

**FILE**

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

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In the Matter of the Complaint of  
FAIRFIELD MEDICAL CENTER,

Complainant,

v.

OHIO POWER COMPANY,

Respondent.

**PUCO**

Case No. 07-671-EL-CSS

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**MOTION TO INTERVENE AND  
MEMORANDUM IN SUPPORT OF INDUSTRIAL ENERGY USERS-OHIO**

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June 25, 2007

**Attorneys for Industrial Energy Users-Ohio**

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Complainant,	)	
	)	
v.	)	Case No. 07-671-EL-CSS
	)	
OHIO POWER COMPANY,	)	
	)	
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**MOTION TO INTERVENE OF  
INDUSTRIAL ENERGY USERS-OHIO**

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Industrial Energy Users-Ohio ("IEU-Ohio") hereby respectfully moves the Public Utilities Commission of Ohio ("Commission"), pursuant to Section 4903.221, Revised Code, and Rule 4901-1-11, Ohio Administrative Code, for leave to intervene in the above-captioned matter with the full powers and rights granted by the Commission, specifically by statute or by the provisions of the Ohio Administrative Code, to intervening parties. IEU-Ohio is a "person" as defined by Rule 4901-1-1(K), Ohio Administrative Code.

On June 4, 2007, Fairfield Medical Center ("Fairfield Medical") filed a complaint against Ohio Power Company ("OPCo") regarding OPCo's request to impose a recurring fee for Fairfield Medical's continued use of an automatic switchover device to an auxiliary service line. As demonstrated further in the Memorandum in Support attached hereto and incorporated herein, IEU-Ohio has

a direct, real, and substantial interest in the issues and matters involved in the above-captioned proceeding, and is so situated that the disposition of this proceeding may, as a practical matter, impair or impede its ability to protect that interest.

IEU-Ohio believes that its participation in this proceeding will not unduly prolong or delay the proceeding and that it will significantly contribute to the full development and equitable resolution of the factual and other issues in this proceeding. The interests of IEU-Ohio will not be adequately represented by other parties to the proceeding and, as such, IEU-Ohio is entitled to intervene in this proceeding with the full powers and rights granted by the Commission, specifically by statute and by the provisions of the Ohio Administrative Code, to intervening parties.

Respectfully submitted,

  
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**Attorneys for Industrial Energy Users-Ohio**

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**MEMORANDUM IN SUPPORT**

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In support of its Motion to Intervene, IEU-Ohio states that it is an association of ultimate customers and a "person" as defined by Section 4901-1-1(K), Ohio Administrative Code. A current listing of IEU-Ohio member companies is available on IEU-Ohio's website at [http://www.ieu-ohio.org/public/about\\_ieu-ohio/members](http://www.ieu-ohio.org/public/about_ieu-ohio/members). IEU-Ohio's members purchase substantial amounts of electric and related services from OPCo, which is a public utility subject to the jurisdiction of the Commission. IEU-Ohio's members also purchase substantial amounts of electric and related services from Columbus Southern Power Company ("CSP"), an affiliate of OPCo. As alleged in the complaint filed in this proceeding regarding OPCo, CSP has demanded that its customers, including IEU-Ohio members, accept increases in rates and charges

in exchange for maintaining an alternate delivery point which, in such cases, has existed for decades.

IEU-Ohio's members work together to address matters that affect the availability and price of utility services. Additionally, IEU-Ohio seeks to promote customer-driven policies that will assure an adequate, reliable, and efficient supply of energy for all consumers at competitive prices. To this end, IEU-Ohio has worked, and will continue to work, to produce legislative, regulatory, and market-based outcomes that are consistent with the state policy contained in Section 4928.02, Revised Code.

IEU-Ohio's members that are served by OPCo and CSP may be affected by the outcome of this proceeding. IEU-Ohio has a real and substantial interest in this proceeding inasmuch as the proceeding may directly or indirectly impact the provision of electric service to IEU-Ohio members' manufacturing facilities. Specifically, IEU-Ohio's direct interest in this proceeding is the result of the affect that the proceeding may have upon the price, adequacy, and reliability of the electric supply and related services within Ohio, including the areas presently served by OPCo and CSP. The disposition of this proceeding may, as a practical matter, impair or impede IEU-Ohio's ability to protect its interest.

For the aforementioned reasons, IEU-Ohio requests that the Commission grant its intervention with the full powers and rights granted by the Commission specifically, by statute and by the provisions of the Ohio Administrative Code, to intervening parties.

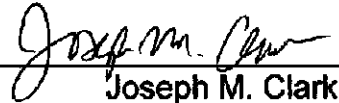
Respectfully submitted,

  
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**Attorneys for Industrial Energy Users-Ohio**

## **CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing *Motion to Intervene* and *Memorandum in Support of Industrial Energy Users-Ohio* was served upon the following parties of record this 25<sup>th</sup> day of June 2007, via electronic transmission, hand-delivery or first class mail, postage prepaid.

  
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### **ON BEHALF OF FAIRFIELD MEDICAL CENTER**