

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of the Ohio	)	
Edison Company, The Cleveland Electric	)	
Illuminating Company, and The Toledo	)	Case No. 08-0935-EL-SSO
Edison Company, for Authority to	)	
Establish a Standard Service Offer	)	
Pursuant to R.C. § 4928.143 in the Form	)	
of an Electric Security Plan	)	

**MOTION FOR LEAVE TO INTERVENE OF  
INTEGRYS ENERGY SERVICES, INC.**

Now comes Integrys Energy Services, LLC ("Integrys"), who, pursuant to Section 4903.221, Revised Code and Rule 4901-1-11 of the Ohio Administrative Code, moves for intervention in the above styled proceeding as a full party of record. The reasons supporting the intervention are contained in the accompanying Memorandum in Support.

WHEREFORE, Integrys Energy Services, Inc. respectfully requests that the Commission grant its motion for leave to intervene and that it be made a full party of record.

Respectfully submitted,

//s/

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**MEMORANDUM IN SUPPORT OF  
THE MOTION TO INTERVENE OF  
INTEGRYS ENERGY SERVICES, INC.**

Section 4903.221, Revised Code and Rule 4901-1-11 of the Ohio Administrative Code, establish the standard for intervention in the above-styled proceeding as a full party of record.

Rule 4901-1-11 of the Ohio Administrative Code states in part:

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.

In addition to establishment of a direct interest, the factors that the Public Utilities Commission of Ohio (the "Commission") considers in implementing the above rule are 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. (See also R.C. 4903.221(B) upon which the above rule is authorized). A review of these factors in light of following facts supports granting IntegrYS' intervention.

IntegrYS Energy Services, Inc. ("IntegrYS") provides electricity and energy-related services to retail customers in Ohio as well as in several other states. IntegrYS holds Certificate No. 00-013(4) as a competitive retail electric supplier ("CRES") from the Commission to engage in the competitive sale of electric service to retail customers in Ohio. It currently provides service to retail electric customers in Ohio.

In the instant matter, Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company (collectively, "FirstEnergy") filed an application (the "Application") for authority to establish a Standard Service Offer in the form of an Electric Security Plan pursuant to R.C. § 4928.143 to be effective on January 1, 2009.

Integrys is an active competitive retail electric service provider in Ohio who is authorized to make retail sales in the FirstEnergy service area. As a supplier of electric power and energy in the State, Integrys has an interest in the instant proceeding as the Commission assesses whether the Application is consistent with Senate Bill 221, which became law effective July 31, 2008. The Commission will make other decisions that will affect the viability of the competitive electric market in Ohio in which Integrys is a supplier of electric power and energy to retail customers. The proposals in this case will affect the dynamics of competition and customer choices in FirstEnergy's service territory. If adopted, these proposals will have consequences on Integrys' operations and business interests. Therefore, Integrys has a real and substantial interest in this matter.

Integrys is an experienced, competitive retail electric service provider in Ohio, as well as an experienced operator in several other states. Integrys' experience and knowledge will assist the Commission in considering the issues in this case and therefore, Integrys' participation will contribute to the full development and equitable resolution of the issues. No other party can adequately represent Integrys' interests. Integrys' participation will not unduly delay or unjustly prejudice any existing party. The intervention is being offered in advance of any intervention deadline and thus is timely.

For the above-discussed reasons, Integrys has a direct, real, and substantial interest in the issues in this matter, which can only be protected by its participation.

WHEREFORE, Integrys Energy Services, Inc. respectfully requests that the Commission grant its motion for leave to intervene and that it be made a full party of record.

Respectfully Submitted,

//s//

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## **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and accurate copy of the foregoing documents was served this 29<sup>th</sup> day of August, 2008 by regular U.S. mail, postage prepaid, or by electronic mail, upon the persons listed below.

//s//

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