

FILE

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

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In the Matter of the Application of The East                     )  
Ohio Gas Company, dba Dominion East                     )       Case No. 07-1224-GA-EXM  
Ohio, for Approval of a General Exemption                     )  
Of Certain Natural Gas Commodity Sales                     )  
Services or Ancillary Services.                     )

**MOTION TO INTERVENE OF  
THE OHIO GAS MARKETERS GROUP**

Now comes the Ohio Gas Marketers Group ("OGM") pursuant to Section 4903.221, Revised Code and Rule 4901-1-11 of the Ohio Administrative Code ("OAC"), and moves for intervention in the above styled docket as a full party of record. The OGM is an ad hoc coalition of six PUCO certified gas marketers; Commerce Energy of Ohio, Inc.; Direct Energy Services, LLC; Hess Corporation; Interstate Gas Supply, Inc.; SouthStar Energy Services LLC; and Vectren Retail LLC dba Vectren Source. The OGM and its members have a real and substantial interest in this matter for the reasons set forth in the accompanying memorandum in support.

WHEREFORE, for the reasons stated below, the OGM and its members individually each seek to intervene and become a full party of record.

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Respectfully Submitted,

VORYS, SATER, SEYMOUR AND PEASE LLP

A handwritten signature in cursive script that reads "Stephen M. Howard". The signature is written in dark ink and is positioned above a horizontal line.

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Consisting of:

Commerce Energy of Ohio, Inc.; Direct Energy Services, LLC; Hess Corporation; Interstate Gas Supply, Inc.; SouthStar Energy Services LLC; and Vectren Retail LLC dba Vectren Source

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<b>Of Certain Natural Gas Commodity Sales</b>	)	
<b>Services or Ancillary Services.</b>	)	

**MEMORANDUM IN SUPPORT**

Dominion East Ohio (DEO) filed an application on December 28, 2007, requesting approval of Phase Two of its plan to exit the merchant function and also requested a general exemption from provisions of Chapters 4905, 4909, 4933 and 4935, Revised Code, pertaining to DEO's commodity sales service and ancillary services. The OGM participated in DEO's Phase One proceeding and the continued ability of the OGM's members to participate in the restructured natural gas market in the DEO service territory will be affected by the outcome of the Phase Two proceeding.

The standards for intervention in proceedings before this Commission are set forth in Section 4903.221, Revised Code, and Rule 4901-1-11 of the Ohio Administrative Code. Section 4903.221, Revised Code, provides that the Commission, in ruling upon applications to intervene in its proceedings shall consider the following criteria:

- (1) The nature and legal extent of the prospective intervenor's interest;
- (2) The legal position advanced by the prospective intervenor and its probable relation to the merits of the case;
- (3) Whether the intervention by the prospective intervenor will unduly prolong or delay the proceedings; and

- (4) Whether the prospective intervenor will significantly contribute to the full development and equitable resolution of the factual issues.

Rule 4901-1-11 of the Ohio Administrative Code provides that upon timely motion, any person may be permitted to intervene in a proceeding upon a showing that the person has a real and substantial interest in the proceeding and that in making such an evaluation, the Commission may consider:

- (1) The nature of the person's interest;
- (2) The extent to which the person's interest is represented by existing parties;
- (3) The person's potential contribution to a just and expeditious resolution of the issues involved in the proceeding; and
- (4) Whether granting the requested intervention would unduly delay the proceeding or unjustly prejudice any existing party.

Each of the members of OGM is a licensed competitive retail natural gas supplier who is active in Ohio. Commerce Energy, Inc.; Direct Energy Services, LLC; Interstate Gas Supply, Inc.; and Vectren Retail LLC each have retail customers in the Dominion East Ohio Gas Company service area. Each of the members of the OGM and their respective retail customers will be affected by the outcome of this proceeding. The OGM and its members have real and substantial interests in this case. Such interests are not adequately protected by other intervenors. The OGM will contribute to a just and expeditious resolution of the issues in this proceeding, and will not unduly delay the proceeding or unjustly prejudice any existing party.

WHEREFORE, the OGM and its members individually each seek leave to intervene and become a full party of record.

Respectfully submitted,

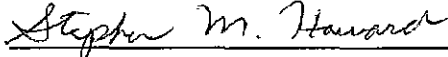
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and Vectren Retail LLC dba Vectren Source

### CERTIFICATE OF SERVICE

I certify that a copy of the foregoing Motion to Intervene was served via email where applicable and via first class U.S. mail, postage prepaid, this 29<sup>th</sup> day of February, 2008, upon the following persons.

  
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