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BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO MAY 26 PM 1:25

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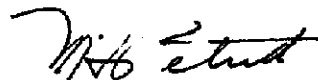
In the Matter of the Application	)	
of Columbus Southern Power	)	
Company to Amend its Emergency	)	
Curtailment Service Riders	)	Case No. 10-343-EL-ATA
In the Matter of the Application	)	Case No. 10-344-EL-ATA
of Ohio Power Company	)	
to Amend its Emergency Curtailment	)	
Service Riders	)	

**MOTION FOR LEAVE TO INTERVENE OF  
HESS CORPORATION**

Now comes Hess Corporation ("Hess"), who, pursuant to Section 4903.221, Revised Code and Rule 4901-1-11 of the Ohio Administrative Code, moves for intervention in the above styled proceeding as a full party of record. The reasons supporting the intervention are contained in the accompanying Memorandum in Support.

WHEREFORE, Hess for the reasons detailed in the accompanying Memorandum in Support respectfully requests that the Commission grant this joint motion for leave to intervene and that Hess Corporation be made a full party of record.

Respectfully Submitted,



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**MEMORANDUM IN SUPPORT OF  
THE MOTION TO INTERVENE OF  
HESS CORPORATION**

On May 10, 2010 the Attorney Examiner by Entry in the above styled proceeding called for any interested party to intervene or file comments on or before May 28, 2010. In accordance with the Attorney Examiner's Entry Hess Corporation ("Hess") seeks intervention as a full party of record. Hess is a certificated competitive retail electric service provider in Ohio ("CRES")<sup>1</sup>, and a Curtailment Service Provider on the PJM system providing demand response and other services to Ohio retail customers. The programs proposed by Ohio Power and Columbus Southern Power will directly compete with the load management products offered by Hess.

Section 4903.221, Revised Code and Rule 4901-1-11 of the Ohio Administrative Code, establish the standard for intervention in the above-styled proceeding as a full party of record.

Rule 4901-1-11 of the Ohio Administrative Code states in part:

Upon timely motion, any person shall be permitted to intervene in a proceeding upon a showing that:

\* \* \*

(2) The person has a real and substantial interest in the proceeding, and the person is so situated that the disposition of the proceeding may, as a practical matter, impair or impede his or her ability to protect that interest, unless the person's interest is adequately represented by existing parties.

In addition to establishment of a direct interest, the factors that the Public Utilities Commission of Ohio (the "Commission") considers in implementing the above rule are the nature of the intervenor's interest, the extent that interest is represented by existing parties, the intervenor's potential contribution to a just and expeditious resolution of the issues involved, and whether intervention would result in an undue delay of the proceeding. (See also R.C.

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<sup>1</sup> In Re Hess Corporation Case No. 10-458-EL-CRS

4903.221(B) upon which the above rule is authorized). A review of these factors in light of following facts supports granting Hess' intervention.

Hess is a leading total energy provider in the Eastern United States. Hess is a retail electricity and demand response provider operating on each of the PJM, NYISO and ISO-NE ISOs/RTOs. Across its electric marketing footprint Hess serves retail electricity to approximately 4,000 commercial and industrial customers located in 11 states and 36 electric distribution companies service territories, and provides demand response services to over 500 customers.. In the instant matter, the Columbus Southern Power Company and the Ohio Power Company (collectively, "AEP") filed an application (the "Application") seeking approval of the AEP's Emergency Curtailment Service Riders and a Second demand response program involving conditional approval of retail participation in PJM Demand Response Programs.

Hess has business interests in the State that will be affected by the outcome of the proceeding. As a certificated CRES provider in the State and a CSP across PJM, Hess has capability of providing conservation service as a part of or independent of generation. This motion for intervention precedes the May 28, 2010 deadline established by the May 10, 2010 Entry. Thus, the intervention is timely and should not unduly delay the instant proceedings. Finally, because of its unique expertise and participation in the competitive retail, wholesale and demand response markets in Ohio and across the country, Hess will be able to assist in the development of a full and complete record to assist the Commission in its consideration of the Application.

WHEREFORE, Hess respectfully requests that the Commission grant this motion for leave to intervene and that Hess be made a full party of record. For purposes of receiving service in these proceedings, in addition to the undersigned, Hess requests that the following persons be placed on the official service list:

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## CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and accurate copy of the foregoing documents was served this 26<sup>th</sup> day of May, 2010 by regular U.S. mail, postage prepaid, or by electronic mail, upon the persons listed below.



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