

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of Akron)
 Thermal, Limited Partnership for an) Case No. 09-453-HT-AEM
 Emergency Increase in its Rates and Charges)
 for Steam and Hot Water Service.)

In the Matter of the Application of Akron)
 Thermal, Limited Partnership for Approval) Case No. 09-442-HT-AEC
 of a Modification to an Existing)
 Arrangement.)

In the Matter of the Application of Akron)
 Thermal, Limited Partnership for Approval) Case No. 09-441-HT-AEC
 of an Arrangement with an Existing)
 Customer.)

In the Matter of the Application of Akron)
 Thermal, Limited Partnership to Issue Three) Case No. 09-414-HT-AIS
 Promissory Long-Term Notes.)

In the Matter of the Application of Akron)
 Thermal, Limited Partnership for Approval) Case No. 09-315-HT-ATA
 of Revised Tariffs.)

ENTRY

The attorney examiner finds:

- (1) On June 17, 2009, the Commission issued an entry that consolidated the above-captioned cases, scheduled a public hearing for July 15, 2009, and directed the applicant in all of these cases, Akron Thermal, Limited Partnership (Akron Thermal), to provide notice of the applications and the hearing.
- (2) Motions to intervene were filed in Case No. 09-453-HT-AEM by the city of Akron; Children's Hospital Medical Center of Akron; Canal Place, LTD; the County of Summit Ohio; and Community Hall Foundation, Inc. dba The Akron Civic Theatre.

- (3) Section 4903.221, Revised Code, states that any person who may be adversely affected by a Commission proceeding may seek to intervene. Rule 4901-1-11, Ohio Administrative Code (O.A.C.), requires that the person demonstrate, among other things, a real and substantial interest in the proceeding, the extent to which the person's interest is represented by existing parties, and that the person's interest will not unduly delay the proceeding. There is no opposition to any of the motions to intervene. The attorney examiner finds that all of the movants have satisfied the requirements of Section 4903.221, Revised Code, and Rule 4901-1-11, O.A.C., and therefore, each of these motions to intervene should be granted. Furthermore, because the above-captioned cases have been consolidated, the grant of intervention shall apply to all of the consolidated cases.
- (4) Finally, on July 8, 2009, a motion was made to admit Thomas Mullooly to practice *pro hac vice* on behalf of Akron Thermal in these proceedings before the Commission. There was no opposition to this motion. The motion shall be granted.

It is, therefore,

ORDERED, That the motions to intervene filed by the city of Akron; Children's Hospital Medical Center of Akron; Canal Place, LTD; the County of Summit Ohio; and Community Hall Foundation, Inc. dba The Akron Civic Theatre be granted. It is, further,

ORDERED, That the motion to admit Thomas Mullooly to practice *pro hac vice* on behalf of Akron Thermal in these proceedings before the Commission be granted. It is, further,

ORDERED, That a copy of this entry be served upon all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO



By: Scott E. Farkas
Attorney Examiner

grg
geb

Entered in the Journal

JUL 10 2009



Renee J. Jenkins
Secretary