

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Duke Energy)	
Ohio, Inc. for Approval of an Electric Security Plan.)	Case No. 08-920-EL-SSO
)	
In the Matter of the Application of Duke Energy)	
Ohio, Inc. for Approval to Amend Accounting)	
Methods.)	Case No. 08-921-EL-AAM
)	
In the Matter of the Application of Duke Energy)	
Ohio, Inc. for Approval of a Certificate of Public)	
Convenience and Necessity to Establish an)	
Unavoidable Capacity Charge(s).)	Case No. 08-922-EL-UNC
)	
In the Matter of the Application of Duke Energy)	
Ohio, Inc. for Approval to Amend its Tariff.)	Case No. 08-923-EL-ATA
)	

**MOTION TO INTERVENE AND MEMORANDUM IN SUPPORT
OF THE GREATER CINCINNATI HEALTH COUNCIL**

The Greater Cincinnati Health Council ("GCHC") hereby moves the Public Utilities Commission of Ohio ("Commission") pursuant to Revised Code § 4903.221 and Commission Rule 4901-1-11, to intervene as a party to the above-captioned proceedings. As set forth in the Memorandum in Support, GCHC submits that this motion is timely, that GCHC has a real and substantial interest in these proceedings, that it is so situated that the disposition of these proceedings without GCHC's participation may impair or impede its ability to protect that interest, and that its participation in these proceedings will contribute to a just result. GCHC further submits that no existing party represents its interest in these proceedings and that granting its motion to intervene will not unduly delay these proceedings or unjustly prejudice any existing party.

Respectfully submitted,

/s/ Douglas E. Hart

Douglas E. Hart (0005600)
441 Vine Street, Suite 4192
Cincinnati, OH 45202
(513) 621-6709
(513) 621-6981 fax
dhart@douglasshart.com

Attorney for The Greater Cincinnati
Health Council

MEMORANDUM IN SUPPORT

On July 31, 2008 Duke Energy Ohio ("DE-Ohio") filed an Application in the above captioned proceedings for approval of a standard service offer under Revised Code § 4928.143 that would change DE-Ohio's charges for electric service. GCHC is a non-profit association of hospitals and other health care facilities who individually are substantial consumers of electric energy and are generally located within the service area of DE-Ohio. The application filed by DE-Ohio, if granted by the Commission, would significantly impact the price paid by GCHC's members for electric service.

The standard for intervention in Commission proceedings is governed by Revised Code § 4903.221, as further stated in Commission Rule 4901-1-11, Ohio Administrative Code:

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.

Factors that the Commission considers when applying the rule include the nature of the intervenor's interest, the extent that interest is 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.

In its August 5, 2008 Entry, the Commission established a September 4, 2008 deadline for intervention. Therefore, this Motion to Intervene is timely.

The GCHC has a real and substantial interest in this proceeding because many of its members are hospitals who are substantial electric service customers of Duke Energy Ohio. The GCHC participated in the legislative process related to SB 221 and has commented on the Commission's proposed rules in Case Nos. 08-777-EL-ORD and 06-653-EL-ORD. Almost all of GCHC's hospital members are not for profit organizations. Utility costs represent a substantial portion of hospitals' operating expenses, which affects the cost of health care in Ohio. The availability of a reliable and robust electric supply is also critical to patient safety and disaster preparedness. Many of GCHC's members have their own standby electrical generation capacity in order to assure the constant availability of necessary electric power, which distinguishes them from most DE-Ohio customers. While a number of other parties have already sought intervention in this proceeding, none of them is similarly situated to or represents the interests of the GCHC or its members.

Consistent with the requirements of Revised Code § 4903.221 and Commission Rule 4901-1-11, the GCHC is a real party in interest herein; its interest is not represented by existing parties; it will contribute to the just and expeditious resolution of the issues and concerns raised in these proceedings; and its participation in these proceedings will not cause undue delay or unjustly prejudice any existing party.

For these reasons, the GCHC respectfully requests that this motion to intervene in the above-captioned proceedings be granted.

Respectfully submitted,

/s/ Douglas E. Hart

Douglas E. Hart (0005600)
441 Vine Street, Suite 4192
Cincinnati, OH 45202
(513) 621-6709
(513) 621-6981 fax
dhart@douglasshart.com

Attorney for The Greater Cincinnati
Health Council

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion to Intervene and Memorandum in Support was served upon the parties of record listed below this 2nd day of September, 2008 by electronic service.

/s/ Douglas E. Hart _____

Paul A. Colbert
Rocco D'Ascenzo
Elizabeth H. Watts
Amy Spiller
Duke Energy Ohio
139 East Fourth Street
Room 25 AT II
Cincinnati, OH 45202
Paul.colbert@duke-energy.com
Rocco.dascenzo@duke-energy.com
Elizabeth.watts@duke-energy.com
Amy.spiller@duke-energy.com

David F. Boehm
Michael L. Kurtz
Boehm, Kurtz & Lowry
36 East Seventh Street
Suite 1510
Cincinnati, OH 45202
dboehm@bkllawfirm.com
mikurtz@bkllawfirm.com

Ann M. Hotz
Jeffrey L. Small
Jacqueline Lake Roberts
Michael E. Idzkowski
Office of the Ohio Consumers' Counsel
10 West Broad Street, Suite 1800
Columbus, OH 43215
hotz@occ.state.oh.us
small@occ.state.oh.us
roberts@occ.state.oh.us
idzkowski@occ.state.oh.us

John W. Bentine
Mark S. Yurick
Matthew S. White
Chester, Willcox & Saxbe LLP
65 East State Street, Suite 1000
Columbus, Ohio 43215-4213
jbentine@cwsllaw.com
myurick@cwsllaw.com
mwhite@cwsllaw.com

Barth E. Royer
Bell & Royer Co. LPA
33 South Grant Avenue
Columbus, OH 43215
barthroyer@aol.com

Nolan Moser
Trent A. Dougherty
The Ohio Environmental Council
1207 Grandview Avenue, Suite 201
Columbus, OH 43212-3449
nmoser@theOEC.org
trent@theOEC.org

Samuel C. Randazzo
Lisa G. McAlister
Daniel J. Neilsen
Joseph M. Clark
McNees Wallace & Nurick LLC
21 East State Street, 17th Floor
Columbus, OH 43215
sam@mwncmh.com
lmcalister@mwncmh.com
dneilsen@mwncmh.com
jclark@mwncmh.com

Thomas J. O'Brien
Bricker & Eckler, LLP
1000 South Third Street
Columbus, OH 43215
tobrien@bricker.com

Colleen L. Mooney
David C. Rinebolt
Ohio Partners for Affordable Energy
231 West Lima Street
P.O.Box 1793
Findlay, Ohio 45839-1793
Cmooney2@columbus.rr.com
drinebolt@aol.com

M. Howard Petricoff
Steven M. Howard
Vorys, Sater, Seymour and Pease LLP
52 East Gay Street
P.O. Box 1008
Columbus, OH 43216-1008
mhpetricoff@vorys.com
smhoward@vorys.com

Bobby Singh
Integrus Energy Services, Inc.
300 West Wilson Bridge Road, Suite 350
Worthington, OH 43085
bsingh@integrusenergy.com

Gary A. Jeffries
Dominion Resources Services, Inc.
501 Martindale Street, Suite 400
Pittsburgh, PA 15212-5817
Gary.A.Jeffries@dom.com

Noel M. Morgan
Legal Aid Society of Southwest Ohio LLC
215 East Ninth Street
Suite 500
Cincinnati, OH 45202
nmorgan@lascinti.org

Henry W. Eckhart
50 West Broad Street, Suite 2117
Columbus, OH 43215
henryeckhart@aol.com

Craig G. Goodman
National Energy Marketers Association
3333 K Street NW, Suite 110
Washington, DC 20007
cgoodman@energymarketers.com

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Summary: Motion to Intervene and Memorandum in Support electronically filed by Mr. Douglas E. Hart on behalf of Greater Cincinnati Health Council