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FILE

June 28, 2011

**VIA FEDERAL EXPRESS**

Ms. Renee Jenkins  
Chief, Docketing Division  
The Public Utilities Commission of Ohio  
180 East Broad Street  
Columbus, OH 43215-3793

RECEIVED-DOCKETING DIV  
2011 JUN 29 PM 12:46  
PUCO

Re: In the Matter of the Application of Duke Energy Ohio for Approval to Establish A Standard Service Offer Pursuant To Section 4928.143, Revised Code, In the Form of an Electric Security Plan, Accounting Modifications and Tariffs For Generation Service, Case No. 11-3549-EL-SSO

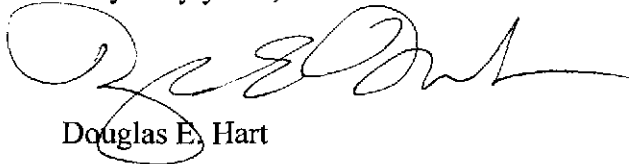
In the Matter of the Application of Duke Energy Ohio for Authority to Amend Its Certified Supplier Tariff, P.U.C.O. No. 20, Case No. 11-3550-EL-ATA

In the Matter of the Application of Duke Energy Ohio for Authority to Amend its Corporate Separation Plan, Case No. 11-3551-EL-UNC

Dear Ms. Jenkins:

Enclosed please find an original and 20 copies of the Motion to Intervene and Memorandum in Support of The Greater Cincinnati Health Council to be filed in the above referenced proceedings. This document was fax-filed on June 28, 2011.

Very truly yours,



Douglas E. Hart

DEH  
Enclosures

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 ye Date Processed 6/29/2011

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Duke Energy	)	
Ohio for Approval to Establish A Standard Service	)	
Offer Pursuant To Section 4928.143, Revised Code,	)	Case No. 11-3549-EL-SSO
In the Form of an Electric Security Plan, Accounting	)	
Modifications and Tariffs For Generation Service	)	

In the Matter of the Application of Duke Energy	)	
Ohio for Authority to Amend Its Certified Supplier	)	Case No. 11-3550-EL-ATA
Tariff, P.U.C.O. No. 20	)	

In the Matter of the Application of Duke Energy	)	
Ohio for Authority to Amend its Corporate	)	Case No.11-3551-EL-UNC
Separation Plan	)	

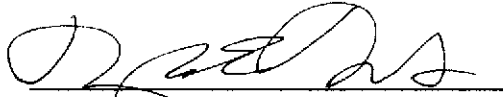
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**MOTION TO INTERVENE AND MEMORANDUM IN SUPPORT  
OF THE GREATER CINCINNATI HEALTH COUNCIL**

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The Greater Cincinnati Health Council ("GCHC") hereby moves the Public Utilities Commission of Ohio ("Commission") pursuant to Revised Code § 4903.221 and Commission Rule 4901-1-11, to intervene as a party to the above-captioned proceedings. As set forth in the Memorandum in Support, GCHC submits that this motion is timely, that GCHC has a real and substantial interest in these proceedings, that it is so situated that the disposition of these proceedings without GCHC's participation may impair or impede its ability to protect that interest, and that its participation in these proceedings will contribute to a just result. GCHC further submits that no existing party represents its interest in these proceedings and that granting its motion to intervene will not unduly delay these proceedings or unjustly prejudice any existing party.

Respectfully submitted,



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**MEMORANDUM IN SUPPORT**

On June 20, 2011 Duke Energy Ohio filed an Application in the above captioned proceedings for approval of a standard service offer under Revised Code § 4928.143. GCHC is a non-profit association of hospitals and other health care facilities who individually are substantial consumers of electric energy and are generally located within the distribution service area of Duke Energy Ohio. The application filed by Duke Energy Ohio, if granted by the Commission, would establish the terms of electric service for ten years and could significantly impact the prices paid by GCHC's members for electric service.

The standard for intervention in Commission proceedings is governed by Revised Code § 4903.221, as further stated in Commission Rule 4901-1-11, Ohio Administrative Code:

Upon timely motion, any person shall be permitted to intervene in a proceeding upon a showing that:

\* \* \*

(2) The person has a real and substantial interest in the proceeding, and the person is so situated that the disposition of the proceeding may, as a practical matter, impair or impede his or her ability to protect that interest, unless the person's interest is adequately represented by existing parties.

Factors that the Commission considers when applying the rule include the nature of the intervenor's interest, the extent that interest is represented by existing parties, the intervenor's potential contribution to a just and expeditious resolution of the issues involved, and whether intervention would result in an undue delay of the proceeding.

In its June 21, 2011 Entry, the Commission established a July 6, 2011 deadline for intervention. Therefore, this Motion to Intervene is timely.

The GCHC has a real and substantial interest in this proceeding because many of its members are substantial consumers of electric service and most are electric distribution service customers of Duke Energy Ohio. The GCHC participated in Duke Energy Ohio's most recent SSO proceeding, Case No. 10-2586-EL-SSO, as well as the prior SSO proceeding, Case No. 08-920-EL-SSO, which led to Duke Energy Ohio's current ESP. Almost all of GCHC's hospital members are not for profit organizations. Utility costs represent a substantial portion of hospitals' operating expenses, which affects the cost of health care in Ohio. The availability of a reliable and robust electric supply is also critical to patient safety and disaster preparedness. Many of GCHC's members have their own standby electrical generation capacity in order to assure the constant availability of necessary electric power, which distinguishes them from most Duke Energy Ohio customers. While several other parties have already sought intervention in this proceeding, none of them is similarly situated to or represents the interests of the GCHC or its members.

Consistent with the requirements of Revised Code § 4903.221 and Commission Rule 4901-1-11, this motion is timely; the GCHC has a real and substantial interest herein; its interest is not represented by existing parties; it will contribute to the just and expeditious resolution of

the issues and concerns raised in these proceedings; and its participation in these proceedings will not cause undue delay or unjustly prejudice any existing party.

For these reasons, the GCHC respectfully requests that this motion to intervene in the above-captioned proceedings be granted.

Respectfully submitted,

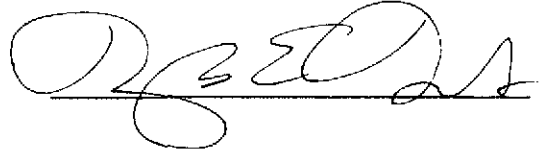
A handwritten signature in black ink, appearing to read 'Douglas E. Hart', is written over a horizontal line.

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Health Council

## CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion to Intervene and Memorandum in Support was served upon the parties of record listed below this 28th day of June, 2011 by electronic service.



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