



McNees Wallace & Nurick LLC
attorneys at law

2

Joseph M. Clark
(614) 719-2855--Direct Dial
jclark@mwncmh.com

January 7, 2009

Alan Schriber, Chairman
Mr. Robert Boggs
Mr. Lee Fisher
Mr. Christopher Korleski
Mr. Alvin Jackson
Mr. Sean Logan
Senator Bob Schuler
Senator Jason Wilson
Representative Jennifer Garrison

The Ohio Power Siting Board
180 East Broad Street
Columbus, OH 43215

RECEIVED-DOCKETING DIV
2009 JAN -7 PM 1:49
PUCO

Re Case No. 07-171-EL-BTX, *In the Matter of the Application of American Transmission Systems, Incorporated and The Cleveland Electric Illuminating Company for a Certificate of Environmental Compatibility and Public Need for the Geauga County 138 kV Transmission Line Supply Project*

Dear Board Members:

On November 25, 2008, the Ohio Power Siting Board ("Board") approved the Application filed in this docket, permitting construction along the preferred route submitted to the Board, but subject to the revised conditions set out in the Board Staff Report. On December 19, 2008, Citizens Advocating Responsible Energy ("CARE") filed an Application for Rehearing from the Board's decision. IEU-Ohio files this letter as its memorandum contra to CARE's Application for Rehearing.

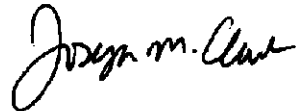
The Board should reject CARE's Application for Rehearing in its entirety. CARE has not demonstrated that the Board's Opinion, Order, and Certificate was unreasonable or unlawful pursuant to Section 4903.10, Revised Code. The Applicants, IEU-Ohio, and others demonstrated that this project meets the Board's criteria and will improve reliability in this region for all customers. The reliability improvements are especially important and helpful to those industrial

{C27058;} This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business.
Technician SM Date Processed JAN 07 2009

• January 7, 2009
Page 2

and commercial customers whose businesses depend on a source of affordable and reliable electric service. IEU-Ohio encourages the Board to act expeditiously in rejecting CARE's Application for Rehearing in order to permit this important project to move forward as quickly as possible.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Joseph M. Clark". The signature is fluid and cursive, with the first name "Joseph" being the most prominent.

Joseph M. Clark

JC/ss