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BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO 2008 AUG 28 AM 11:10

In the Matter of the Application of Duke :
Energy Ohio for the Approval of an Electric : Case No. 08-0920-SSO
Security Plan. :

PUCO

In the Matter of the Application of Duke :
Energy Ohio for Approval to Amend : Case No. 08-0921-EL-AAM
Accounting Methods. :

In the Matter of the Application of Duke :
Energy Ohio for Approval of a Certificate :
Of Public Convenience and Necessity to : Case No. 08-0922-EL-UNC
Establish an Unavoidable Capacity :
Charge. :

In the Matter of the Application of Duke : Case No. 08-0923-EL-ATA
Energy Ohio for Approval to Amend its :
Tariff. :

MOTION TO INTERVENE

BY

THE NATURAL RESOURCES DEFENSE COUNCIL

The Natural Resources Defense Council ("NRDC") moves the Public Utilities Commission of Ohio ("Commission") for leave to intervene in both of the above styled cases pursuant to Sec. 4903.221 Revised Code of Ohio, and Rule 4901-1-11, of the Ohio Administrative Code, with full powers and rights granted by the Commission, specifically by statute or by the provisions of the Ohio Administrative Code, to intervening parties.

The NRDC provides the following Memorandum In Support of the foregoing Motion.

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Technician Sm Date Processed 8/28/08

MEMORANDUM IN SUPPORT OF MOTION

In support of this Motion to Intervene The Natural Resources Defense Council (“NRDC”) states that it is a non-profit environmental organization with over 30 years experience working on state energy policy, including utility regulation and energy efficiency. NRDC has a strong historical interest in ensuring that Ohio adopts environmentally sound and sustainable energy policies.

NRDC and its 12,600 members who live in Ohio are interested in promoting greater reliance on energy efficiency and renewable energy to meet Ohio’s energy needs.

NRDC seeks to intervene in this proceeding in order that its members’ interests in promoting energy efficiency and renewable energy resources are represented.

NRDC will bring significant expertise to bear in these proceedings. The Staff of NRDC and the witnesses it proposes to introduce have extensive history with the design and implementation of utilities programs and policies designed to deploy energy efficiency and renewable energy technologies to benefit the public.

NRDC has intervened and/or provided testimony on these issues in similar proceedings in a number of States including Illinois, Wisconsin, New York, Oregon, California, New Jersey, and Iowa, to name a few.

NRDC regularly presents testimony before Congress and various state legislatures related to the electric utility industry use of energy efficiency and renewable energy resources, utility rate design, utility planning and other topics relevant in this proceeding.

Many of the NRDC members are served by the Duke Energy Ohio that is the Applicant in this case. The NRDC has a real and substantial interest as these proceedings may directly or

indirectly impact the environment of the State of Ohio, and other areas of the United States, and the electric bills of its members in FirstEnergy's service area.

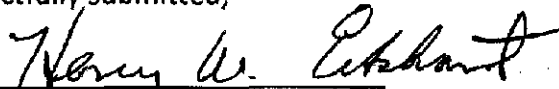
Intervention of NRDC will not unduly prolong or delay the proceedings.

Intervention of NRDC will significantly contribute to full development of the record in this case.

NRDC's particular interest is in regard to environmental issues and the developing of the Applicant's resource strategy which will not be fully represented by other existing parties.

WHEREFORE, The Natural Resources Defense Council respectfully requests that its Motion To Intervene be in full as aforesaid.

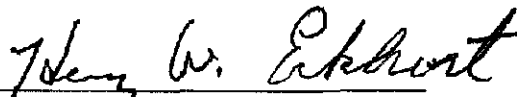
Respectfully submitted,



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CERTIFICATE OF SERVICE

The Undersigned hereby certifies that he has served a copy of the foregoing Motion to Intervene upon the parties on the attached list by ordinary first class mail, postage prepaid, this 28th day of August, 2008.


Henry W. Eckhart

CASE NUMBER: 08-0920-EL-SSO
CASE DESCRIPTION: DUKE ENERGY OHIO
DOCUMENT SIGNED ON: 8/28/2008
DATE OF SERVICE: _____

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*Indicates that filer has agreed to be automatically served via electronic mail.