

FILE

BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

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In the Matter of the Application of Duke Energy Ohio to Adjust and Set its System Reliability Tracker Market Price.)	Case No. 05-724-EL-UNC
In the Matter of the Application of The Cincinnati Gas & Electric Company to Modify its Fuel and Economy Purchased Power Component of its Market-Based Standard Service Offer.)	Case No. 05-725-EL-UNC
In the Matter of the Application of Duke Energy Ohio, Inc., to Modify its Fuel and Economy Purchased Power Component of its Market-Based Standard Service Offer.)	Case No. 06-1068-EL-UNC
In the Matter of the Application of Duke Energy Ohio, Inc., to Adjust and Set its System Reliability Tracker.)	Case No. 06-1069-EL-UNC
In the Matter of the Application of Duke Energy Ohio, Inc., to Adjust and Set the Annually Adjusted Component of its Market Based Standard Service Offer.)	Case No. 06-1085-EL-UNC

MOTION TO INTERVENE
OF
THE CITY OF CINCINNATI

The City of Cincinnati ("Cincinnati" or "City") hereby moves to intervene in the above-captioned proceedings pursuant to Ohio Revised Code ("R.C.") Section 4903.221, and Ohio Administrative Code ("OAC") Rule 4901-1-11(F). As set forth in the Memorandum in Support, Cincinnati submits that it has a real and substantial interest in these proceedings, that it is so situated that the disposition of these proceedings without Cincinnati's participation may impair or impede its ability to protect that interest, and that its participation in these proceedings will

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contribute to a just result. Cincinnati further submits that any existing party does not represent its interest in these proceedings and that granting its motion to intervene will not unduly delay these proceedings or unjustly prejudice any existing party.

MEMORANDUM IN SUPPORT

Cincinnati relies upon Duke Energy Ohio ("DE - Ohio") (formerly known as Cincinnati Gas & Electric Company) to deliver the electric power necessary for various city-owned and/or operated governmental facilities that exclusively rely upon DE - Ohio for generation services. These facilities include the Greater Cincinnati Water Works, a department of the City, and the Metropolitan Sewer District of Greater Cincinnati, a sewer district owned by Hamilton County, but managed and operated by the City. In addition, the vast majority of Cincinnati residents rely upon DE - Ohio for the provision of their electric services. The applications filed by DE - Ohio, if granted by the Commission, will significantly impact the price paid by the City and its residents for electricity services.

Consistent with the requirements of R.C. Section 4903.221, and OAC Rule 4901-1-11(F), Cincinnati is a real party in interest herein, whose interest is not now represented, who can make a contribution to these proceedings and will not unduly delay these proceedings or prejudice any existing party. Cincinnati submits that its interest is not represented by existing parties; that it will contribute to the just and expeditious resolution of the issues and concerns raised in these proceedings; that its participation in these proceedings will not cause undue delay or unjustly prejudice any existing party. The City is mindful that these proceedings have been under way for some number of months at this point. However, the City is not seeking involvement in

remanded case 03-93 or any of the "phase I" issues associated with the remand proceeding; the City agrees to be bound by record with respect to other matters previously made in these proceedings; and that it will participate only on a going-forward basis.

WHEREFORE, the City of Cincinnati respectfully requests that its motion to intervene in the above-captioned proceedings be granted.

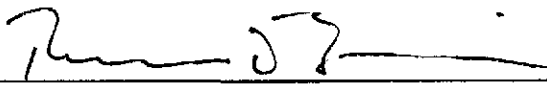
Respectfully submitted on behalf of
CITY OF CINCINNATI



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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Motion to Intervene was served upon the parties of record listed below this 21st day of February 2007 via electronic mail.



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