

FILE

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Via Overnight Mail

July 9, 2007

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

In re: Case Nos. 07-522-GA-ATA

Dear Sir/Madam:

Please find enclosed an original and ten (10) copies of the OHIO ENERGY GROUP'S MOTION FOR LEAVE TO INTERVENE filed 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,



David F. Boehm, Esq.
Michael L. Kurtz, Esq.
BOEHM, KURTZ & LOWRY

MLKkew
Encl.
Cc: Certificate of Service

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CERTIFICATE OF SERVICE

I hereby certify that true copy of the foregoing was served by ordinary mail, unless otherwise noted, this 9th day of July, 2007 to the following:

DUKE ENERGY OHIO
PAUL COLBERT ESQ
155 E BROAD ST
COLUMBUS OH 43215



David F. Boehm, Esq.
Michael L. Kurtz, Esq.

**BEFORE THE
PUBLIC UTILITY COMMISSION OF OHIO**

In The Matter Of The Application Of Duke Energy :
Ohio For Authority To Withdraw Its GCR : **Case No. 07-522-GA-ATA**
Transition Rider :
:

**THE OHIO ENERGY GROUP'S
MOTION FOR LEAVE TO INTERVENE**

Pursuant to the Ohio Rev. Code §4903.22.1 and Ohio Admin. Code §4901-1-11, the Ohio Energy Group. (“OEG”) moves for leave to intervene in this proceeding. The Public Utility 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,



David F. Boehm, Esq.

Michael L. Kurtz, Esq.

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July 9, 2007

COUNSEL FOR OHIO ENERGY GROUP

**BEFORE THE
PUBLIC UTILITY COMMISSION OF OHIO**

In The Matter Of The Application Of Duke Energy :
Ohio For Authority To Withdraw Its GCR : **Case No. 07-522-GA-ATA**
Transition Rider :
:

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

Pursuant to Ohio Rev. Code §4903.22.1 and Ohio Admin. Code §4901-01-11, the Public Utility Commission of Ohio ("Commission") should grant the Ohio Energy Group ("OEG") leave to intervene in this proceeding.

OEG is a non-profit entity organized to represent the interests of large industrial customers in electric and gas regulatory proceedings before the Public Utility Commission of Ohio ("Commission"). OEG's members who are participating in this intervention are: General Electric – Aircraft Engines, Worthington Industries, Ford Motor Company, and The Proctor and Gamble Co. These companies use large quantities of natural gas in the manufacture of their products and transport this gas through Duke Energy Ohio. Therefore, the interests of OEG's members may be indirectly affected by the outcome of this proceeding. 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 §4903.22.1 and Ohio Admin. Code §4901-1-11.

Respectfully submitted,



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July 9, 2007