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FILE

WASHINGTON, D.C.
AUSTIN, TEXAS

September 3, 2008

VIA FEDERAL EXPRESS

Public Utilities Commission of Ohio
Docketing Division
180 East Broad Street
Columbus, OH 43215-3793


Re: 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

Dear Sir or Madam:


Enclosed, please find the original and twenty (20) copies each of the Motion For Intervention and Memorandum In Support to be filed on behalf of OmniSource Corporation in the above-referenced matter. Please date stamp the two extra copies and return them in the enclosed stamped self-addressed envelope.

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Sincerely,


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**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Ohio Edison)	
Company, The Cleveland Electric Illuminating)	
Company and The Toledo Edison Company for)	Case No. 08-935-EL-SSO
Authority to Establish a Standard Service Offer)	
Pursuant to Section 7928.143, Revised Code in)	
the Form of an Electric Security Plan)	

**OMNISOURCE CORPORATION'S
MOTION FOR INTERVENTION AND MEMORANDUM IN SUPPORT**

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Attorneys for OmniSource Corporation

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**OMNISOURCE CORPORATION'S
MOTION FOR INTERVENTION AND MEMORANDUM IN SUPPORT**

I. MOTION FOR INTERVENTION

Pursuant to Ohio Revised Code ("RC") § 4903.221 and Ohio Administrative Code ("OAC") 4901-1-11, OmniSource Corporation ("OmniSource"), a wholly-owned subsidiary of Steel Dynamics, Inc., respectfully moves the Commission for leave to intervene in the above-captioned docket, for the reasons more fully set forth in the below Memorandum in Support.

II. MEMORANDUM IN SUPPORT

From the standpoint of both the substantive merits and timeliness of its request, OmniSource respectfully submits that it is entitled to intervene in these proceedings. For purposes of considering requests for leave to intervene in a Commission proceeding, OAC 4901-1-11(A) provides that:

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.

Further, RC § 4903.221(B) and OAC 4901-1-11(B) provide that the Commission, in ruling upon applications to intervene in its proceedings, shall consider the following criteria:

(1) The nature and extent of the prospective intervenor's interest; (2) The legal position advanced by the prospective intervenor and its probable relation to the merits of the case; (3) Whether the intervention by the prospective intervenor will unduly prolong or delay the proceedings; (4) Whether the prospective intervenor will significantly contribute to full development and equitable resolution of the factual issues.

OAC 4901-1-11(B) also provides that an additional factor in considering a request to intervene will be the extent to which the person's interest is represented by existing parties.

OmniSource is one of North America's leading scrap metal recycling companies. OmniSource takes unusable and obsolete metal products and turns them into new raw materials for use in mills and foundries that produce steel, copper, and aluminum. OmniSource is a large industrial consumer of electricity delivered to it by the Ohio Edison Company ("Ohio Edison").

In the above-captioned proceeding, Ohio Edison, the Cleveland Electric Illuminating Company, and the Toledo Edison Company (collectively "FirstEnergy") request approval of an electric security plan ("ESP") that will change the rates and rate schedules applicable to OmniSource. FirstEnergy's proposed ESP could have a dramatic effect on the rates OmniSource pays and the terms and conditions under which OmniSource takes electric service. Accordingly, OmniSource has direct, real, and substantial interests in this proceeding. Moreover, OmniSource is so situated that the disposition of this proceeding without OmniSource's ability to fully participate in this proceeding will prejudice and impede OmniSource's ability to protect its substantial business interests.

Further, others participating in this proceeding do not represent OmniSource's interests. Inasmuch as others participating in these proceedings cannot adequately protect OmniSource's interests, it would be inappropriate to determine this proceeding without OmniSource's

participation. OmniSource submits that its unique perspectives will contribute to the full, equitable, and expeditious resolution of these proceedings. Lastly, OmniSource's timely intervention will not unduly delay the proceedings, or unjustly prejudice the interests of any existing party to this proceeding.

III. CONCLUSION

For the reasons set forth above, OmniSource respectfully requests that the Commission grant OmniSource's request to intervene in the above-captioned docket.

Respectfully submitted,



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September 3, 2008

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing pleading was served upon the parties of record in this proceeding via U.S. Mail postage prepaid and/or electronic transmission on September 3, 2008.



Shaun C. Mohler, Esq.

**Case 08-935-EL-SSO
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