

FILE

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Via Overnight Mail

October 13, 2010

Public Utilities Commission of Ohio  
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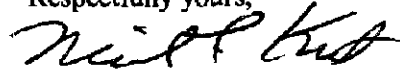
In re: Case No. 10-834-EL-EEC

Dear Sir/Madam:

Please find enclosed an original and twenty (20) copies of **THE OHIO ENERGY GROUP'S MOTION FOR LEAVE TO INTERVENE AND MEMORANDUM IN SUPPORT** filed today 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 electronic mail (when available) or ordinary mail, unless otherwise noted, this 13<sup>th</sup> day of Octoboer, 2010 to the following:



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**BEFORE THE  
PUBLIC UTILITY COMMISSION OF OHIO**

<b>In The Matter Of A Mercantile Application Pilot Program</b>	<b>:</b>	<b>Case No. 10-834-EL-EEC</b>
<b>Regarding Special Arrangements With Electric Utilities</b>	<b>:</b>	
<b>And Exemptions From Energy Efficiency And Peak</b>	<b>:</b>	
<b>Demand Reduction Riders</b>		

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**THE OHIO ENERGY GROUP'S  
MOTION FOR LEAVE TO INTERVENE**

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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,



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October 13, 2010

**COUNSEL FOR OHIO ENERGY GROUP**

**BEFORE THE  
PUBLIC UTILITY COMMISSION OF OHIO**

**In The Matter Of A Mercantile Application Pilot Program       :       Case No. 10-834-EL-EEC**  
**Regarding Special Arrangements With Electric Utilities       :**  
**And Exemptions From Energy Efficiency And Peak               :**  
**Demand Reduction Riders**

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

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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 and commercial 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: Air Products & Chemicals, Inc., AK Steel Corporation, Aleris International, Inc., Alcoa Inc., Amsted Rail Company, Inc., ArcelorMittal USA, BP-Husky Refining, LLC, Brush Wellman, Inc., Charter Steel, Chrysler LLC, E.I. DuPont de Nemours & Company, Ford Motor Company, GE Aviation, General Motors LLC, Johns Manville, Linde, Inc., North Star BlueScope Steel, LLC, PPG Industries, Inc., Praxair Inc., Sunoco, Inc. (R&M), The Procter & Gamble Co., Severstal Wheeling and Worthington Industries, Inc. These companies purchase electric power services from all of the utilities in Ohio. Therefore, the interests of OEG's members may be directly affected by the outcome of this proceeding. The interests of OEG cannot be adequately represented by any other party. 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,



David F. Boehm, Esq.

Michael L. Kurtz, Esq.

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October 13, 2010