

**FILE**

6

RECEIVED-BOOKING DIV

**BEFORE**  
**THE PUBLIC UTILITIES COMMISSION OF OHIO** 2009 APR 21 PM 4:45

In the Matter of the Application of Columbia )  
Gas of Ohio, Inc., for Approval of a General )  
Exemption of Certain Natural Gas Commodity )  
Sales Services or Ancillary Services from )  
Chapters 4905, 4909, and 4935 except )  
Sections 4905.10, 4935.01, and 4935.03, )  
And from specified sections of Chapter 4933 )  
Of the Revised Code. )

**PUCO**

Case No. 08-1344-GA-EXM

---

**MOTION TO INTERVENE AND MEMORANDUM IN SUPPORT OF  
THE TIMKEN COMPANY AND THE GLEN-GERY CORPORATION**

---

Lisa G. McAlister, Counsel of Record  
Joseph M. Clark  
MCNEES WALLACE & NURICK LLC  
21 East State Street, 17<sup>th</sup> Floor  
Columbus, OH 43215-4228  
Telephone: (614) 469-8000  
Telecopier: (614) 469-4653  
lmcaster@mwncmh.com  
jclark@mwncmh.com

**Attorneys for The Timken Company and  
The Glen-Gery Corporation**

{C27901:}

This is to certify that the images appearing are an  
accurate and complete reproduction of a case file  
document delivered in the regular course of business.  
Technician TM Date Processed 4/21/2009

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Columbia )  
Gas of Ohio, Inc., for Approval of a General )  
Exemption of Certain Natural Gas Commodity )  
Sales Services or Ancillary Services from )  
Chapters 4905, 4909, and 4935 except )  
Sections 4905.10, 4935.01, and 4935.03, )  
And from specified sections of Chapter 4933 )  
Of the Revised Code. )

Case No. 08-1344-GA-EXM

---

**MOTION TO INTERVENE AND MEMORANDUM IN SUPPORT OF  
THE TIMKEN COMPANY AND THE GLEN-GERY CORPORATION**

---

The Timken Company ("Timken") and The Glen-Gery Corporation ("Glen-Gery" hereinafter "Companies") 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 the above-captioned matter 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 January 30, 2009, Columbia Gas of Ohio, Inc. ("Columbia") filed an Application pursuant to Section 4929.04, Revised Code, to implement a wholesale auction procedure to secure its commodity sales supply ("Application").

As demonstrated further in the Memorandum in Support attached hereto and incorporated herein, Companies have a direct, real, and substantial interest in the issues and matters involved in the above-captioned proceedings, and are so situated that the disposition of these proceedings may, as a practical matter, impair or impede their ability to protect that interest. Companies believe that their participation will not

unduly prolong or delay these proceedings and that it will significantly contribute to the full development and equitable resolution of the factual and other issues in these proceedings. The interests of Companies will not be adequately represented by other parties to the proceedings and, as such, Companies are 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.

Respectfully submitted,



Lisa G. McAlister (Counsel of Record)

Joseph M. Clark

MCNEES WALLACE & NURICK LLC

21 East State Street, 17<sup>th</sup> Floor

Columbus, OH 43215-4228

Telephone: (614) 469-8000

Telecopier: (614) 469-4653

lmcaster@mwncmh.com

jclark@mwncmh.com

**Attorneys for The Timken Company and  
The Glen-Gery Corporation**

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Columbia )  
Gas of Ohio, Inc., for Approval of a General )  
Exemption of Certain Natural Gas Commodity )  
Sales Services or Ancillary Services from )  
Chapters 4905, 4909, and 4935 except )  
Sections 4905.10, 4935.01, and 4935.03, )  
And from specified sections of Chapter 4933 )  
Of the Revised Code. )

Case No. 08-1344-GA-EXM

---

**MEMORANDUM IN SUPPORT**

---

In support of this Motion to Intervene, Companies state that they are industrial customers of Columbia and purchase substantial amounts of natural gas and related services from Columbia, which is a public utility subject to the Commission's jurisdiction.

Companies work individually and with other entities to address matters that affect the availability and price of utility services. Additionally, Companies seek to promote customer-driven policies that will assure an adequate, reliable, and efficient supply of energy for all consumers at competitive prices. To this end, Companies have worked and will continue to work to produce legislative, regulatory, and market outcomes that are consistent with the state policy contained in Section 4928.02, Revised Code.

Specifically, Timken, which has been headquartered in Canton, Ohio since 1901, is a leading manufacturer of highly engineered bearings, alloy and specialty steels and components, and related products and services.

Glen-Gery is the largest molded brick and fifth largest brick manufacturer in the United States of America. Glen-Gery operates 10 manufacturing facilities throughout the east and Midwest regions of the United States. Its diverse product line of over 300

products includes extruded, machine molded and glazed face brick, brick pavers, and a complete assortment of brick shapes and custom shape units. Glen-Gery's brick making capacity is 620 million, and their products are sold in 43 states.

Companies have a direct, real, and substantial interest in the issues and matters involved in the above-captioned proceeding, and are so situated that the disposition of this proceeding may, as a practical matter, impair or impede its ability to protect that interest.

Companies believe that their participation in this proceeding will not cause undue delay, will not unjustly prejudice any existing party, and will contribute to the just and expeditious resolution of the issues and concerns raised in this proceeding. The interests of Companies will not be adequately represented by other parties to the proceeding and, as such, Companies are entitled to intervene in this proceeding 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.

For the reasons stated herein, Companies respectfully request that the Commission grant its Motion to Intervene.

Respectfully submitted,



---

Lisa G. McAlister (Counsel of Record)

Joseph M. Clark

McNEES WALLACE & NURICK LLC

Fifth Third Center

21 East State Street, 17<sup>th</sup> Floor

Columbus, OH 43215-4228

Telephone: (614) 469-8000

Telecopier: (614) 469-4653

**Attorneys for The Timken Company and  
The Glen-Gery Corporation**

## CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing *Motion to Intervene and Memorandum in Support of The Timken Company and The Glen-Gery Corporation* was served upon the following parties of record this 21<sup>st</sup> day of April, 3009 via first class mail, postage prepaid.

  
LISA G. MCALISTER

Stephen B. Seiple  
Daniel A. Creekmur  
200 Civic Center Drive  
P.O. Box 117  
Columbus, Ohio 43216-0117

**ON BEHALF OF COLUMBIA GAS OF OHIO, INC.**

David F. Boehm  
Michael L. Kurtz  
BOEHM, KURTZ & LOWRY  
36 East Seventh Street  
Suite 1510  
Cincinnati, Ohio 45202

**ON BEHALF OF OHIO ENERGY GROUP AND ALLIED INDUSTRIES**

Steven M. Sherman  
Krieg DeVault LLP  
One Indiana Square, Suite 2800  
Indianapolis, Indiana 46204-2079

**ON BEHALF OF PROLIANCE ENERGY, LLC**

John M. Dosker, General Counsel  
1077 Celestial Street, Suite 110  
Cincinnati, Ohio 45202-1629

**ON BEHALF OF STAND ENERGY CORPORATION**

Larry Gearhardt  
Chief Legal Counsel  
280 North High Street, P.O. Box 182383  
Columbus, OH 43218-2383

**ON BEHALF OF OHIO FARM BUREAU FEDERATION**

Janine L. Midgen-Ostrander  
Consumers' Counsel  
Larry S. Sauer  
Joseph P. Serio  
Assistant Consumers' Counsel  
10 West Broad Street, Suite 1800  
Columbus, Ohio 43215-3485

**ON BEHALF OF THE OFFICE OF THE OHIO CONSUMERS' COUNSEL**

M. Howard Petricoff  
Stephen M. Howard  
52 East Gay Street  
Columbus, Ohio 43216-1008

**ON BEHALF OF THE OHIO GAS MARKETERS GROUP**

David C. Rinebolt  
Colleen L. Mooney  
Ohio Partners for Affordable Energy  
231 West Lima Street  
P.O. Box 1793  
Findlay, OH 45839-1793

**ON BEHALF OF OHIO PARTNERS FOR AFFORDABLE ENERGY**

Glenn S. Krassen  
BRICKER & ECKLER LLP  
1375 East Ninth Street  
Suite 1500  
Cleveland, Ohio 44114

E. Brett Breitschwerdt  
BRICKER & ECKLER LLP  
100 South Third Street  
Columbus, Ohio 43215

**ON BEHALF OF OHIO SCHOOLS COUNCIL**