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**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Duke Energy Ohio, Inc. for an Increase in Electric Distribution Rates.)	Case No. 08-709-EL-AIR
)	
In the Matter of the Application of Duke Energy Ohio, Inc. for Tariff Approval.)	Case No. 08-710-EL-ATA
)	
In the Matter of the Application of Duke Energy Ohio, Inc., for Approval to Change Accounting Methods.)	Case No. 08-711-EL-AAM
)	

**MOTION TO INTERVENE
OF
THE CITY OF CINCINNATI**

The City of Cincinnati ("Cincinnati" or "City") hereby moves, pursuant to Ohio Revised Code ("R.C.") Section 4903.221 and Ohio Administrative Code ("OAC") Rule 4901-1-11, to intervene in the above-captioned proceedings. As set forth in the Memorandum in Support, Cincinnati submits that it has a real and substantial interest in these proceedings, that it is so situated that the disposition of these proceedings without Cincinnati's participation may impair or impede its ability to protect that interest, and that its participation in these proceedings will contribute to a just result. Cincinnati further submits that no existing party represents its interest in these proceedings and that granting its motion to intervene will not unduly delay these proceedings or unjustly prejudice any existing party.

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MEMORANDUM IN SUPPORT

Cincinnati relies upon Duke Energy Ohio (“DE - Ohio”) to deliver the electric power necessary for various city-owned and/or operated governmental facilities that exclusively rely upon DE - Ohio for generation services. These facilities include the Greater Cincinnati Water Works, a department of the City, and the Metropolitan Sewer District of Greater Cincinnati, a sewer district owned by Hamilton County, but managed and operated by the City. In addition, the vast majority of Cincinnati residents rely upon DE - Ohio for the provision of their electric services. The applications filed by DE - Ohio, if granted by the Commission, will significantly impact the price paid by the City and its residents for electricity services.

Cincinnati also relies upon DE - Ohio to provide electric power and in certain cases equipment, maintenance and repair services for street lights throughout Cincinnati. Those street lights currently number in excess of 20,000 and provide illumination for the safety and security of the City, its residents and visitors. DE - Ohio is currently the sole provider of street lighting services to Cincinnati. The applications filed by DE - Ohio, if granted by the Commission, will impact the price paid by the City for street lighting electrification and the future availability of certain types of currently available street lighting services.

Finally, Cincinnati has a significant number of items that are attached to DE - Ohio poles and are located in or on DE - Ohio conduit or other DE - Ohio owned facilities within the geographic limits of the City. Those items as currently located provide for the general public convenience, Cincinnati’s governmental communications and the advancement of public safety. The applications filed by DE - Ohio, if granted by the Commission, will significantly impact the price paid and terms of use by Cincinnati for such pole attachment and conduit occupancy.

Consistent with the requirements of R.C. Section 4903.221 and OAC Rule 4901-1-11, Cincinnati is a real party in interest herein, whose interest is not now represented, who can make a contribution to these proceedings and who will not unduly delay these proceedings or prejudice any existing party. Cincinnati submits that its interest is not represented by existing parties; that it will contribute to the just and expeditious resolution of the issues and concerns raised in these proceedings; and that its participation in these proceedings will not cause undue delay or unjustly prejudice any existing party.

WHEREFORE, the City of Cincinnati respectfully requests that its motion to intervene in the above-captioned proceedings be granted.

Respectfully submitted on behalf of
CITY OF CINCINNATI



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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Motion to Intervene was served upon the parties of record listed below this 13th day of August 2008 *via* regular mail.


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