

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of)	
Columbia Gas of Ohio, Inc., for Approval)	Case No. 08-1344-GA-EXM
of a General Exemption of Certain Natural)	
Gas Commodity Sales Services or)	
Ancillary Services.)	

**MOTION OF EXELON ENERGY COMPANY
FOR LEAVE TO INTERVENE**

Now comes Exelon Energy Company ("Exelon") and respectfully moves for intervention in the Columbia Gas of Ohio ("Columbia") proceeding to amend its transportation programs and hold a supply auction to acquire natural gas supplies for its standard service offer. Exelon is an active supplier to non Choice customers in the state of Ohio, including customers in the Columbia service area. Further, Exelon is interested in participating as a bidder in the auction. Exelon is a subsidiary of Exelon Corporation one of the largest suppliers of natural gas and electricity in the United States.

Thus, pursuant to Section 4903.221, Revised Code and Rule 4901-1-11 Exelon moves to be admitted as a full party of record in the above styled proceeding.

Respectfully submitted,



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MEMORANDUM IN SUPPORT

Exelon Energy Company is an active supplier of natural gas to commercial and industrial customers in the State of Ohio, including the Columbia Gas of Ohio service area. Exelon's Ohio sales operation will be directly affected by the changes to the current tariff provisions of the Columbia tariff which establish the terms and conditions for balancing and banking, operational flow orders, and the assessment of a new five cent per Mcf "aggregation fee" on all suppliers who serve customers who consume 15,000 Mcf.. Further, Columbia is proposing a single standard service offer auction for service year 2010 – 2011. Exelon is a potential supplier \ bidder for such an auction but feels that some of the terms and conditions proposed by Columbia should be amended in order to provide a better value to standard service customers who will be supplied by the auction.

The standard for intervention in a Commission proceeding is established in Rule 4901-1-11(A) which states in part:

(A) 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.

Among the factors to be considered are the nature of the intervenor's interests, the extent to which those interests are 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 or unjustly prejudice an existing party. Id, at (B). See also R.C. 4903.221(B).

As noted above Exelon as a current supplier to transportation customers has a direct and unique pecuniary interest in the application in the matter at bar. That alone would qualify it for participation. Further, as a potential bidder, Exelon has a second direct interest in the proceeding.

Since Exelon is making a timely application for intervention its participation will not delay this proceeding. Further, Exelon intends to co-ordinate its participation with the Ohio Gas Marketers Group and other marketers who have intervened in this proceeding to assist in expeditious presenting its case.

WHEREFORE, for the reasons stated above, Exelon respectfully requests that its Motion for Leave to Intervene be granted and it be made a full party of record.

Respectfully submitted,



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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and accurate copy of the foregoing document was served by regular U.S. mail, postage prepaid, or by email, where applicable, this 5th day of June, 2009, on the parties listed below.



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