

5

RECEIVED-DOCKETING DIV

2011 DEC -5 PM 1:53

PUCO

FILE

BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of)
Ohio-American Water Company to Increase) Case No. 11-4161-WS-AIR
its Rates for Water and Sewer Service.)

MOTION TO INTERVENE OF
PRAIRIE TOWNSHIP, FRANKLIN COUNTY, OHIO

The Board of Trustees of Prairie Township, Franklin County, Ohio (the "Township") hereby respectfully moves the Public Utilities Commission of Ohio (the "Commission"), pursuant to Section 4903.221, Revised Code, and Rule 4901-1-11 of the Ohio Administrative Code, for leave to intervene in the above-captioned matters, concerning an application for an increase in rates for water service filed by the Ohio-American Water Company ("Ohio-American"). The Township requests that the Commission grant the Township the full powers and rights available to intervening parties.

As demonstrated further in the Memorandum in Support attached hereto and incorporated herein, the Township has a direct, real, and substantial interest in the issues and matters involved in the above-captioned proceedings and is so situated that the disposition of these proceedings may, as a practical matter, impair or impede their ability to protect those interests.

The Township believes that its participation in the proceedings will not cause undue delay, will not unjustly prejudice any existing party, and will contribute to the just and expeditious resolution of the issues and concerns raised in the proceedings. The interests of the Township and its residents will not be adequately represented by other parties to the proceedings and, as such, the Township is entitled to intervene in both proceedings with the full powers and

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 AN Date Processed DEC 05 2011

rights granted, by the Commission specifically, by statute and by the Ohio Administrative Code,
to intervening parties.

Respectfully submitted,

By 

Peter N. Griggs (0073819)
Loveland & Brosius, LLC
50 West Broad Street, Suite 3300
Columbus, Ohio 43215-5917
Telephone: (614) 464-3563
Fax: (614) 224-6221
Email: pgriggs@lblaw.net

*Special Counsel for Prairie Township,
Franklin County, Ohio*

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of)	
Ohio-American Water Company to Increase)	Case No. 11-4161-WS-AIR
its Rates for Water and Sewer Service.)	

MEMORANDUM IN SUPPORT

In support of this Motion to Intervene, the Township states that its citizens are customers of Ohio-American, a public utility subject to the jurisdiction of the Commission. The Township is also a political subdivision and seeks to promote the interests of its citizens. The Township informally participated in the last Ohio-American rate increase proceedings because of the influence that rates and charges for water and sewer service can have upon the Township's local economy and citizens. Moreover, the Township's participation in Ohio-American's rate increase proceedings is even more important, as the Township is a customer of Ohio-American and such proceedings will have a direct and substantial impact on the rates and charges for water and sewer service upon the Township as a customer.

Due to the recent and considerable prior rate increase requests by Ohio-American, it is reasonable to expect the probable impact that a rate increase will have upon the residents of the Township and the Township as a customer. As a result, the Township has a real and substantial interest in these proceedings. Furthermore, the disposition of the proceedings may, as a practical matter, impair or impede the Township's abilities to protect its interests.

For the aforementioned reasons, the Township has a direct, real, and substantial interest in the issues and matters involved in the above-captioned proceeding that will only be protected by its participation in the proceedings. Therefore, the Township hereby requests the Commission grant this Motion to Intervene with the full powers and rights granted, by the Commission specifically, by statute and by the Ohio Administrative Code, to intervening parties.

Respectfully submitted,

By 

Peter N. Griggs (0073819)
Loveland & Brosius, LLC
50 West Broad Street, Suite 3300
Columbus, Ohio 43215-5917
Telephone: (614) 464-3563
Fax: (614) 224-6221
Email: pgriggs@lblaw.net

*Special Counsel for Prairie Township,
Franklin County, Ohio*

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion to Intervene and Memorandum in Support was served upon the following parties of record this 5th day of December 2011, via ordinary U.S. mail:

Mark D. Russell
Law Director – City of Marion, Ohio
233 W. Center Street
Marion, Ohio 43302
Phone: (740) 387-3777
Fax: (740) 382-4921
Law@marionohio.org


Mark A. Whitt
Joel E. Sechler
Melissa L. Thompson
Carpenter, Lipps & Leland LLP
280 North High Street, Suite 1300
Columbus, Ohio 43215
Phone: (614) 365-4100
Fax: (614) 365-9145
whitt@carpenterlipps.com
sechler@carpenterlipps.com
thompson@carpenterlipps.com

Albert D. Sturtevant
Carpenter, Lipps & Leland LLP
22 W. Washington Street, Suite 1500
Chicago, Illinois 60602
Phone: (312) 854-8032
Fax: (614) 365-9145
sturtevan@carpenterlipps.com

Thomas Lindgren
Devin Parram
Public Utilities Commission of Ohio
180 East Broad Street, 6th Floor
Columbus, Ohio 43215
Phone: 614-466-4395
Fax: 614-644-8764
Thomas.lindgren@puc.state.oh.us
Devin.parram@puc.state.oh.us

Melissa Yost, Counsel of Record
Kyle L. Kern
Assistant Consumers' Counsel
Office of the Ohio Consumers' Counsel
10 West Broad Street, Suite 1800
Columbus, Ohio 43215-3485
Phone: (614) 466-8574
yost@occ.state.oh.us
kern@occ.state.oh.us

By


Peter N. Griggs (0073819)
Loveland & Brosius, LLC
50 West Broad Street, Suite 3300
Columbus, Ohio 43215-5917
Telephone: (614) 464-3563
Fax: (614) 224-6221
Email: pgriggs@lblaw.net
*Special Counsel for Prairie Township,
Franklin County, Ohio*