

FILE

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Via Overnight Mail

July 10, 2009

Public Utilities Commission of Ohio
PUCO Docketing
180 E. Broad Street, 10th Floor
Columbus, Ohio 43215

In re: Case No. 09-535-EL-EEC, 09-536-EL-EEC and 09-537-EL-EEC

Dear Sir/Madam:

Please find enclosed an original and twenty (20) copies of THE OHIO ENERGY GROUP'S MOTION FOR LEAVE TO INTERVENE AND MEMORANDUM IN SUPPORT filed today in the above-referenced matter.

Copies have been served on all parties on the attached certificate of service. Please place this document of file.

Respectfully yours,



David F. Boehm, Esq.
Michael L. Kurtz, Esq.
BOEHM, KURTZ & LOWRY

MLKkew
Encl.
Cc: Certificate of Service

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CERTIFICATE OF SERVICE

I hereby certify that true copy of the foregoing was served by electronic mail (when available) or ordinary mail, unless otherwise noted, this 10TH day of July, 2009 the following:

A handwritten signature in cursive script, appearing to read "Michael L. Kurtz", is written over a horizontal line.

David F. Boehm, Esq.
Michael L. Kurtz, Esq.

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AKRON OH 44308

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AKRON OH 44308-1890

**BEFORE THE
PUBLIC UTILITY COMMISSION OF OHIO**

In The Matter Of The Energy Efficiency and Peak	:	
Demand Reduction Program Portfolio of Ohio	:	Case Nos. 09-535-EL-EEC
Edison Company, The Cleveland Electric	:	09-536-EL-EEC
Illuminating Company And The Toledo Edison	:	09-537-EL-EEC
Company	:	
	:	

**THE OHIO ENERGY GROUP'S
MOTION FOR LEAVE TO INTERVENE**

Pursuant to the Ohio Rev. Code §4903.22.1 and Ohio Admin. Code §4901-1-11, the Ohio Energy Group. ("OEG") moves for leave to intervene in this proceeding. The Public Utility Commission of Ohio ("Commission") should grant OEG leave to intervene because OEG has a real and substantial interest in the proceeding, and the Commission's disposition of this proceeding may impair or impede OEG's ability to protect that interest.

Respectfully submitted,



David F. Boehm, Esq.

Michael L. Kurtz, Esq.

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July 10, 2009

COUNSEL FOR OHIO ENERGY GROUP

**BEFORE THE
PUBLIC UTILITY COMMISSION OF OHIO**

In The Matter Of The Energy Efficiency and Peak	:	
Demand Reduction Program Portfolio of Ohio	:	Case Nos. 09-535-EL-EEC
Edison Company, The Cleveland Electric	:	09-536-EL-EEC
Illuminating Company And The Toledo Edison	:	09-537-EL-EEC
Company	:	
	:	

**MEMORANDUM IN SUPPORT OF
THE OHIO ENERGY GROUP'S
MOTION TO INTERVENE**

Pursuant to Ohio Rev. Code §4903.22.1 and Ohio Admin. Code §4901-01-11, the Public Utility Commission of Ohio ("Commission") should grant The OEG Co. ("OEG") leave to intervene in this proceeding.

OEG is a non-profit entity organized to represent the interests of large industrial customers in electric and gas regulatory proceedings before the Public Utility Commission of Ohio ("Commission"). OEG's members who are participating in this intervention are: Air Products and Chemicals, Inc., AK Steel Corporation, Aleris International, Inc., Alcoa Inc., ArcelorMittal USA, BP-Husky Refining, LLC, Brush Wellman, Inc., Charter Steel, Chrysler LLC, E.I. DuPont deNemours & Company, Ford Motor Company, Johns Manville, Linde, Inc., North Star BlueScope Steel, LLC, PPG Industries, Inc., Republic Engineered Products, Inc., Sunoco, Inc. (R&M) and Worthington Industries. These companies purchase electric services from Toledo Edison, Ohio Edison, and Cleveland Electric Illuminating. Therefore, the interests of OEG's members may be directly affected by the outcome of this proceeding. OEG intends to play a constructive role in this case and provide information which will assist the Commission.

No other party to this proceeding can adequately represent OEG's interest. Intervention would not unduly delay the proceeding nor unjustly prejudice any existing party.

Accordingly, OEG has a real and substantial interest and is entitled to intervene in this action under Ohio Rev. Code §4903.22.1 and Ohio Admin. Code §4901-1-11.

Respectfully submitted,



David F. Boehm, Esq.

Michael L. Kurtz, Esq.

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COUNSEL FOR THE OHIO ENERGY GROUP

July 10, 2009