

FILE

BOEHM, KURTZ & LOWRY

ATTORNEYS AT LAW
36 EAST SEVENTH STREET
SUITE 1510
CINCINNATI, OHIO 45202
TELEPHONE (513) 421-2255
TELECOPIER (513) 421-2764

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Via Overnight Mail

October 2, 2009

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

In re: Case Nos. 09-974-EL-UNC and 09-975-EL-UNC

Dear Sir/Madam:

Please find enclosed an original and twenty (20) 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

MLKkew
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 2nd day of October, 2009 to the following:

A handwritten signature in black ink, reading "Michael L. Kurtz", is written over a horizontal line.

David F. Boehm, Esq.

Michael L. Kurtz, Esq.

DUKE ENERGY OHIO
ANITA SCHAFER
139 E. FOURTH STREET
CINCINNATI OH 45202

STEINKUHL, LISA D
DUKE ENERGY
139 EAST FOURTH STREET P.O. BOX 960
CINCINNATI OH 45201-0960

OHIO PARTNERS FOR AFFORDABLE ENERGY
RINEBOLT DAVID C
231 WEST LIMA ST. PO BOX 1793
FINDLAY OH 45839-1793

BEFORE THE
PUBLIC UTILITY COMMISSION OF OHIO

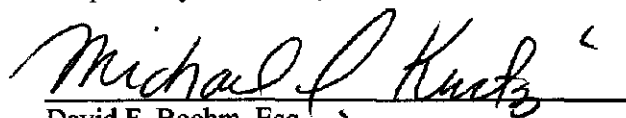
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In The Matter Of The Application Of Duke Energy	:	Case No. 09-974-EL-UNC
Oho, Inc. To Establish Its Fuel And Economic	:	
Purchased Power Component Of Its Market-Based	:	
Standard Service Offer For 2009	:	
	:	
In The Matter Of The Application Of Duke Energy	:	Case No. 09-975-EL-UNC
Oho, Inc. To Establish Its System Reliability	:	
Tracker Of Its Market-Based Standard Service	:	
Offer For 2009	:	

**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: dboehm@BKLawfirm.com

mkurtz@BKLawfirm.com

October 2, 2009

COUNSEL FOR OHIO ENERGY GROUP

**BEFORE THE
PUBLIC UTILITY COMMISSION OF OHIO**

In The Matter Of The Application Of Duke Energy	:	Case No. 09-974-EL-UNC
Oho, Inc. To Establish Its Fuel And Economic	:	
Purchased Power Component Of Its Market-Based	:	
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Oho, Inc. To Establish Its System Reliability	:	
Tracker Of Its Market-Based Standard Service	:	
Offer For 2009	:	

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

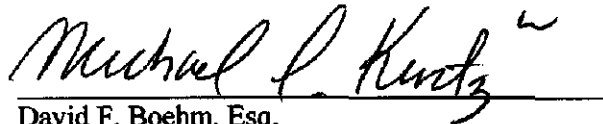
Pursuant to Ohio Rev. Code §4903.22.1 and Ohio Admin. Code §4901-01-11, the Public Utility Commission of Ohio should grant OEG leave to intervene in this proceeding.

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 who are participating in this intervention are: AK Steel Corporation, Air Products & Chemicals, Inc., BP Husky Refining, LLC, E.I. DuPont de Nemours & Co., Ford Motor Company, General Electric – Aircraft Engines, The Procter and Gamble Co., and Worthington Industries. These companies purchase electric distribution services from Duke Energy Ohio, Inc. Therefore, the interests of OEG's members may be directly 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,

A handwritten signature in cursive script, reading "Michael L. Kurtz", followed by a horizontal line.

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@BKLawfirm.com

mkurtz@BKLawfirm.com

COUNSEL FOR THE OHIO ENERGY GROUP

October 2, 2009