

Ohio Partners for Affordable Energy

John Sarver, Chair
Cleveland Housing Network

James Tenhundfeld
Vice-Chair

Dora Tharp, Treasurer
Neighborhood Housing
Services of Toledo

Michael Smalz, Secretary
Ohio State Legal Services
Association

David Brightbill
CAP of Washington-Morgan
Counties

Phil Cole
Ohio Association of Community
Action Agencies

Joseph Devany
Ohio Heartland C.A.C.

Stephen Cervas
Ashtabula County C.A.A.

Eugene Norris
Charisma Community Connection

David Shea
C.A.C. of Portage County

Pat Williams
Columbus LEADS

Tim Walters
Consumers for Fair Utility Rates

Steve Ewing
PHAACO

Chuck Wright
W.S.O.S Community Action

Teri Combs
Corporation for Ohio Appalachian
Development

David C. Rinebolt
Executive Director & Counsel

Peter G. Natal
Deputy Director

231 West Lima Street
P.O. Box 1793
Findlay OH 45839-1793
419. 425.8860
Fax 419 425.8862
www.ohiopartners.org

April 20, 2007

Ms. Betty McCauley, Docketing Chief
Docketing Division
Public Utilities Commission of Ohio
180 East Broad Street, 13th Floor
Columbus, OH 43215

RE: Case No. 07-333-EL-UNC

Dear Ms. McCauley:

Please find enclosed an original and the appropriate number of copies of the *Motion to Intervene*, *Memorandum in Support*, and *Motion to Practice Pro Hac Vice* in the above-referenced dockets. We do not require a stamped copy.

If you have any questions regarding these documents, please feel free to contact me.

Sincerely,


David C. Rinebolt
Counsel

Encl -- 16

RECEIVED-DOCKETING DIV
2007 APR 23 AM 10:33
PUCO

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 Amv Date Processed 4/23/07

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of Columbus Southern)
Power Company's Application,)
Pursuant to the Commission's Opinion)
In Case No. 05-765-EL-UNC, to Adjust)
Its Power Acquisition Rider Included in)
Its Tariff at Original Sheet No. 74-1.)

Case No. 07-333-EL-UNC

RECEIVED-DOCKETING DIV
2007 APR 23 AM 10:33
PUCO

**MOTION OF
OHIO PARTNERS FOR AFFORDABLE ENERGY
TO INTERVENE, MEMORANDUM IN SUPPORT
AND MOTION TO PRACTICE PRO HAC VICE BEFORE THE
COMMISSION**

David C. Rinebolt
Ohio Partners for Affordable
Energy
231 West Lima Street
P.O. Box 1793
Findlay, OH 45839-1793
Telephone: (419) 425-8860
FAX: (419) 425-8862
e-mail: drinebolt@aol.com

April 19, 2007

**Counsel for Ohio Partners
for Affordable Energy**

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

| | |
|---|------------------------|
| In the Matter of Columbus Southern) | |
| Power Company's Application,) | |
| Pursuant to the Commission's Opinion) | Case No. 07-333-EL-UNC |
| In Case No. 05-765-EL-UNC, to Adjust) | |
| Its Power Acquisition Rider Included in) | |
| Its Tariff at Original Sheet No. 74-1.) | |

**MOTION TO INTERVENE OF
OHIO PARTNERS FOR AFFORDABLE ENERGY**

Ohio Partners for Affordable Energy (OPAE) hereby respectfully move for leave to intervene in the above-captioned matters pursuant to R.C. 4903.221 and Section 4901-1-1-11 of the Commission's Code of Rules and Regulations, with full powers and rights granted, by the Commission specifically, by statute or by the provisions of the Commission's Code of Rules and Regulations, to intervening parties. The reasons for granting this motion are contained in the memorandum attached hereto and incorporated herein.

Respectfully submitted,



David C. Rinebolt (0073178)
Ohio Partners for Affordable Energy
231 West Lima Street
P.O. Box 1793
Findlay, OH 45839-1793
Telephone: (419) 425-8860
FAX: (419) 425-8862
e-mail: drinebolt@aol.com

**On Behalf of Ohio Partners for
Affordable Energy**

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

| | | |
|---|---|------------------------|
| In the Matter of Columbus Southern |) | |
| Power Company's Application, |) | |
| Pursuant to the Commission's Opinion |) | Case No. 07-333-EL-UNC |
| In Case No. 05-765-EL-UNC, to Adjust |) | |
| Its Power Acquisition Rider Included in |) | |
| Its Tariff at Original Sheet No. 74-1. |) | |

**MEMORANDUM IN SUPPORT OF THE MOTION TO INTERVENE
OF OHIO PARTNERS FOR AFFORDABLE ENERGY**

I. Memorandum in Support

Ohio Partners for Affordable Energy (OPAE) should be permitted to intervene in this matter pursuant to §4903.221, O.R.C., and the Commission's Rules and Regulation, specifically § 4901-01-11(B), Ohio Administrative Code (O.A.C.). As required by those provisions OPAE is a real parties in interest herein, whose interest is not now represented, who can make a contribution to the proceeding and will not unduly delay the proceeding nor prejudice any existing party.

OPAE is a nonprofit organization representing the interests of over sixty nonprofits providing energy assistance to low income families throughout the State of Ohio. Its corporate purpose is to promote affordable energy policies and preserve access to essential energy services for all Ohioans. OPAE members operate bill assistance, weatherization, energy efficiency, and consumer education programs throughout Ohio. In addition, OPAE member agencies also receive utility service from Columbus Southern Power Company.¹ Moreover, many of OPAE's members are community action agencies. Under the

¹ A list of OPAE members can be found on the website: www.ohiopartners.org.

federal legislation authorizing the creation and funding of these agencies, originally known as the Economic Opportunity Act of 1964, community action is charged with advocating for low-income residents of their communities.²

OPAE has a real and substantial interest in this proceeding by virtue of the direct impact of the requested deferrals on their members located in the service territory of Columbus Southern Power. Further, OPAE has been recognized by the Commission in the past as an advocate for consumers and particularly low-income consumers, all of whom will be affected by the outcome of this case.

For the above reasons, OPAE has a direct, real and substantial interest in this proceeding.

² See 42 U.S.C. 672:

The purposes of this subtitle are--

(1) to provide assistance to States and local communities, working through a network of community action agencies and other neighborhood-based organizations, for the reduction of poverty, the revitalization of low-income communities, and the empowerment of low-income families and individuals in rural and urban areas to become fully self-sufficient (particularly families who are attempting to transition off a State program carried out under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.)); and

(2) to accomplish the goals described in paragraph (1) through--

(A) the strengthening of community capabilities for planning and coordinating the use of a broad range of Federal, State, local, and other assistance (including private resources) related to the elimination of poverty, so that this assistance can be used in a manner responsive to local needs and conditions;

(B) the organization of a range of services related to the needs of low-income families and individuals, so that these services may have a measurable and potentially major impact on the causes of poverty in the community and may help the families and individuals to achieve self-sufficiency;

(C) the greater use of innovative and effective community-based approaches to attacking the causes and effects of poverty and of community breakdown;

(D) the maximum participation of residents of the low-income communities and members of the groups served by programs assisted through the block grants made under this subtitle to empower such residents and members to respond to the unique problems and needs within their communities; and

(E) the broadening of the resource base of programs directed to the elimination of poverty so as to secure a more active role in the provision of services for--

(i) private, religious, charitable, and neighborhood-based organizations; and

(ii) individual citizens, and business, labor, and professional groups, who are able to influence the quantity and quality of opportunities and services for the poor.

OPAE's participation in these 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 these proceedings. Furthermore, other parties to the proceedings will not adequately represent the interests of OPAE because of the unique perspective it brings to utility matters. Therefore, OPAE is entitled to intervene in these proceedings with the full powers and rights granted, by the Commission specifically, by statute, and by the provisions of the Commission's Codes of Rules and Regulations, to intervening parties.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'David C. Rinebolt', with a long horizontal flourish extending to the right.

David C. Rinebolt (0073178)
Ohio Partners for Affordable Energy
231 West Lima Street
P.O. Box 1793
Findlay, OH 45839-1793
Telephone: (419) 425-8860
FAX: (419) 425-8862
e-mail: drinebolt@aol.com
cmooney2@columbus.rr.com

**On Behalf of Ohio Partners for
Affordable Energy**

CERTIFICATE OF SERVICE

I hereby certify that a copy of this Motion to Intervene, Memorandum in Support, and Motion to Practice *Pro Hac Vice* were served by regular U.S. Mail, postage prepaid, upon the parties of record identified below on this 6th day of February, 2007.

A handwritten signature in black ink, appearing to read "David C. Rinebolt", is written over a horizontal line.

David C. Rinebolt, Esq.
**Counsel for Ohio Partners for
Affordable Energy**

Marvin I. Resnik
American Electric Power Services
Corporation
1 Riverside Plaza
Columbus, OH 43215

Duane Luckey
Attorney General's Office
Public Utilities Commission of Ohio
180 East Broad Street, 8th Floor
Columbus, OH 43215

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

| | |
|--|-----------------------|
| In the Matter of the Application) | |
| of the Columbus Southern Power) | |
| Company and Ohio Power Company) | Case No. 07-63-EL-UNC |
| For Approval of an Additional Generation) | |
| Service Rate Increase Pursuant to Their) | |
| Post-Market Development Period Rate) | |
| Stabilization Plans) | |

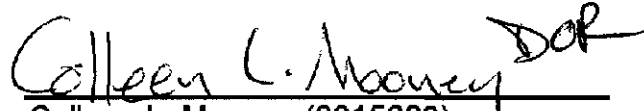
**MOTION TO ADMIT DAVID C. RINEBOLT TO PRACTICE
PRO HAC VICE BEFORE THE COMMISSION**

Pursuant to Rule 4901-1-08(B) of the Ohio Administrative Code, Colleen L. Mooney (0015668), an attorney licensed to practice in the State of Ohio, respectfully petitions the Public Utilities Commission of Ohio ("Commission") to permit David C. Rinebolt to practice *pro hac vice* before the Commission in the above-referenced proceedings. Mr. Rinebolt represents Ohio Partners for Affordable Energy, an Ohio corporation engaged in advocating for affordable energy policies.

Mr. Rinebolt graduated from the Columbus School of Law of the Catholic University of America in May 1981. As an active member of the District of Columbia Bar, Bar No. 367210, Mr. Rinebolt is licensed to practice before the federal courts of the District of Columbia. Furthermore, Mr. Rinebolt has practiced law continuously since being admitted to the District of Columbia Bar in October 1982. Mr. Rinebolt is also registered with the Ohio Bar under provisions granting corporate status, Ohio Bar No. 0073178.

WHEREFORE, Colleen L. Mooney respectfully requests that David C. Rinebolt be permitted to practice before the Commission in the aforementioned proceedings.

Respectfully submitted,



Colleen L. Mooney (0015668)
Ohio Partners for Affordable Energy
231 West Lima Street
P.O. Box 1793
Findlay, OH 45839-1793
Telephone: (419) 425-8860
FAX: (419) 425-8862
e-mail: Cmooney2@columbus.rr.com

CERTIFICATE OF SERVICE

I hereby certify that a copy of this Motion to Intervene, Memorandum in Support, and Motion to Practice *Pro Hac Vice* were served by regular U.S. Mail, postage prepaid, upon the parties of record identified below on this 19th day of April, 2007.

A handwritten signature in black ink, appearing to read "David C. Rinebolt", is written over a horizontal line.

David C. Rinebolt, Esq.
**Counsel for Ohio Partners for
Affordable Energy**

Marvin I. Resnik
American Electric Power Services
Corporation
1 Riverside Plaza
Columbus, OH 43215

Duane Luckey
Attorney General's Office
Public Utilities Commission of Ohio
180 East Broad Street, 8th Floor
Columbus, OH 43215