

**FILE**

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

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<b>In the Matter of the Application of Ohio</b>	)	
<b>Edison Company, The Cleveland Electric</b>	)	
<b>Illuminating Company, and The Toledo</b>	)	<b>Case No. 09-1947-EL-POR</b>
<b>Edison Company for Approval of Their</b>	)	<b>Case No. 09-1948-EL-POR</b>
<b>Energy Efficiency and Peak Demand</b>	)	<b>Case No. 09-1949-EL-POR</b>
<b>Reduction Program Portfolio Plans for 2010</b>	)	
<b>Through 2012 and Associated Cost Recovery</b>	)	
<b>Mechanisms</b>	)	
<b>In the Matter of the Application of Ohio</b>	)	
<b>Edison Company, The Cleveland Electric</b>	)	<b>Case No. 09-1942-EL-EEC</b>
<b>Illuminating Company, and the Toledo</b>	)	<b>Case No. 09-1943-EL-EEC</b>
<b>Edison Company For Approval of Their</b>	)	<b>Case No. 09-1944-EL-EEC</b>
<b>In the Matter of the Energy Efficiency and</b>	)	
<b>Peak Demand Reduction Program Portfolio of</b>	)	<b>Case No. 09-580-EL-EEC</b>
<b>Ohio Edison Company, The Cleveland</b>	)	<b>Case No. 09-581-EL-EEC</b>
<b>Electric Illuminating Company, and The</b>	)	<b>Case No. 09-582-EL-EEC</b>

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**MOTION TO INTERVENE BY THE  
NATURAL RESOURCES DEFENSE COUNCIL**

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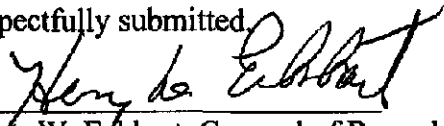
The Natural Resources Defense Council ("NRDC") moves the Public Utilities Commission of Ohio ("Commission") for leave to Intervene in the above styled cases, No. 09-1947-EL-POR, 09-1948-EL-POR, 09-1949-EL-POR, 09-1942-EL-EEC, 09-1943-EL-EEC, and 09-1944-EL-EEC, pursuant to Sec. 4903.221 Revised Code 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.

NRDC previously filed a Motion to Intervene in Cases No. 09-580-EL-EEC, 09-581-EL-EEC and 09-582-EL-EEC, and that Motion was granted by Entry of the Commission dated September 23, 2009. These case numbers are provided just for the

purpose of being consistent with the style of the case as filed by the Applicants on  
December 15, 2009.

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

Respectfully submitted,



Henry W. Eckhart, Counsel of Record  
(0020202)

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Council

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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 its members and others can benefit from the implementation of the cost effective energy efficiency investments that Senate Bill 221 requires.

Further NRDC is concerned about the energy efficiency program design, the relative contribution of each program to the MWh energy savings goal, and the evaluation, measurement, and verification of program savings.

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 previously 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.

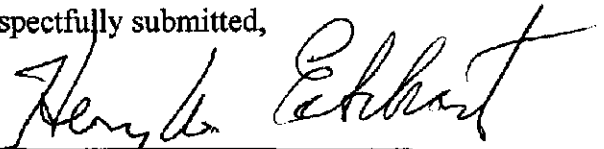
Intervention of NRDC will not unduly prolong or delay the proceeding.

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

NRDC's particular interest in regard to the Applicant's administration of energy efficiency programs and mechanisms for collecting the costs of the programs from customers will not be fully 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", written over a horizontal line.

Henry W. Eckhart, Counsel of Record  
For The Natural Resources Defense Council

## 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 e-mail or ordinary first class mail, postage prepaid, this 21st day of December, 2009.

  
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