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Via Overnight Mail

September 29, 2011

Public Utilities Commission of Ohio PUCO Docketing 180 E. Broad Street, 10th Floor Columbus, Ohio 43215

In re: Case No. 11-5201-EL-RDR

Dear Sir/Madam:

Please find enclosed an original and twenty (20) copies of the MOTION FOR LEAVE TO INTERVENE, and MEMORANDUM IN SUPPORT of the OHIO ENERGY GROUP to be filed in the above-referenced matter.

Please place this document of file.

Respectfully yours

David F. Boehm, Esq. Michael L. Kurtz, Esq. Jody M. Kyler, Esq.

**BOEHM, KURTZ & LOWRY** 

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Encl.

Cc:

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Technician Date Processed 9-30-11

## BEFORE THE PUBLIC UTILITY COMMISSION OF OHIO

In the Matter of the Review of the Alternative Energy

Rider Contained in the Tariffs of Ohio Edison Company,

The Cleveland Electric Illuminating Company, and The

Toledo Edison Company.

Case Nos.

11-5201-EL-RDR

THE OHIO ENERGY GROUP'S MOTION FOR LEAVE TO INTERVENE

Pursuant to the Ohio Rev. Code §4903.221 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,

David F. Boehm, Esq

Michael L. Kurtz, Esq. Jody M. Kyler, Esq.

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September 29, 2011

**COUNSEL FOR OHIO ENERGY GROUP** 

## BEFORE THE PUBLIC UTILITY COMMISSION OF OHIO

In the Matter of the Review of the Alternative Energy

Rider Contained in the Tariffs of Ohio Edison Company, The Cleveland Electric Illuminating Company, and The

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Case Nos.

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

Pursuant to Ohio Rev. Code §4903.221 and Ohio Admin. Code §4901-01-11, the Public Utility Commission of Ohio ("Commission") should grant the Ohio Energy Group ("OEG") leave to intervene in this proceeding.

OEG is a non-profit entity organized to represent the interests of large industrial 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 and Chemicals, Inc., AK Steel Corporation, Aleris International, Inc., Alcoa Inc., ArcelorMittal USA, BP-Husky Refining, LLC, Cargill, Incorporated, Materion Brush Inc., Charter Steel, Chrysler LLC, E.I. DuPont deNemours & Company, Ford Motor Company, General Motors LLC, Johns Manville, Linde, Inc., North Star BlueScope Steel, LLC, Praxair Inc., Warren Steel Holdings, LLC and Worthington Industries. These companies purchase electric distribution services from First Energy. Therefore, the interests of OEG's members may be directly affected by the outcome of this proceeding. 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 §4903.221 and Ohio Admin. Code §4901-1-11.

Respectfully submitted,

David F. Boehm, Esq.

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**COUNSEL FOR THE OHIO ENERGY GROUP** 

September 29, 2011