

FILE

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

RECEIVED - BOOKETING DIV
2011 FEB 28 PM 12:54
PUCO

In the Matter of the Application of Columbus)
Southern Power Company and Ohio Power)
Company, Individually and, If Their Proposed) Case No. 11-351-EL-AIR
Merger is Approved, as a Merged Company) Case No. 11-352-EL-AIR
(collectively, AEP Ohio) for an Increase in)
Electric Distribution Rates.)

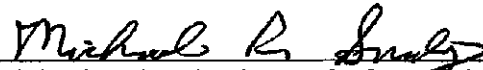
In the Matter of the Application of Columbus)
Southern Power Company and Ohio Power) Case No. 11-353-EL-ATA
Company, Individually and If Their Proposed) Case No. 11-354-EL-ATA
Merger is Approved, as a Merged Company)
(collectively AEP Ohio) for Tariff Approval.)

In the Matter of the Application of Columbus)
Southern Power Company and Ohio Power)
Company, Individually and, If Their Proposed) Case No. 11-356-EL-AAM
Merger is Approved, as a Merged Company) Case No. 11-358-EL-AAM
(collectively AEP Ohio) for Approval to)
Change Accounting Methods.)

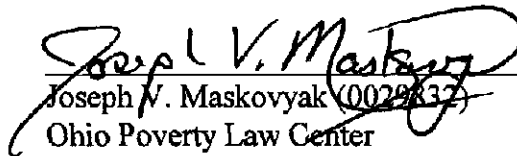
**MOTION TO INTERVENE OF
APPALACHIAN PEACE AND JUSTICE NETWORK**

The Appalachian Peace and Justice Network ("APJN") hereby respectfully moves for leave to intervene in the above-captioned matters pursuant to R.C. 4903.221 and Section 4901-1-11 of the Commission's Code of Rules and Regulations, with full powers and rights granted, by the Commission specifically, by statute or by the provisions of the Commission's Code of Rules and Regulations, to intervening parties. The reasons for granting this motion are contained in the memorandum attached hereto and incorporated herein.

This is to certify that the images appearing are an
accurate and complete reproduction of a case file
document delivered in the regular course of business.
Technician *[Signature]* Date Processed 2-28-11



Michael R. Smalz, Counsel of Record (0041897)
Ohio Poverty Law Center
555 Buttles Avenue
Columbus, OH 43215
Telephone: 614/221-7625
Email: msmalz@ohiopovertylaw.org



Joseph V. Maskovyak (0028832)
Ohio Poverty Law Center
555 Buttles Avenue
Columbus, OH 43215
Telephone: 614/221-7625
Email: jmaskovyak@ohiopovertylaw.org

**On Behalf of the Appalachian Peace and Justice
Network**

Q:\CASES-PROJECTS-BILLS-TRAININGS-TF\CASES\APJ\NAEP EDR-TA-CAM\MTN\INTRVN2-2011.DOC

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Columbus)	
Southern Power Company and Ohio Power)	
Company, Individually and, If Their Proposed)	Case No. 11-351-EL-AIR
Merger is Approved, as a Merged Company)	Case No. 11-352-EL-AIR
(collectively, AEP Ohio) for an Increase in)	
Electric Distribution Rates.)	
In the Matter of the Application of Columbus)	
Southern Power Company and Ohio Power)	Case No. 11-353-EL-ATA
Company, Individually and If Their Proposed)	Case No. 11-354-EL-ATA
Merger is Approved, as a Merged Company)	
(collectively AEP Ohio) for Tariff Approval.)	
In the Matter of the Application of Columbus)	
Southern Power Company and Ohio Power)	
Company, Individually and, If Their Proposed)	Case No. 11-356-EL-AAM
Merger is Approved, as a Merged Company)	Case No. 11-358-EL-AAM
(collectively AEP Ohio) for Approval to)	
Change Accounting Methods.)	

**MEMORANDUM IN SUPPORT OF THE MOTION TO INTERVENE OF
THE APPALACHIAN PEACE AND JUSTICE NETWORK**

The Appalachian Peace and Justice Network ("APJN") should be permitted to intervene in these matters pursuant to Section 4903.221, Revised Code, and the Commission's Rules and Regulations, specifically Section 4901-1-11, Ohio Administrative Code. As required by those provisions, these intervenors are real parties in interest herein, whose interests are not now represented, who can make a contribution to the proceeding, and who will not unduly delay the proceeding nor prejudice any existing party.

APJN is a nonprofit organization that empowers and challenges groups and individuals to work for peace and social justice. It has approximately 200 members in southeastern (Appalachian) Ohio; the majority of its members are low-income and many of its members are customers or consumers of electric service by Columbus Southern Power and Ohio Power. APJN engages in a wide range of educational and advocacy efforts to promote peace, social justice, and consumer protections for low-income residents of Appalachian Ohio. It has one paid staff person/organizer and its principal office is located in Athens, Ohio.

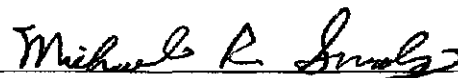
APJN has a real and substantial interest in this proceeding by virtue of the direct impact on its members and other low-income and rural residential consumers who would be adversely affected by higher distribution rates for residential electric service by Columbus Southern Power (CSP) and Ohio Power (OP). As noted, APJN has members located in the service territories that will be affected by this case. Because APJN's low-income members have a higher energy burden (ratio of energy costs to income) than more affluent residential customers, they suffer a greater economic toll when rates increase.

Further, APJN previously intervened in and actively participated in the AEP 2009 SEET case, PUCO Case No. 10-1261-EL-UNC, and counsel for intervenors previously represented APJN's now-defunct allied organization, the Appalachian People's Action Coalition (APAC), in the original AEP ESP case, PUCO Case Nos. 08-917-EL-550 and 08-918-EL-550. APJN also recently filed its Motion to Intervene in AEP's new ESP case, PUCO Case Nos. 11-356-EL-SSO and 11-348-EL-SSO.

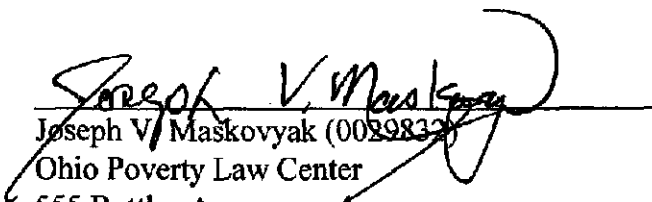
APJN's participation in these proceedings will not cause undue delay, will not unjustly prejudice any existing party, and will contribute to the full development and equitable resolution of the issues raised in these proceedings. Furthermore, other parties to the proceedings will not

adequately represent APJN's interests because of the unique low-income and rural perspective that APJN and its counsel bring to utility matters. Therefore, APJN is entitled to intervene in these proceedings with the full powers and rights granted, by the Commission specifically, by statute, and by the provisions of the Commission's Codes of Rules and Regulations, to intervening parties.

Respectfully submitted,



Michael R. Smalz, Counsel of Record (0041897)
Ohio Poverty Law Center
555 Buttles Avenue
Columbus, OH 43215
Telephone: 614/221-7625
Email: msmalz@ohiopoveritylaw.org



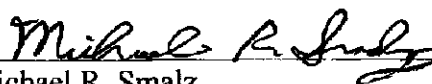
Joseph V. Maskovyak (0029832)

Ohio Poverty Law Center
555 Buttles Avenue
Columbus, OH 43215
Telephone: 614/221-7625
Email: jmaskovyak@ohiopoveritylaw.org

**On Behalf of the Appalachian Peace and Justice
Network**

CERTIFICATE OF SERVICE

I hereby certify that a copy of this Motion to Intervene and Memorandum in Support were served by regular first class U.S. Mail, postage prepaid, upon the parties of record identified below on this 28th day of February, 2011.


Michael R. Smalz
Counsel for APJN

Steven T. Nourse
American Electric Power Service Corp.
One Riverside Plaza, 29th Floor
Columbus, OH 43215

Daniel R. Conway
Porter Wright Morris & Arthur
41 South High Street
Columbus, OH 43215

Samuel Randazzo
Joseph E. Olier
McNees Wallace & Nurick LLC
21 East State Street, 17th Floor
Columbus, OH 43215

Maureen R. Grady
Michael I. Idzkowski
Richard C. Reese
Office of the Ohio Consumers' Counsel
10 West Broad Street, Suite 1800
Columbus, OH 43215-3485

Emma F. Hand
Clinton A. Vince
Daniel D. Barnowski
Douglas G. Bonner
Sonnenschein Nath & Rosenthal LLP
1301 K Street, NW Suite 600 East Tower
Washington, DC 20005

Mark A. Hayden
James W. Burk
First Energy Corporation
76 South Main Street
Akron, OH 44308

Richard L. Sites
155 East Broad Street, 15th Floor
Columbus, OH 43215-3620

Thomas J. O'Brien
Bricker & Eckler, LLP
100 South Third Street
Columbus, OH 43215-4291

Colleen Mooney
231 West Lima Street
Findlay, OH 45840

Henry W. Eckhart
Natural Resources Defense Counsel
50 West Broad Street, #2117
Columbus, OH 43215

David F. Boehm
Boehm, Burtz & Lowry
36 East Seventh Street, Suite 1510
Cincinnati, OH 45202