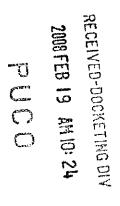
# BOEHM, KURTZ & LOWRY

ATTORNEYS AT LAW 36 EAST SEVENTH STREET **SUITE 1510** CINCINNATI, OHIO 45202 TELEPHONE (513) 421-2255

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Via Telefax Transmission and **Overnight Mail** 

February 17, 2008

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

#### In re: Case No 08-124-EL-ATA and Case No. 08-125-EL-AAM

Dear Sir/Madam:

Please find enclosed an original and twenty (20) copies of PETITION TO INTERVENE OF THE OHIO ENERGY GROUP to be 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** 

This is to certify that the images oppearing an accurato and complete reproduction of a case file Convert delivered in the regular course of bar unte. And Date Processes 2/19/02 

**MLKkew** Encl.

#### CERTIFICATE OF SERVICE

I hereby certify that true copy of the foregoing was served by regular mail, unless otherwise noted, this 17<sup>th</sup> day of February, 2008 to the following:

FirstEnergy Service Company Burk James W 76 S Main St Akron Oh 44308

Hayden, Mark A Mr. Firstenergy Corp 76 South Main Street Akron Ohio 44308

Clark , Joseph M Attorney At Law Mcnees Wallace & Nurick LLC 21 East State Street, 17th Fl. Columbus Oh 43215-4228

PRK

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

## BEFORE THE PUBLIC UTILITY COMMISSION OF OHIO

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In The Matter Of The Application Of Ohio Edison Company The Cleveland Electric Illuminating Company And The Toledo Edison Company for Authority to Modify Certain Accounting Practices and for Tariff Approvals

Case Nos. 08-124-EL-ATA

08-125-EL-AAM

### 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. **BOEHM, KURTZ & LOWRY** 36 East Seventh Street, Suite 1510 Cincinnati, Ohio 45202 Ph: (513) 421-2255 Fax: (513) 421-2764 E-Mail: <u>dboehm@BKLlawfirm.com</u> <u>mkurtz@BKLlawfirm.com</u>

**COUNSEL FOR OHIO ENERGY GROUP** 

February 17, 2008

### BEFORE THE PUBLIC UTILITY COMMISSION OF OHIO

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In The Matter Of The Application Of Ohio Edison Company The Cleveland Electric Illuminating Company And The Toledo Edison Company for Authority to Modify Certain Accounting Practices and for Tariff Approvals

: Case Nos. 08-124-EL-ATA

08-125-EL-AAM

### 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 OEG Co. ("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: Air Products & Chemicals, Inc., AK Steel Corporation, Alcoa Inc., ArcelorMittal, BP Products North America, Brush Wellman Inc., Chrysler :LLC., Ford Motor Company, North Star BlueScope Steel, LLC, PPG Industries, Inc., Republic Engineered Products, Inc., Sunoco Toledo Refinery, WCI Steel, Inc., Worthington Industries, and V&M Star. These companies purchase electric distribution services from First Energy. Therefore, the interests of OEG's members may be directly 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. GWORK/OEG FOLDER/FIRST ENERGY/08-124-EL-ATA & 08-123-EL-AAM/Intervention.doc 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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David F. Boehm, Esq. Michael L. Kurtz, Esq. **BOEHM, KURTZ & LOWRY** 36 East Seventh Street, Suite 1510 Cincinnati, Ohio 45202 Ph: 513.421.2255 Fax: 513.421.2764 E-Mail: <u>dboehm@BKLlawfirm.com</u> mkurtz@BKLlawfirm.com

### COUNSEL FOR THE OHIO ENERGY GROUP

February 17, 2008