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**Via E-File**

December 6, 2013

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

**In re: Case Nos. 13-2249-EL-UNC and 13-2250-EL-UNC**

Dear Sir/Madam:

Please find attached the OHIO ENERGY GROUP's MOTION TO INTERVENE AND MEMORANDUM IN SUPPORT for filing in the above-referenced matter.

Copies have been served on all parties on the attached certificate of service. Please place this document of file.

Respectfully yours,

A handwritten signature in blue ink, appearing to read "Michael L. Kurtz".

Michael L. Kurtz, Esq.  
Kurt J. Boehm, Esq.  
Jody Kyler Cohn, Esq.  
**BOEHM, KURTZ & LOWRY**

MLKkew  
Encl.  
Cc: Certificate of Service

**BEFORE THE  
PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Ohio Power Company for	)	
Administration of the Significantly Excessive Earnings Test for	)	Case No. 13-2249-EL-UNC
2011 Under Section 4928.143(F), Revised Code, and Rule	)	
4901:1-35-10, Ohio Administrative Code.	)	
	)	
In the Matter of the Application of Columbus Southern Power	)	
Company for Administration of the Significantly Excessive	)	
Earnings Test for 2011 Under Section 4928.143(F), Revised	)	Case No. 13-2250-EL-UNC
Code, and Rule 4901:1-35-10, Ohio Administrative Code.	)	
	)	

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**MOTION TO INTERVENE OF THE  
THE OHIO ENERGY GROUP**

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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 Utilities 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,



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December 6, 2013

**COUNSEL FOR THE OHIO ENERGY GROUP**

**BEFORE THE  
PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Ohio Power Company for	)	
Administration of the Significantly Excessive Earnings Test for	)	Case No. 13-2249-EL-UNC
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4901:1-35-10, Ohio Administrative Code.	)	
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In the Matter of the Application of Columbus Southern Power	)	
Company for Administration of the Significantly Excessive	)	
Earnings Test for 2011 Under Section 4928.143(F), Revised	)	Case No. 13-2250-EL-UNC
Code, and Rule 4901:1-35-10, Ohio Administrative Code.	)	
	)	

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

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Pursuant to Ohio Rev. Code §4903.221 and Ohio Admin. Code §4901-1-11, the Ohio Energy Group (OEG) files this Memorandum in Support of Motion to Intervene.

OEG is a non-profit entity organized to represent the interests of large industrial and commercial customers in electric and gas regulatory proceedings before the Public Utilities Commission of Ohio ("Commission"). OEG's members who are participating in this intervention are: AK Steel Corporation, Aleris International, Inc., ArcelorMittal, USA, E.I. duPont de Nemours and Company, Ford Motor Company, Linde, Inc., Praxair Inc., The Timken Company and Worthington Industries. These companies purchase large amounts of electric power services from Ohio Power Company. Therefore, the interests of OEG's members may be directly affected by the outcome of this proceeding. The interests of OEG cannot be adequately represented by any other party. 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,



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David F. Boehm, Esq.

Michael L. Kurtz, Esq.

Jody Kyler Cohn, Esq.

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December 6, 2013

**COUNSEL FOR THE OHIO ENERGY GROUP**

## CERTIFICATE OF SERVICE

I hereby certify that true copy of the foregoing was served by electronic mail (when available) or ordinary mail, unless otherwise noted, this 6<sup>th</sup> day of December, 2013 to the following:



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**Case No(s). 13-2249-EL-UNC, 13-2250-EL-UNC**

Summary: Motion Ohio Energy Group (OEG) Motion to Intervene and Memorandum in Support electronically filed by Mr. Michael L. Kurtz on behalf of Ohio Energy Group