

**FILE**

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

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In the Matter of the Application of Duke )  
Energy Ohio for Approval of a Market Rate )  
Offer to Conduct a Competitive Bidding )  
Process for Standard Service Offer Electric )  
Generation Supply, Accounting Modifications, )  
and Tariffs for Generation Service. )

Case No. 10-2586-EL-SSO

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**MOTION TO INTERVENE OF THE OHIO MANUFACTURERS' ASSOCIATION**

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Pursuant to Ohio Revised Code Section ("R.C.") 4903.221, Ohio Administrative Code ("OAC") Rule 4901-1-11 and the Attorney Examiner's entry dated November 16, 2010, the Ohio Manufacturers' Association ("OMA") moves for leave to intervene in this proceeding. The Public Utilities Commission of Ohio ("Commission") should grant OMA leave to intervene because OMA has a real and substantial interest in this proceeding, and the Commission's disposition of this proceeding may impair or impede OMA's ability to protect that interest.

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**MEMORANDUM IN SUPPORT**

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On November 15, 2010 Duke Energy Ohio ("Duke") filed an application for approval of a market rate offer to conduct a competitive bidding process for standard service offer for its electric generation supply and to resolve additional matters as set forth the application. The members of OMA will be affected by the Commission's determination in this

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matter, and should be permitted to intervene in the above-captioned proceedings because it has real and substantial interests.

OMA is the only statewide association exclusively serving manufacturers. It has more than 1,600 Ohio manufacturing companies as members. OMA's member companies consume significant amounts of electrical energy and must rely on Duke to deliver the electric power necessary in their operations.

OMA is concerned that the ultimate resolution of the matters to be addressed in the above-captioned proceeding will have a substantial effect on the electricity costs of OMA members in the service area of Duke.

Consistent with the requirements of R.C. 4903.221, and OAC Rule 4901-1-11(B), OMA is a real party in interest herein, whose interest is not now represented, who can make a contribution to the proceeding and will not unduly delay the proceeding or prejudice any existing party. OMA submits that its interest is not represented by existing parties; that it will contribute to the just and expeditious resolution of the issues and concerns set forth in this proceeding; and that its participation in this proceeding will not cause undue delay or unjustly prejudice any existing party.

OMA has a substantial interest in these proceeding that is not adequately addressed by any other party. OMA's participation will enhance the effectiveness of the above proceedings, will not unnecessarily cause delay, and will help ensure that the proceedings in this matter are fair to its membership.

Accordingly, OMA respectfully requests the Commission to determine that OMA has a real and substantial interest in this proceeding and should grant its Motion to Intervene pursuant to R.C. 4903.221 and OAC Rule 4901-1-11.

Respectfully submitted on behalf of  
OHIO MANUFACTURERS' ASSOCIATION



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## CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Motion to Intervene was served upon the parties of record listed below this 7<sup>th</sup> day of December 2010 via first class mail.

  
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