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BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of  
Ohio Edison Company, The Cleveland  
Electric Illuminating Company, and  
The Toledo Edison Company to  
Amend Their Energy Efficiency  
Benchmarks

Case No. 09-951-EL-EEC  
09-952-EL-EEC  
09-953-EL-EEC

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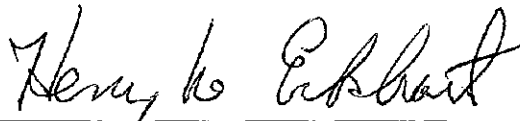
MOTION TO INTERVENE  
BY  
THE  
NATURAL RESOURCES DEFENSE COUNCIL

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The Natural Resources Defense Council ("NRDC") moves the Public Utilities Commission of Ohio ("Commission") for leave to Intervene in 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.

The NRDC provides the following Memorandum In Support of the foregoing Motion.

Respectfully submitted,



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## **MEMORANDUM IN SUPPORT OF MOTION**

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 of experience working on state energy policy, including utility regulation and energy efficiency. NRDC has a strong interest in ensuring that Ohio adopts environmentally sound and sustainable energy policies.

NRDC and its 12,600 members who live in Ohio are interested in promoting energy efficiency and peak demand reduction to meet Ohio's energy needs.

NRDC seeks to intervene in this proceeding in order that the cost effective energy efficiency investments that Senate Bill 221 requires are subject to adequate evaluation, measurement, and verification.

NRDC will bring significant expertise to bear in these proceedings. The Staff of NRDC has extensive experience with the design and implementation of utility energy efficiency.

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, to name a few. NRDC has also been granted intervention in numerous cases before the Public Utilities Commission of Ohio.

NRDC has regularly presented testimony before the U.S. Congress and various state legislatures related to the electric utility industry use of energy efficiency resources, utility rate design, utility planning and other topics relevant to this proceeding.

Many of the Ohio NRDC members are served by the electric companies that are the applicants in this case. The NRDC has a real and substantial interest in these

proceedings as they may directly or indirectly impact the environment of the State of Ohio, and other areas of the United States, and the electric bills of its members in the Applicant's service area.

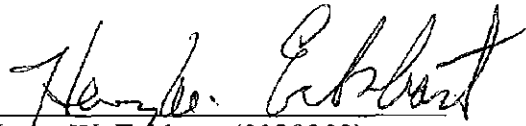
Intervention of NRDC will not unduly prolong or delay the proceeding.

Intervention of NRDC will significantly contribute to the full development of the record in this proceeding.

NRDC's particular interest in regard to the methodology for calculating energy savings from transmission and distribution system investments, the environmental consequences of these calculation procedures, and the correct forum in which to determine this methodology, will not be adequately represented by other parties.

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

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Henry W. Eckhart", is written over a horizontal line.

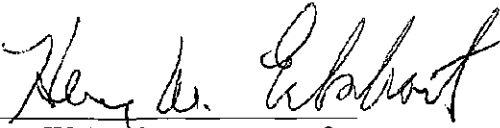
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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that he has served a copy of the foregoing Motion To Intervene and Memorandum in Support on the following counsel, by ordinary first class mail, postage prepaid, this 30th day of October, 2009.

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