

FILE

BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

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In the Matter of the Commission-Ordered)
Workshop Regarding Smart Metering)
Deployment.)

Case No. 07-646-EL-UNC

MOTION TO INTERVENE AND MEMORANDUM IN SUPPORT
OF INDUSTRIAL ENERGY USERS-OHIO

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Samuel C. Randazzo (Counsel of Record)
Lisa G. McAlister
Joseph M. Clark
MCNEES WALLACE & NURICK LLC
21 East State Street, 17TH Floor
Columbus, OH 43215
Telephone: (614) 469-8000
Telecopier: (614) 469-4653
sam@mwncmh.com
lmcAlister@mwncmh.com
jclark@mwncmh.com

August 25, 2009

Attorneys for Industrial Energy Users-Ohio

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

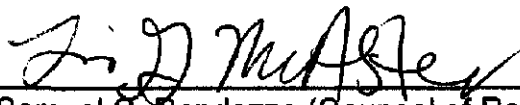
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MOTION TO INTERVENE OF INDUSTRIAL ENERGY USERS-OHIO

Industrial Energy Users-Ohio ("IEU-Ohio") hereby respectfully moves the Public Utilities Commission of Ohio ("Commission"), pursuant to Section 4903.221, Revised Code, and Rule 4901-1-11, Ohio Administrative Code, for leave to intervene in the above-captioned matter with the full powers and rights granted by the Commission, specifically by statute or by the provisions of the Ohio Administrative Code, to intervening parties.

As demonstrated further in the Memorandum in Support attached hereto and incorporated herein, IEU-Ohio has a direct, real, and substantial interest in the issues and matters involved in the above-captioned proceeding, and is so situated that the disposition of this proceeding may, as a practical matter, impair or impede its ability to protect that interest. IEU-Ohio believes that its participation will not unduly prolong or delay this proceeding and that it will significantly contribute to the full development and equitable resolution of the factual and other issues in this proceeding. The interests of IEU-Ohio will not be adequately represented by other parties to the proceeding and, as such, IEU-Ohio is entitled to intervene with the full powers and rights granted by the Commission, specifically by statute and by the provisions of the Ohio Administrative Code, to intervening parties.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "S. C. Randazzo", written over a horizontal line.

Samuel C. Randazzo (Counsel of Record)

Lisa G. McAlister

Joseph M. Clark

McNEES WALLACE & NURICK LLC

21 East State Street, 17TH Floor

Columbus, OH 43215

Telephone: (614) 469-8000

Telecopier: (614) 469-4653

sam@mwncmh.com

lmcaster@mwncmh.com

jclark@mwncmh.com

Attorneys for Industrial Energy Users-Ohio

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MEMORANDUM IN SUPPORT

In support of this Motion to Intervene, IEU-Ohio states that it is an association of ultimate customers. A current listing of IEU-Ohio member companies is available on IEU-Ohio's website at http://www.ieu-ohio.org/member_list.aspx. IEU-Ohio's members purchase substantial amounts of electric and related services from Ohio Edison Company, The Cleveland Electric Illuminating Company and The Toledo Edison Company (collectively, "Companies"), which are public utilities subject to the jurisdiction of the Commission.

IEU-Ohio's members work together to address matters that affect the availability and price of utility services. Additionally, IEU-Ohio seeks to promote customer-driven policies that will assure an adequate, reliable, and efficient supply of energy for all consumers at competitive prices. To this end, IEU-Ohio has worked, including actively participating in the legislative process related to S.B. 221, and will continue to work to produce legislative, regulatory, and market outcomes that are consistent with the state policy contained in Section 4928.02, Revised Code.

In its Opinion and Order in Case No. 07-551-EL-AIR, *et al.*, the Commission directed the Companies to work with Commission Staff to conduct a study of

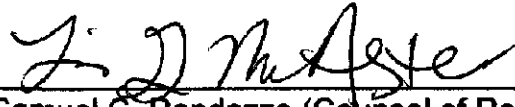
AMI/Modern Grid technology and deployment options. On August 14, 2009, the Companies filed their Supplemental Report in this case.

Many of IEU-Ohio's member companies are served by the Companies and may be affected by this proceeding. IEU-Ohio has a real and substantial interest inasmuch as this proceeding may directly or indirectly impact the provision of electric service to IEU-Ohio members' manufacturing facilities. Specifically, IEU-Ohio's direct interest in this proceeding is the result of the effect that the proceeding shall have upon the price, adequacy, and reliability of the electric supply and related services within Ohio, including the areas presently served by the Companies.

IEU-Ohio believes that its participation in this proceeding will not cause undue delay, will not unjustly prejudice any existing party, and will contribute to the just and expeditious resolution of the issues and concerns raised in this proceeding. The interest of IEU-Ohio will not be adequately represented by other parties to the proceeding and, as such, IEU-Ohio is entitled to intervene in this proceeding with the full powers and rights granted by the Commission specifically, by statute and by the provisions of the Ohio Administrative Code, to intervening parties.

For the reasons discussed herein, IEU-Ohio respectfully requests that the Commission grant its intervention with the full powers and rights granted, by the Commission specifically, by statute and by the provisions of the Ohio Administrative Code, to intervening parties.

Respectfully submitted,



Samuel C. Randazzo (Counsel of Record)

Lisa G. McAlister

Joseph M. Clark

MCNEES WALLACE & NURICK LLC

21 East State Street, 17th Floor

Columbus, OH 43215-4228

Telephone: (614) 469-8000

Telecopier: (614) 469-4653

sam@mwncmh.com

lmcalister@mwncmh.com

jclark@mwncmh.com

Attorneys for Industrial Energy Users-Ohio

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing *Motion to Intervene and Memorandum in Support of Industrial Energy Users-Ohio* was served upon the following parties of record this 25th day of August 2009, via first class mail, postage prepaid.


Lisa G. McAlister

SERVICE LIST

Mark S. Yurick
John W. Bentine
Chester Willcox & Saxbe LLP
65 East State Street, Suite 1000
Columbus, OH 43215-4213

**ON BEHALF OF AMERICAN MUNICIPAL POWER-
OHIO INC.**

John J. Finnigan, Jr.
Duke Energy Ohio, Inc.
139 East Fourth Street, Room 25 AT11
Cincinnati, OH 45201-0960

ON BEHALF OF DUKE ENERGY OHIO, INC.

Michael D. Dortch
Kravitz, Brown & Dortch, LLC
65 East State Street, Suite 200
Columbus, OH 43215-4277

**ON BEHALF OF DUKE ENERGY OHIO, INC. AND
CURRENT GROUP LLC**

Steven T. Nourse
Marvin Resnik
American Electric Power Company
1 Riverside Plaza
Columbus, OH 43215

**ON BEHALF OF AMERICAN ELECTRIC POWER
COMPANY**

David Rinebolt
Colleen Mooney
Ohio Partners for Affordable Energy
231 West Lima Street
PO Box 1793
Findlay, OH 45839-1793

**ON BEHALF OF OHIO PARTNERS FOR AFFORDABLE
ENERGY**

Ann Hotz
Assistant Consumers' Counsel
Office of the Ohio Consumers' Counsel
10 West Broad Street, 18th Floor
Columbus, OH 43215

**ON BEHALF OF OFFICE OF THE OHIO CONSUMERS'
COUNSEL**

Kathy Kolich
Senior Attorney
FirstEnergy Service Company
76 South Main Street
Akron, OH 44308

**ON BEHALF OF OHIO EDISON, THE CLEVELAND
ELECTRIC ILLUMINATING COMPANY AND THE
TOLEDO EDISON COMPANY**

William L. Wright
Thomas W. McNamee
Assistant Attorneys General
Public Utilities Section
180 East Broad Street, 9th Floor
Columbus, OH 43215-3793

**ON BEHALF OF THE STAFF OF THE PUBLIC
UTILITIES COMMISSION OF OHIO**