

FILE

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BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

2011 JAN 18 AM 11:29

In the Matter of the Application of)
Columbus Southern Power Company)
for Approval of a Mechanism to Recover)
Costs in Relation to the Department of)
Development's Update to the Percentage of)
Income Payment Plan Plus and Deferral Costs.)

Case No. 11-148-EL-RDR

FILED

In the Matter of the Application of)
Ohio Power Company)
for Approval of a Mechanism to Recover)
Costs in Relation to the Department of)
Development's Update to the Percentage of)
Income Payment Plan Plus and Deferral Costs.)

Case No. 11-149-EL-RDR

**OHIO PARTNERS FOR AFFORDABLE ENERGY'S
MOTION TO INTERVENE
AND MEMORANDUM IN SUPPORT**

Ohio Partners for Affordable Energy ("OPAE") hereby respectfully moves the Public Utilities Commission of Ohio ("Commission") for leave to intervene in the above-captioned matters pursuant to R.C. §4903.221 and Section 4901-1-11 of the Commission's Code of Rules and Regulations. The reasons for granting this motion are contained in the memorandum attached hereto and incorporated herein.

Respectfully submitted,

Colleen L. Mooney *DR*

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MEMORANDUM IN SUPPORT OF MOTION TO INTERVENE

Ohio Partners for Affordable Energy ("OPAE") should be permitted to intervene in these matters pursuant to Section 4903.22.1, Revised Code, and the Commission's Rules and Regulations contained in Rule 4901-01-11 of the Ohio Administrative Code. The above-referenced matters concern the applications of Columbus Southern Power Company and Ohio Power Company (together, "Companies") for approval of a mechanism to recover costs associated with the Ohio Department of Development's update to the Percentage of Income Payment Plan Plus ("PIPP") and deferral of costs.

In determining whether to permit intervention, the following criteria are to be considered: the nature of the person's interest; the extent to which that interest is represented by existing parties; the person's potential contribution to a just and expeditious resolution of the proceeding; and, whether granting the intervention will unduly delay or unjustly prejudice any existing party. OPAE meets all four criteria for intervention in these matters.

OPAE is an Ohio corporation with a stated purpose of advocating for affordable energy policies for low and moderate income Ohioans; as such, OPAE has a real and substantial interest in these proceedings, which concern the recovery of costs associated with the PIPP programs of the Companies. Additionally, OPAE includes as members non-profit organizations located in the service areas that will be affected by these proceedings.¹ Moreover, many of OPAE's members are community action agencies. Under the federal legislation authorizing the creation and funding of these agencies, originally known as the Economic Opportunity Act of 1964, community action is charged with advocating for low-income residents of their communities.²

OPAE also provides essential services in the form of bill payment assistance programs and weatherization and energy efficiency services to low income

¹ A list of OPAE members can be found on the website: www.ohiopartners.org.

² See 42 U.S.C. 672:

The purposes of this subtitle are--

(1) to provide assistance to States and local communities, working through a network of community action agencies and other neighborhood-based organizations, for the reduction of poverty, the revitalization of low-income communities, and the empowerment of low-income families and individuals in rural and urban areas to become fully self-sufficient (particularly families who are attempting to transition off a State program carried out under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.)); and

(2) to accomplish the goals described in paragraph (1) through--

(A) the strengthening of community capabilities for planning and coordinating the use of a broad range of Federal, State, local, and other assistance (including private resources) related to the elimination of poverty, so that this assistance can be used in a manner responsive to local needs and conditions;

(B) the organization of a range of services related to the needs of low-income families and individuals, so that these services may have a measurable and potentially major impact on the causes of poverty in the community and may help the families and individuals to achieve self-sufficiency;

(C) the greater use of innovative and effective community-based approaches to attacking the causes and effects of poverty and of community breakdown;

(D) the maximum participation of residents of the low-income communities and members of the groups served by programs assisted through the block grants made under this subtitle to empower such residents and members to respond to the unique problems and needs within their communities; and

(E) the broadening of the resource base of programs directed to the elimination of poverty so as to secure a more active role in the provision of services for--

(i) private, religious, charitable, and neighborhood-based organizations; and

(ii) individual citizens, and business, labor, and professional groups, who are able to influence the quantity and quality of opportunities and services for the poor.

customers of the Companies. OPAE members are also ratepayers of the Companies. Further, OPAE has been recognized by the Commission in the past as an advocate for consumers and particularly low-income consumers, all of whom will be affected by the outcome of these proceedings.

OPAE's primary interest in this case is to protect the interests of low and moderate income Ohioans and OPAE members whose provision of electric service will be affected by these proceedings. The Companies claim that there will be a risk of non-collection because they will no longer be reimbursed for the portion of the customer's usage which is actually billed to the customer but not paid to the customer. The Companies estimate that the unpaid customer portion could result in incremental uncollectible expenses of \$3.65 million per year; however, the Companies also state that there is uncertainty about this amount. The Companies seek to establish a new distribution rider, outside the current rate caps, to recover the incremental uncollectible expense. The rider will initially be set at zero but will be updated based on actual and projected data through December 2012.

For the above reasons, OPAE has a direct, real and substantial interest in these matters. The disposition of these matters may impair or impede OPAE's ability to protect its interests. No other party to the matters will adequately represent the interests of OPAE. OPAE is a rare organization that serves as an advocate, service provider and nonprofit customer group. No other party represents this group of interests. OPAE's participation in these matters will not cause undue delay, will not unjustly prejudice any existing party, and will contribute to the just and expeditious resolution of the issues raised by these proceedings. Therefore, OPAE's intervention in these proceedings should be granted.

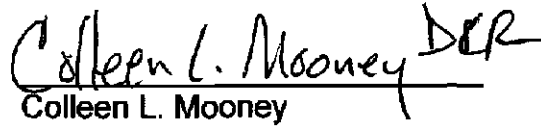
Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion to Intervene and Memorandum of Support was served by regular U.S. Mail in this case on this 18th day of January 2011.


Colleen L. Mooney

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