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Via Overnight Mail

December 13, 2010

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

In re: <u>Case No. 10-2929-EL-UNC</u>

Dear Sir/Madam:

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

Please place this document of file.

Respectfully yours,

David F. Boehm, Esq.

Michael L. Kurtz, Esq.

BOEHM, KURTZ & LOWRY

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BEFORE THE PUBLIC UTILITY COMMISSION OF OHIO

In The Matter Of The Commission Review of the Capacity Charges of Ohio Power Company and Columbus Southern Power Company

Case No. 10-2929-EL-UNC

MOTION TO INTERVENTION OF THE THE OHIO ENERGY GROUP

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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December 13, 2010

COUNSEL FOR THE OHIO ENERGY GROUP

BEFORE THE PUBLIC UTILITY COMMISSION OF OHIO

In The Matter Of The Commission Review of the Capacity Charges of Ohio Power Company and Columbus Southern Power Company

Case No. 10-2929-EL-UNC

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

Pursuant to Ohio Rev. Code §4903.22.1 and Ohio Admin. Code §4901-1-11, the Ohio Energy Group (OEG) files this Memorandum in Support of Motion to Intervene.

OEG is a non-profit entity organized to represent the interests of large industrial and commercial 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: Aleris International, Inc., Amsted Rail Company, Inc., AK Steel Corporation, ArcelorMittal, USA, BP-Husky Refining, LLC, E.I. DuPont de Nemours & Company, Ford Motor Company, GE Aviation, Procter & Gamble Co., Linde, Inc., Praxair Inc., PPG Industries, Inc., Severstal Wheeling and Worthington Industries. These companies purchase large amounts of electric power services from Columbus Southern Power and Ohio Power Company. Therefore, the interests of OEG's members may be directly affected by the outcome of this proceeding. The interests of OEG cannot be adequately represented by any other party. 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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December 13, 2010

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