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Via Overnight Mail

February 4, 2009

Public Utilities Commission of Ohio PUCO Docketing 180 E. Broad Street, 10th Floor Columbus, Ohio 43215

In re: Case Nos. 08-1344-GA-EXM

Dear Sir/Madam:

Please find enclosed an original and twelve (12) copies of the OHIO ENERGY GROUP'S MOTION FOR LEAVE TO INTERVENE filed in the above-referenced matter.

Copies have been served on all parties on the attached certificate of service. Please place this document of file.

Respectfully yours,

David F. Boehm, Esq. Michael L. Kurtz, Esq. **BOEHM, KURTZ & LOWRY**

DFBkew Encl. Cc: Certificate of Service

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CERTIFICATE OF SERVICE

I hereby certify that true copy of the foregoing was served by ordinary mail, unless otherwise noted, this 4^{th} day of February, 2009 to the following:

David F. Boehm, Esq. Michael L. Kurtz, Esq.

COLUMBIA GAS OF OHIO ROBERT G. KRINER 200 CIVIC CENTER DRIVE COLUMBUS OH 43215 *CREEKMUR, DANIEL A MR COLUMBIA GAS OF OHIO. 200 CIVIC CENTER DRIVE COLUMBUS OH 43215

SEIPLE, STEPHEN COLUMBIA GAS OF OHIO INC 200 CIVIC CENTER DRIVE P.O. BOX 117 COLUMBUS OH 43216-0117

BEFORE THE PUBLIC UTILITY COMMISSION OF OHIO

:

;

In the Matter of the Application of Columbia Gas of Ohio, Inc. for Approval of a General Exemption of Certain Natural Gas Commodity Sales Services or Ancillary Services from Chapters 4905, 4909, and 4935 except Sections 4905.10, 4935.01, and 4935.03, and from specified sections of Chapter 4933 of the Revised Code. Case No. 08-1344-GA-EXM

THE OHIO ENERGY GROUP'S MOTION FOR LEAVE TO INTERVENE

Pursuant to the Ohio Rev. Code §4903.22.1 and Ohio Admin. Code §4901-1-11, the Ohio Energy Group. ("OEG") moves for leave to intervene in this proceeding. The Public Utility Commission of Ohio ("Commission") should grant OEG leave to intervene because OEG has a real and substantial interest in the proceeding, and the Commission's disposition of this proceeding may impair or impede OEG's ability to protect that interest.

Respectfully submitted,

David F. Boehm, Esq. Michael L. Kurtz, Esq. BOEHM, KURTZ & LOWRY 36 East Seventh Street, Suite 1510 Cincinnati, Ohio 45202 Ph: (513) 421-2255 Fax: (513) 421-2764 E-Mail: <u>dboehm@BKLlawfirm.com</u> mkurtz@BKLlawfirm.com

February 4, 2009

COUNSEL FOR OHIO ENERGY GROUP

BEFORE THE PUBLIC UTILITY COMMISSION OF OHIO

In the Matter of the Application of Columbia Gas of Ohio,	:	Case No. 08-1344-GA-EXM
Inc. for Approval of a General Exemption of Certain	:	
Natural Gas Commodity Sales Services or Ancillary	:	
Services from Chapters 4905, 4909, and 4935 except	:	
Sections 4905.10, 4935.01, and 4935.03, and from	:	
specified sections of Chapter 4933 of the Revised Code.	:	

MEMORANDUM IN SUPPORT OF THE OHIO ENERGY GROUP'S MOTION TO INTERVENE

Pursuant to Ohio Rev. Code §4903.22.1 and Ohio Admin. Code §4901-01-11, the Public Utility Commission of Ohio ("Commission") should grant the Ohio Energy Group ("OEG") leave to intervene in this proceeding.

OEG is a non-profit entity organized to represent the interests of large industrial customers in electric and gas regulatory proceedings before the Public Utility Commission of Ohio ("Commission"). OEG's members participating in this intervention are: AK Steel Corporation, Aleris International, ArcelorMittal USA, Brush Wellman, Inc., Chrysler LLC., Ford Motor Company, Griffin Wheel Company, Johns Manville, PPG Industries, Inc., Republic Engineered Products, Inc., Severstal Wheeling, Sunoco and Worthington Industries. These companies use large quantities of natural gas in the manufacture of their products and transport this gas through Columbia Gas. Therefore, the interests of OEG's members may be indirectly affected by the outcome of this proceeding. OEG intends to play a constructive role in this case and provide information which will assist the Commission.

No other party to this proceeding can adequately represent OEG's interest. Intervention would not unduly delay the proceeding nor unjustly prejudice any existing party.

Accordingly, OEG has a real and substantial interest and is entitled to intervene in this action under Ohio Rev. Code §4903.22.1 and Ohio Admin. Code §4901-1-11.

Respectfully submitted,

David F. Boehm, Esq. Michael L. Kurtz, Esq. BOEHM, KURTZ & LOWRY 36 East Seventh Street, Suite 1510 Cincinnati, Ohio 45202 Ph: (513) 421-2255 Fax: (513) 421-2764 E-Mail: dboehm@BKLlawfirm.com mkurtz@BKLlawfirm.com

COUNSEL FOR THE OHIO ENERGY GROUP

February 4, 2009