BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

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In the Matter of the Investigation into the Development of the Significantly Excessive Earnings Test Pursuant to S.B. 221 for Electric Utilities

Case No. 09-786-EL-UNC

COLUMBUS SOUTHERN POWER COMPANY'S AND OHIO POWER COMPANY'S MOTION TO INTERVENE

Now come Columbus Southern Power Company and Ohio Power Company (AEP Ohio), pursuant to §4903.221, Ohio Rev. Code and §4901-1-11, Ohio Admin. Code, and hereby respectfully move to intervene in this proceeding. The Public Utilities Commission of Ohio (Commission) should grant AEP Ohio leave to intervene because it has a real and substantial interest in the proceeding.

Respectfully submitted,

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MEMORANDUM IN SUPPORT

AEP Ohio is a utility directly concerned with the topic of this Commission's investigation into the development of the significantly excessive earnings test created by S.B. 221. AEP Ohio's interest cannot be adequately represented by any other party. AEP Ohio is participating in the proceeding by providing information and knowledge which will assist the Commission in determining the methodology of determining whether an electric utility had significantly excessive earnings.

AEP Ohio's intervention will not unduly delay, or hinder the proceeding nor prejudice any party in this proceeding. AEP Ohio has a real and substantial interest and should be granted intervention in this proceeding.

Respectfully submitted,

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Counsel for Columbus Southern Power Company and Ohio Power Company

CERTIFICATE OF SERVICE

I certify that a copy of the above Motion to Intervene was served upon those

parties listed below via first class U.S. Mail, postage paid, on this 16th day of October

2009.

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and Reprik

Marvin I. Resnik

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