

FILE

BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Fuel Adjustment Clauses ) Case No. 09-872-EL-FAC  
for Columbus Southern Power Company and ) Case No. 09-873-EL-FAC  
Ohio Power Company. )

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

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December 11, 2009

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**MOTION TO INTERVENE**

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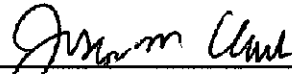
Industrial Energy Users-Ohio ("IEU-Ohio") hereby respectfully moves the Public Utilities Commission of Ohio ("Commission"), pursuant to Section 4903.221, Revised Code, and Rule 4901-1-11, Ohio Administrative Code ("O.A.C."), for leave to intervene in the above-captioned matters with the full powers and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

On September 30, 2009, Columbus Southern Power Company and Ohio Power Company (collectively, "AEP-Ohio's" or "Companies") opened Case Nos. 09-872-EL-FAC and 09-873-EL-FAC to make quarterly filings regarding their respective fuel adjustment clauses ("FAC"). The Companies' initial adjustment filings did not request a change in FAC rates. On December 1, 2009, the Companies made FAC filings requesting to adjust their respective FAC rates for the first quarter of 2010.

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 proceedings, and is so situated that the disposition of these proceedings 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 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 IEU-Ohio will not be adequately represented by other parties to the proceedings 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 O.A.C., to intervening parties.

Respectfully submitted,



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**MEMORANDUM IN SUPPORT**

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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.ieu-ohio.org/member\\_list.aspx](http://www.ieu-ohio.org/member_list.aspx). IEU-Ohio's members purchase electricity from the Companies, which is a public utility subject to the jurisdiction of the Commission.

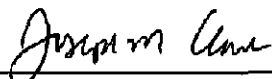
IEU-Ohio's members work together to address matters that affect the availability and price of utility services. Additionally, IEU-Ohio seeks to promote customer-driven policies that will assure an adequate, reliable, and efficient supply of energy for all consumers at competitive prices. To this end,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

A portion of IEU-Ohio's member companies are served by the Companies and may be affected by the Companies' proposed changes to their FAC rates. The Companies' proposal may result in increases to the rates charged to IEU-Ohio members for electric service as well as impact the quality of service that IEU-Ohio members receive from the Companies. This potential vests the Companies with a direct, real, and substantial interest in the issues and matters involved in the

above-captioned proceedings, the disposition of which may impair or impede its ability to protect that interest.

For the aforementioned reasons, IEU-Ohio has a direct, real, and substantial interest in the issues and matters involved in the above-captioned proceedings that will only be protected by its participation in these proceedings. Therefore, IEU-Ohio hereby requests that the Commission grant its intervention with the full powers and rights granted by the Commission, specifically by statute and by the provisions of the O.A.C., to intervening parties.

Respectfully submitted,



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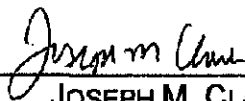
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## CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing *Motion to Intervene and Memorandum in Support of Industrial Energy Users-Ohio* was served upon the following parties of record this 11th day of December 2009, via first class mail, postage prepaid.



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