

FILE

BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO

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In the Matter of the Application of The East )  
Ohio Gas Company d/b/a Dominion East Ohio )  
for Approval of Tariffs to Recover Certain )  
Costs Associated with a Pipeline Infrastructure )  
Replacement Program Through an Automatic )  
Adjustment Clause, and for Certain Accounting )  
Treatment. )

Case No. 08-169-GA-UNC

In the Matter of the Application of The East )  
Ohio Gas Company d/b/a Dominion East Ohio )  
for Authority to Increase Rates for its Gas )  
Distribution Service. )

Case No. 07-829-GA-AIR

In the Matter of the Application of The East )  
Ohio Gas Company d/b/a Dominion East Ohio )  
for Approval of an Alternative Rate Plan for its )  
Gas Distribution Service. )

Case No. 07-830-GA-ALT

In the Matter of the Application of The East )  
Ohio Gas Company d/b/a Dominion East Ohio )  
for Approval to Change Accounting Methods. )

Case No. 07-831-GA-AAM

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

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March 24, 2008

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**MOTION TO INTERVENE  
OF INDUSTRIAL ENERGY USERS-OHIO**

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The 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 Case No. 08-169-GA-UNC 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.

On February 22, 2008, The East Ohio Gas Company d/b/a Dominion East Ohio ("DEO") filed an Application for approval of tariffs to recover, through an automatic

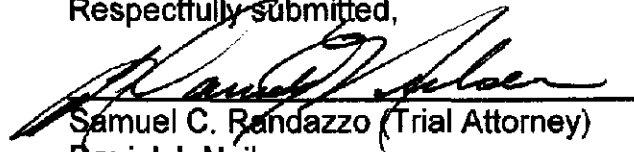
adjustment mechanism, costs associated with a 25-year Pipeline Infrastructure Replacement ("PIR") program, assumption of responsibility for ownership of curb-to-meter service lines, and the accounting authority that may be required to permit the deferral of those costs for subsequent recovery through the automatic adjustment mechanism in Case No. 08-169-GA-UNC (hereinafter, "PIR Application"). 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 PIR Application, and is so situated that the disposition of this proceeding may, as a practical matter, impair or impede its ability to protect that interest.<sup>1</sup>

IEU-Ohio believes that its participation will not unduly prolong or delay this 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 proceedings and, as such, IEU-Ohio is entitled to intervene 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.

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<sup>1</sup> IEU-Ohio has already filed a Motion to Intervene in DEO's rate case proceedings (Case Nos. 07-829-GA-AIR, 07-830-GA-ALT, and 07-831-GA-AAM), with which DEO has sought to consolidate with its PIR Application. Motion to Consolidate, Case Nos. 07-830-GA-ALT et al. (February 22, 2008). However, because other parties are contesting DEO's Motion to Consolidate, IEU-Ohio files this Motion to Intervene out of an abundance of caution in the event that DEO's Motion to Consolidate is denied.

Respectfully submitted,

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

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**March 24, 2008**

**Attorneys for Industrial Energy Users-Ohio**

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of The East ) Ohio Gas Company d/b/a Dominion East Ohio ) for Approval of Tariffs to Recover Certain ) Costs Associated with a Pipeline Infrastructure ) Replacement Program Through an Automatic ) Adjustment Clause, and for Certain Accounting ) Treatment. )	Case No. 08-169-GA-UNC
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**MEMORANDUM IN SUPPORT**

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In support of this Motion to Intervene, IEU-Ohio states that it is an association of ultimate customers. 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 natural gas services from DEO, which is a public utility subject to the jurisdiction of the Commission.

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. Many of IEU-Ohio's member companies are served

by DEO and may be affected by the proposed PIR, tariffs and automatic adjustment mechanism that DEO is requesting approval for in the PIR Application, which among other things, may result in increases to the rates charged to IEU-Ohio members for natural gas service as well as the quality of the service that IEU-Ohio members receive from DEO. This potential vests IEU-Ohio with a direct, real, and substantial interest in the issues and matters involved in the PIR Application, the disposition of which may impair or impede its ability to protect that interest. As stated in IEU-Ohio's Motion to Intervene, IEU-Ohio has already filed a Motion to Intervene in DEO's rate case proceedings (Case Nos. 07-829-GA-AIR, 07-830-GA-ALT, and 07-831-GA-AAM), with which DEO has sought to consolidate with its PIR Application. Motion to Consolidate, Case Nos. 07-830-GA-ALT et al. (February 22, 2008). However, because other parties are contesting DEO's Motion to Consolidate, IEU-Ohio files this Motion to Intervene out of an abundance of caution in the event that DEO's Motion to Consolidate is denied.

For the aforementioned reasons, IEU-Ohio has a direct, real, and substantial interest in the issues and matters involved in the PIR Application that will only be protected by its participation in this proceeding. Therefore, IEU-Ohio hereby 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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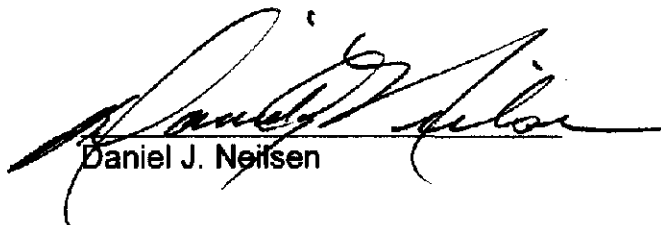
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**March 24, 2008**

**Attorneys for Industrial Energy Users-Ohio**

## CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing *Motion to Intervene of Industrial Energy Users-Ohio* and *Memorandum in Support* were served electronically and via first-class mail, postage prepaid, upon the following parties of record this 24<sup>th</sup> day of March 2008.



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ENVIRONMENTAL COALITION, THE  
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