attached hereto and hereby incorporated herein.

Respectfully submitted,



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United Clevelanders Against Poverty
Cleveland Housing Network
and
The Empowerment Center of
Greater Cleveland

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of Ohio)	
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**MEMORANDUM IN SUPPORT OF
MOTION TO INTERVENE ON BEHALF OF THE
NEIGHBORHOOD ENVIRONMENTAL COALITION
THE EMPOWERMENT CENTER OF GREATER CLEVELAND,
UNITED CLEVELANDERS AGAINST POVERTY,
CLEVELAND HOUSING NETWORK.
AND
THE CONSUMERS FOR FAIR UTILITY RATES**

Coalition, Consumers, United Clevelanders, Cleveland Housing Network, and Center
(the Citizens Coalition) should be permitted to intervene in these matters pursuant to CivR.24 and

Rule 4901-1-11 OHIO ADMINISTRATIVE CODE. All five groups specifically meet the criteria for intervention pursuant to OAC 4901-1-11(A)(2) and (B).

In support of their Motion to Intervene, the Citizens Coalition note that they are citizens groups and agencies whose members, clients, and supporters are seriously affected by the PUCO's decisions. Given the gravity of the current economic situation of the Greater Cleveland area, the ongoing housing crisis, the immense increases in basic necessities including food and gasoline, and the adverse consequences any increases in electric rates could have on poor as well as moderate income families, it is incumbent upon the PUCO to grant all five parties intervention in this matter.

The Coalition's distinguished history of serving low-income families warrants its involvement in this case. Coalition has been in existence for over thirty years, working especially in neighborhoods surrounding the industrial valley of Cuyahoga County. It is dedicated "to protecting the created environment." It is committed to helping low income families meet their energy and heating needs in ways that will not harm the environment.

The Coalition and other four interveners are concerned with the proposals of the companies which could lead to more horrendous rate increases for customers, both in the near future and more distant future. The Coalition believes that the commission should take actions that are in the best interest of the citizens of Ohio and in order to do so it should avail itself of information and input from as many sources as possible, including from these interveners.

In reaching any decision regarding rates and a justification for those rates the commission should have the most accurate information available to it and it should be presented in the clearest possible manner to the reviewers. The impact of the results of the commission's decisions upon all customers and especially the low and moderate income customers of the company is very significant.

Consumers, whose predecessor was Low Income People Together, has also been involved in rate cases for many years. It also has specific concerns about the Companies in this

case. These include the threatened rate increases and the lack of substantial programs by the Companies to help low and moderate income families.

Center is comprised of low-income families who have intervened in matters before the PUCO since 1971. The Center has a history of contributing beneficially to decisions and outcomes that have been rendered by the PUCO. The Center is quite concerned about the present plight of low-income families who are burdened with already high electric rates. The Center urges the PUCO to reduce the current electric rates, rather than raise them. The Companies have earned immense excessive profits over the last three years which should be shared with customers, rather than all going to the already bloated salaries of the company executives and the over-compensated stockholders.

The fourth group, United Clevelanders Against Poverty, are a fairly new group in Ohio. This would be their first case of intervening in PUCO proceedings. They are customers of the electric companies and representatives of customers who are quite concerned about the ever increasing costs of basic necessities including utility and electric rates. They seek this opportunity to advocate for electric rate decreases.

The fifth group is the Cleveland Housing Network which has been involved in past cases. This agency especially helps with weatherization and conservation programs for their clients. It has administered funds both now and in the past from utility companies and other sources to carry out such programs. It has also received funds from the companies in this proceeding, although such funds have been generally inadequate to provide significant assistance to low and moderate income families for weatherization and conservation.

The foremost reason that has motivated Coalition, Consumers, United Clevelanders, Cleveland Housing Network, and Center to seek intervention in this matter is their commitment to helping low and moderate income families. Coalition, Consumers, United Clevelanders, Cleveland Housing Network, and Center are the only parties in this matter that are exclusively devoted to representing the low income segment of the population. Coalition, Consumers, United

Clevelanders, Cleveland Housing Network, and Center are concerned with the fairness, reasonableness, legality, and justice of the various proposals of these utility companies, especially as these seek to implement the new Law in Ohio, S.B. 221.

Coalition, Consumers, United Clevelanders, Cleveland Housing Network, and Center must be heard in this matter in order to protect their interests of low income families and individuals. They have real and substantial interests in this proceeding by virtue of the direct impact changes in rates determined through this case will have on their members, their supporters, and clients located in the service territories of the relevant utility companies. Further, four of these groups have appeared in past PUCO cases and they have been recognized by the Commission in the past as advocates for consumers and particularly low-income consumers, all of whom will be affected by the outcome of this case. Citizens Coalition also points out that the precedents set in these cases which seek to implement the new Ohio law on Electric Regulation will affect consumers, including low-income families, for the next ten to twenty years. This is the time when these and other consumer groups should especially be welcomed by the PUCO to insure that proper, reasonable, fair, and just precedents are established and that the new law's provisions are properly implemented. These groups will also advocate for adequate energy efficiency, environmental, and renewable energy programs. Furthermore, other parties to the proceedings will not adequately represent the interests of the Citizens Coalition because of the unique perspectives the Citizen Coalition groups bring to utility matters.

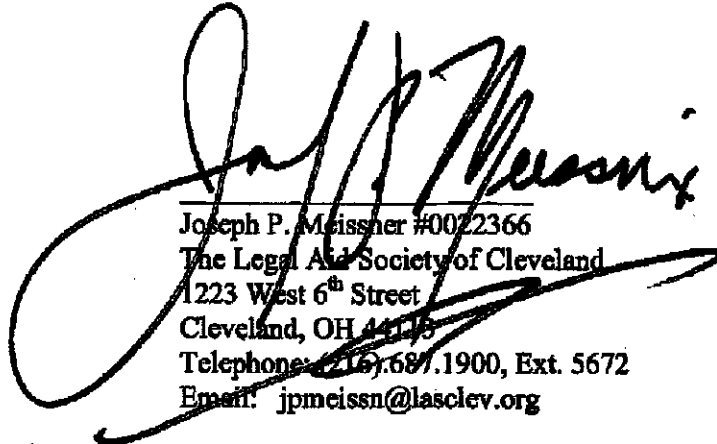
For the above reasons, these interveners have a direct, real and substantial interest in this proceeding.

The rules of the Ohio Administrative Code were established to provide the commission with best information needed to make decisions which are in the best interest of the citizens of Ohio. The Citizens Coalition will provide the best information they can in order to help the PUCO.

Coalition, Consumers, United Clevelanders, Cleveland Housing Network, and Center (The Citizens Coalition) will follow all the administrative rulings in this proceeding and their intervention will not unreasonably delay these proceedings. Nor will their intervention unduly burden any other parties in this proceeding, or the Commission itself.

Wherefore, Coalition, Consumers, United Clevelanders, Cleveland Housing Network, and Center (The Citizens Coalition) respectfully request that based on this Motion to Intervene, Coalition, Consumers, United Clevelanders, Cleveland Housing Network, and Center be recognized as a parties in this case.

Respectfully submitted,

A large, stylized handwritten signature in black ink, which appears to read "Joe P. Meissner". The signature is written over the printed contact information.

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Cleveland Housing Network,
and
The Empowerment Center of
Greater Cleveland

CERTIFICATE OF SERVICE

I hereby certify that a copy of this Motion to Intervene, Memorandum in Support, and Certificate of Service were served by regular U.S. Mail, postage prepaid, upon the parties of record identified below on this 28th day of August 2008.



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