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BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of Aligning Electric Distribution )  
Utility Rate Structure with Ohio's Public ) Case No. 10-3126-EL-UNC  
Policies To Promote Competition, Energy )  
Efficiency, And Distributed Generation. )  
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MOTION TO INTERVENE, MEMORANDUM IN SUPPORT AND COMMENTS  
OF INDUSTRIAL ENERGY USERS-OHIO

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February 9, 2011

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**MOTION TO INTERVENE OF INDUSTRIAL ENERGY USERS-OHIO**

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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, 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 Ohio Administrative Code, to intervening parties.

On January 29, 2011, the Commission issued an Entry in the above-captioned proceeding seeking input as to whether Ohio electric distribution utilities should modify their current rate design. The Commission's entry solicits comments to aid it in framing initial issues that should be considered so that it may fully evaluate potential rate structure modifications.

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 proceeding, and is so situated that the disposition of this proceeding 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 this proceeding and that it will significantly contribute to the full development and equitable resolution of the factual and other issues in the proceeding. The interests of IEU-Ohio will not be adequately represented by other parties to the proceeding 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 Ohio Administrative Code, to intervening parties.

Respectfully submitted,

  
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**MEMORANDUM IN SUPPORT AND COMMENTS**

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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 substantial amounts of electric and related services from Ohio's Electric Distribution Utilities ("EDU").

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, including actively participating in the legislative process related to SB 221, 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.

IEU-Ohio has a real and substantial interest inasmuch as this proceeding may directly or indirectly impact the provision of electric service to IEU-Ohio members' manufacturing facilities. Specifically, IEU-Ohio's direct interest in this proceeding is the

result of the effect that this proceeding shall have upon the price, adequacy, and reliability of the electric supply and related services within Ohio.

IEU-Ohio does not intend to file comments at this time but IEU-Ohio reserves the right to file reply comments.

Respectfully submitted,



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## CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing *Motion to Intervene of Industrial Energy Users-Ohio* was served upon the following parties of record this 9<sup>th</sup> day of February 2011, via first class mail, postage prepaid.

  
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