## BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

)

)

)

In the Matter of the Fuel Adjustment Clauses for Columbus Southern Power Company and Ohio Power Company. Case No. 09-872-EL-FAC Case No. 09-873-EL-FAC

## MOTION OF INDUSTRIAL ENERGY USERS-OHIO TO WITHDRAW INTERVENTION AND MEMORANDUM IN SUPPORT

Samuel C. Randazzo (Counsel of Record) (Reg. No. 0016386) Frank P. Darr (Reg. No. 0025469) Matthew R. Pritchard (Reg. No. 0088070) MCNEES WALLACE & NURICK LLC 21 East State Street, 17<sup>TH</sup> Floor Columbus, OH 43215 Telephone: (614) 469-8000 Telecopier: (614) 469-8000 Telecopier: (614) 469-4653 sam@mwncmh.com fdarr@mwncmh.com

December 18, 2015

Attorneys for Industrial Energy Users-Ohio

## BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

)

)

)

In the Matter of the Fuel Adjustment Clauses for Columbus Southern Power Company and Ohio Power Company. Case No. 09-872-EL-FAC Case No. 09-873-EL-FAC

## MOTION OF INDUSTRIAL ENERGY USERS-OHIO TO WITHDRAW INTERVENTION

Industrial Energy Users-Ohio ("IEU-Ohio") hereby moves to withdraw as a party

to the above-captioned proceeding. As detailed in the Memorandum in Support,

IEU-Ohio has elected to end its participation in this proceeding.

Respectfully submitted,

/s/ Matthew R. Pritchard Samuel C. Randazzo (Counsel of Record) (Reg. No. 0016386) Frank P. Darr (Reg. No. 0025469) Matthew R. Pritchard (Reg. No. 0088070) McNees Wallace & Nurick LLC 21 East State Street, 17<sup>TH</sup> Floor Columbus, OH 43215 Telephone: (614) 469-8000 Telecopier: (614) 469-4653 sam@mwncmh.com fdarr@mwncmh.com mpritchard@mwncmh.com

#### Attorneys for Industrial Energy Users-Ohio

## BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

)

)

)

In the Matter of the Fuel Adjustment Clauses for Columbus Southern Power Company and Ohio Power Company. Case No. 09-872-EL-FAC Case No. 09-873-EL-FAC

#### **MEMORANDUM IN SUPPORT**

On December 11, 2009, IEU-Ohio filed a Motion to Intervene in the abovecaptioned proceeding. In a Finding and Order dated January 7, 2010, the Public Utilities Commission of Ohio ("Commission") granted IEU-Ohio's Motion to Intervene. The Commission's orders in this proceeding were ultimately appealed to the Ohio Supreme Court, which issued a decision on appeal on September 3, 2014. At this time, IEU-Ohio has elected to end its participation in this proceeding. Accordingly, IEU-Ohio respectfully requests that the Commission grant this Motion.

Respectfully submitted,

/s/ Matthew R. Pritchard

Samuel C. Randazzo (Counsel of Record) (Reg. No. 0016386) Frank P. Darr (Reg. No. 0025469) Matthew R. Pritchard (Reg. No. 0088070) McNees Wallace & Nurick LLC 21 East State Street, 17<sup>TH</sup> Floor Columbus, OH 43215 Telephone: (614) 469-8000 Telecopier: (614) 469-4653 sam@mwncmh.com fdarr@mwncmh.com mpritchard@mwncmh.com

#### Attorneys for Industrial Energy Users-Ohio

### **CERTIFICATE OF SERVICE**

In accordance with Rule 4901-1-05, Ohio Administrative Code, the PUCO's e-filing system will electronically serve notice of the filing of this document upon the following parties. In addition, I hereby certify that a service copy of the foregoing *Motion oF Industrial Energy Users-Ohio to Withdraw Intervention and Memorandum in Support* was sent by, or on behalf of, the undersigned counsel for IEU-Ohio to the following parties of record this 18<sup>th</sup> day of December 2015, *via* electronic transmission.

<u>/s/ Matthew R. Pritchard</u> Matthew R. Pritchard

Steven T. Nourse Matthew J. Satterwhite Anne M. Vogel American Electric Power Service Corporation 1 Riverside Plaza, 29<sup>th</sup> Floor Columbus, OH 43215

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

## ON BEHALF OF COLUMBUS SOUTHERN POWER AND OHIO POWER COMPANY

Bruce J. Weston Ohio Consumers' Counsel Maureen R. Grady Terry L. Etter Kyle L. Verrett Office of the Ohio Consumers' Counsel 10 West Broad Street, Suite 1800 Columbus, OH 43215-3485

ON BEHALF OF THE OFFICE OF THE OHIO CONSUMERS' COUNSEL David C. Rinebolt Colleen L. Mooney Ohio Partners for Affordable Energy 231 West Lima Street Findlay, OH 45839

#### ON BEHALF OF OHIO PARTNERS FOR AFFORDABLE ENERGY

Keith C. Nusbaum Sonnenschein, Nath & Rosenthal 1221 Avenue of the Americas New York, NY 10020-1089

Clinton A. Vince Emma F. Hand Ethan Rii Presley Reed Sonnenschein, Nath & Rosenthal 1301 K Street NW Suite 600, East Tower Washington, DC 20005

# ON BEHALF OF ORMET PRIMARY ALUMINUM CORPORATION

Matthew Warnock Bricker & Eckler 100 South Third Street Columbus, OH 43215

ON BEHALF OF THE OHIO MANUFACTURERS' ASSOCIATION William Wright Thomas McNamee Werner Margard Assistant Attorneys General Public Utilities Section 180 East Broad Street Columbus, OH 43215

# ON BEHALF OF THE PUBLIC UTILITIES COMMISSION OF OHIO

Greta See Sarah Parrot Attorney Examiner Public Utilities Commission of Ohio 180 East Broad Street, 12<sup>th</sup> Floor Columbus, OH 43215

**ATTORNEY EXAMINER** 

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

12/18/2015 2:44:40 PM

in

Case No(s). 09-0872-EL-FAC, 09-0873-EL-FAC

Summary: Motion OF INDUSTRIAL ENERGY USERS-OHIO TO WITHDRAW INTERVENTION AND MEMORANDUM IN SUPPORT electronically filed by Mr. Frank P Darr on behalf of Industrial Energy Users-Ohio