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**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

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In the Matter of the Application of Ormet)
Primary Aluminum Corporation for)
Approval of a Unique Arrangement with) Case No. 09-119-EL-AEC
Ohio Power Company and Columbus)
Southern Power Company)

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

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April 28, 2009

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{C27955;3}

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MOTION TO INTERVENE OF INDUSTRIAL ENERGY USERS-OHIO

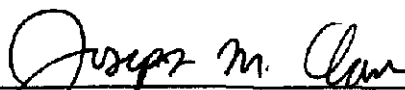
Industrial Energy Users-Ohio ("IEU-Ohio") hereby respectfully moves the Public Utilities Commission of Ohio ("Commission"), pursuant to Section 4903.221, Revised Code, and Rule 4901-1-11, Ohio Administrative Code, for leave to intervene in the above-captioned matter with the full powers and rights granted by the Commission, specifically by statute or by the provisions of the Ohio Administrative Code, to intervening parties.

On February 17, 2009, Ormet Primary Aluminum Corporation ("Ormet") filed an Application for Commission approval of a reasonable arrangement with Ohio Power Company ("OP") and Columbus Southern Power ("CSP") (collectively, "American Electric Power" or "AEP"). Ormet filed an Amended Application on April 10, 2009.

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 above-captioned proceeding, and is so situated that the disposition of this proceeding may, as a practical matter, impair or impede its ability to protect that interest. 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 proceeding 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.

Respectfully submitted,



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MEMORANDUM IN SUPPORT

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.ieuohio.org/member_list.aspx. IEU-Ohio's members purchase substantial amounts of electric and related services from AEP, which is a public utility subject to the jurisdiction of the Commission.

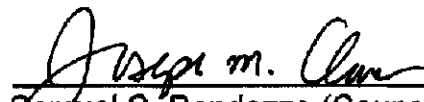
IEU-Ohio's members work together to address matters that affect the availability and price of utility services. Additionally, IEU-Ohio seeks to promote customer-driven policies that will assure an adequate, reliable, and efficient supply of energy for all consumers at competitive prices. To this end, IEU-Ohio has 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.

IEU-Ohio members have been, and continue to be, active participants in state and federal regulatory proceedings concerning Ohio's electric utilities, including AEP. Ormet's instant Application requests full recovery of all revenues lost by entering into

the reasonable arrangement with Ormet from other AEP customers.¹ Ormet notes that AEP's support for Ormet's Application is contingent on AEP recovering such lost revenues.² Many of IEU-Ohio's member companies are served by AEP and may be affected by the Commission's orders in this proceeding to the extent the Commission permits AEP to recover lost revenues associated with the Ormet reasonable arrangement. Therefore, IEU-Ohio has a real and substantial interest³ inasmuch as this proceeding may directly or indirectly impact the provision of electric service to IEU-Ohio members' manufacturing facilities.

For the reasons stated herein, IEU-Ohio respectfully requests that the Commission grant IEU-Ohio's Motion to Intervene.

Respectfully submitted,



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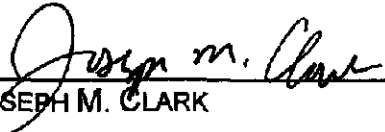
¹ Amended Application at 8 (April 10, 2009).

² *Id.*

³ The Ohio Supreme Court has advised that "intervention ought to be liberally allowed so that the positions of all persons with a real and substantial interest" in a proceeding can be considered by the Commission. *Ohio Consumers' Counsel v. Pub. Util. Comm.*, 111 Ohio St.3d 384, 2006-Ohio-5853, ¶20.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing *Motion to Intervene of the Industrial Energy Users-Ohio* and *Memorandum in Support* was served upon the following parties of record this 28th day of April 2009, via electronic transmission, hand-delivery or first class mail, postage prepaid.


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