

FILE

3
RECEIVED-DOCKETING
2009 JUN -2 PM 3:29
PUCO

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Energy Efficiency :
Peak Demand Reduction Program Portfolio :
Of Ohio Edison Company, The Cleveland : Case No. 09-384-EL-EEC
Electric Illuminating Company, and the : 09-385-EL-EEC
Toledo Edison Company. : 09-386-EL-EEC

MOTION TO INTERVENE

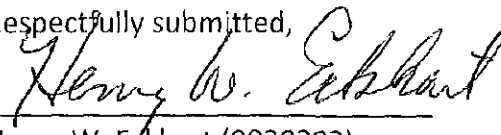
BY

THE NATURAL RESOURCES DEFENSE COUNCIL

The Natural Resources Defense Council ("NRDC") moves the Public Utilities Commission of Ohio ("Commission") for leave to intervene in all of the above styled cases pursuant to Sec. 4903.221 Revised Code of Ohio, and Rule 4901-1-11, of the Ohio Administrative Code, with full powers and rights granted by the Commission, specifically by statute or by the provisions of the Ohio Administrative Code, to intervening parties.

NRDC provides the following Memorandum in Support of the foregoing Motion.

Respectfully submitted,


Henry W. Eckhart (0020202)

Attorney for The Natural Resources
Defense Council
50 West Broad Street #2117
Columbus Ohio 43215
Phone: (614) 461-0984
Fax: (614) 221-7401
E-mail: henryeckhart@aol.com

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 Am Date Processed 6/2/09

MEMORANDUM IN SUPPORT OF MOTION TO INTERVENE

In support of this Motion to Intervene the Natural Resources Defense Council ("NRDC") states that it is a non-profit environmental organization with over 30 years experience working on state energy policy, including utility regulation and energy efficiency. NRDC has a strong historical interest in ensuring that Ohio has environmentally sound and sustainable energy policies.

NRDC has previously been granted Leave to intervene in proceedings before this Commission involving these same electric utility companies by Entry in Case No. 08-935-EL-SSO, and 08-936-EL-SSO, dated October 2, 2008. NRDC has intervened and/or provided testimony on these issues in similar proceedings in a number of states including Illinois, Wisconsin, New York, Oregon, California, New Jersey, and Iowa just to name a few.

NRDC and its 12,600 members who live in Ohio are interested in promoting greater reliance on energy efficiency and renewable energy to meet Ohio's energy needs. Many of the NRDC Ohio members are served by the Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company.

NRDC seeks to intervene in these proceedings in order that its members' interests in promoting energy efficiency and renewable energy resources are represented.

NRDC regularly presents testimony before congress and various state legislatures related to the electric utility industry use of energy efficiency and renewable energy resources, utility rate design, utility planning and other topics relevant to these proceedings.

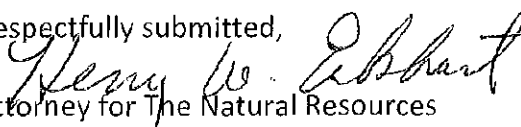
The NRDC has a real and substantial interest in these proceedings which may directly or indirectly impact the environment of the State of Ohio, and other areas of the United States.

Intervention of NRDC will significantly contribute to a full development of the record in these proceedings and will not unduly prolong or delay the proceedings. The interests of NRDC will not be adequately represented by any other party to the proceeding.

NRDC's particular interest is in regard to the methodology used to calculate line loss reductions, the extent to which the Applicants seek recovery for those investments, and the portion of those investments that are attributable and were undertaken primarily for energy efficiency or demand reduction purposes.

WHEREFORE, The Natural Resources Defense Council respectfully requests that The Commission grants its Motion to Intervene in full as aforesaid.

Respectfully submitted,


Attorney for The Natural Resources
Defense Council

50 West Broad Street #2117

Columbus Ohio 43215

Phone: (614) 461-0984

Fax: (614) 221-7401

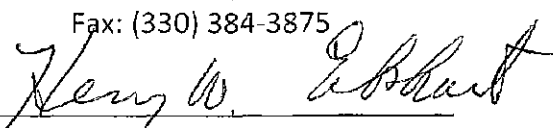
E-mail: henryeckhart@aol.com

CERTIFICATE OF SERVICE

The undersigned hereby certifies that he has served a copy of the forgoing Motion on the following counsel by ordinary first class mail, postage prepaid, this 2nd day of June, 2009.

OHIO EDISON COMPANY
HARVEY WAGNER, VP AND CON
76 SOUTH MAIN STREET
AKRON OHIO 44308
Phone: (330) 384-5296

KOLICH, KATHY ATTORNEY AT LAW
FIRSTENERGY CORP
76 SOUTH MAIN STREET
AKRON OHIO 44308
Phone: (330) 384-5861
Fax: (330) 384-3875


Henry W. Eckhart, Attorney for NRDC