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FROM • Emma F. Hand

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RE: In the Matter of the Application of Columbus Southern Power Company and Ohio Power Company to Recover Commission-Authorized Deferrals Through Each Company's Fuel Adjustment Clause, Case No. 09-1094-EL-FAC and Case No. 09-1094-EL-FAC.

Enclosed for electronic filing are the Motion to Intervene of Ormet Primary Aluminum Corporation and the Motion for Admission *Pro Hac Vice* of Clinton A. Vince, Douglas G. Bonner, Daniel D. Barnowski and Emma F. Hand.

Document Originator Emma Hand 202-408-7094

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**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

**In the Matter of the Application of
Columbus Southern Power Company and
Ohio Power Company to Recover
Commission-Authorized Deferrals
Through Each Company's Fuel
Adjustment Clause.**

Case No. 09-1094-EL-FAC

**MOTION TO INTERVENE OF
ORMET PRIMARY ALUMINUM CORPORATION**

Ormet Primary Aluminum Corporation ("Ormet") hereby respectfully moves to intervene in the above-captioned matter pursuant to Ohio Revised Code Section 4903.221 and Section 4901-1-11 of the Commission's Code of Rules and Regulations, with full powers and rights granted by the Commission specifically, by statute, or by the provisions of the Commission's Code of Rules and Regulations to intervening parties. The reasons for granting this motion are contained in the memorandum attached hereto and incorporated herein.

Respectfully submitted,



Clinton A. Vince, Counsel of Record
Douglas G. Bonner
Daniel D. Barnowski
Emma F. Hand
Keith C. Nusbaum (#0082745)
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*Attorneys for Ormet Primary Aluminum
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Dated: November 25, 2009

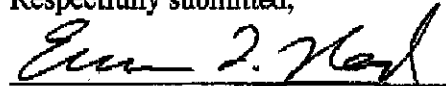
In deciding whether to permit intervention under Section 4901-1-11(B), the Commission considers:

- (1) The nature and extent of the prospective intervenor's interest.
- (2) The legal position advanced by the prospective intervenor and its probable relation to the merits of the case.
- (3) Whether the intervention by the prospective intervenor will unduly prolong or delay the proceedings.
- (4) Whether the prospective intervenor will significantly contribute to the full development and equitable resolution of the factual issues.
- (5) The extent to which the person's interest is represented by existing parties.

As described above, Ormet is the other party to the Interim Agreement and has a real interest in any proceeding with the potential to affect that contract. Ormet's unique relationship with AEP will also assist in the full development and equitable resolution of the factual issues and indicates that no other party can adequately represent Ormet's interest in these proceedings. Ormet's intervention is timely and will not unduly prolong or delay the proceedings.

WHEREFORE, Ormet respectfully requests that the Commission grant its motion to intervene in this proceeding.

Respectfully submitted,



Clinton A. Vince, Counsel of Record
Douglas G. Bonner
Daniel D. Barnowski
Emma F. Hand
Keith C. Nusbaum (#0082745)
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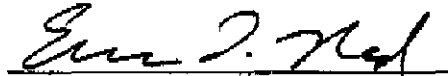
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*Attorneys for Ormet Primary Aluminum
Corporation*

Dated: November 25, 2009

CERTIFICATE OF SERVICE

I hereby certify that a copy of Ormet Primary Aluminum Corporation's Motion to Intervene and Memorandum in Support were served by U.S. Mail upon counsel identified below for all parties of record this 25th day of November, 2009.


Emma F. Hand

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**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

**In the Matter of the Application of
Columbus Southern Power Company and
Ohio Power Company to Recover
Commission-Authorized Deferrals
Through Each Company's Fuel
Adjustment Clause.**

Case No. 09-1094-EL-FAC

**MOTION FOR ADMISSION *PRO HAC VICE* OF
CLINTON A. VINCE, DOUGLAS G. BONNER, DANIEL D. BARNOWSKI
AND EMMA F. HAND**

Pursuant to Section 4901-1-08(B) of the Ohio Administrative Code, Keith C. Nusbaum (#0082745), an attorney licensed to practice law in the State of Ohio in good standing, respectfully petitions the Public Utilities Commission of Ohio ("Commission") to permit Clinton A. Vince, Douglas G. Bonner, Daniel D. Barnowski, and Emma F. Hand to practice *pro hac vice* before the Commission in the captioned proceeding. Mr. Vince, Mr. Bonner, Mr. Barnowski and Ms. Hand represent Ormet Primary Aluminum Corporation, an industrial customer of Columbus Southern Power Company and Ohio Power Company.

Mr. Vince was graduated from the Georgetown University Law Center in 1974. Mr. Vince is an active member in good standing of the District of Columbia Bar (#223594) and the New York Bar (#3805892), and has been admitted to the Supreme Court of the United States, the United States Courts of Appeal for the First, Second, Fourth, Fifth, Eighth, Tenth, Eleventh and D.C. Circuits and the District of Columbia and New York federal district courts. Mr. Vince has practiced energy law continuously since being admitted to the New York Bar in 1975.

Mr. Bonner was graduated from Catholic University Law School in 1983. Mr. Bonner is an active member in good standing in the District of Columbia Bar (#384060) and the Florida Bar (#376825), and has been admitted to the United States Courts of Appeal for the Fifth, Ninth,

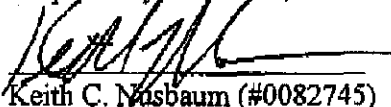
Eleventh, and D.C. Circuits and the District of Columbia and Southern and Middle District of Florida federal district courts. Mr. Bonner has practiced law continuously since being admitted to the Florida Bar in 1983, and has over 16 years experience representing regulated utilities in administrative and litigation matters.

Mr. Barnowski was graduated from the University of Michigan Law School in 1995. Mr. Barnowski is an active member in good standing of the District of Columbia Bar (# 457108) and an inactive member of the Arizona Bar (# 16364), and has been admitted to the United States Courts of Appeal for the Fifth Circuit and the District of Columbia and District of Arizona federal district courts. Mr. Barnowski has practiced law continuously since being admitted to the Arizona Bar in 1995, and has experience representing regulated utilities in administrative and litigation matters.

Ms. Hand was graduated from the Georgetown University Law Center in 2001. She is an active member in good standing of the Virginia Bar (#46272) and the District of Columbia Bar (#4760001), and is admitted to the United States Courts of Appeal for the Fourth, Ninth and D.C. Circuits and the United States District Court for the District of Columbia. Ms. Hand has practiced energy law continuously since she was admitted to the Virginia Bar in 2001.

WHEREFORE, Keith C. Nusbaum respectfully requests that Clinton A. Vince, Douglas G. Bonner, Daniel D. Barnowski and Emma F. Hand be permitted to practice before the Commission in the aforementioned proceedings.

Respectfully submitted,



Keith C. Nusbaum (#0082745)
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Dated: November 25, 2009

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing Motion to Admit *Pro Hac Vice* has been served upon the below-named persons via regular U.S. Mail Service, postage prepaid, this 25th day of November, 2009.



Emma F. Hand

Attorney for Ormet Primary Aluminum Corporation

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