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FAX

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of)
 Columbus Southern Power Company and)
 Ohio Power Company, Individually and, if) Case No. 11-351-EL-AIR
 Their Proposed Merger is Approved, as a) Case No. 11-352-EL-AIR
 Merged Company (collectively, AEP Ohio))
 for an Increase in Electric Distribution Rates)
)
)
 In the Matter of the Application of)
 Columbus Southern Power Company and)
 Ohio Power Company, Individually and, if) Case No. 11-353-EL-ATA
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 Merged Company (collectively AEP Ohio))
 for Tariff Approval)
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)
 In the Matter of the Application of)
 Columbus Southern Power Company and)
 Ohio Power Company, Individually and, if) Case No. 11-356-EL-AAM
 Their Proposed Merger is Approved, as a) Case No. 11-358-EL-AAM
 Merged Company (collectively AEP Ohio))
 for Approval to Change Accounting Methods)

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MOTION TO INTERVENE OF ORMET PRIMARY ALUMINUM CORPORATION

Ormet Primary Aluminum Corporation ("Ormet") hereby respectfully moves to intervene in the above-captioned matters pursuant to Ohio Revised Code Section 4903.221 and Section 4901-1-11 of the Commission's Code of Rules and Regulations, with full powers and rights granted by the Commission specifically, by statute, or by the provisions of the Commission's Code of Rules and Regulations to intervening parties.

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The reasons for granting this motion are contained in the memorandum attached hereto and incorporated herein.

Respectfully submitted,



Clinton A. Vince, Counsel of Record

Douglas G. Bonner

Daniel D. Barnowski

Emma F. Hand

Keith C. Nusbaum (#0082745)

SNR Denton US LLP

1301 K Street NW

Suite 600, East Tower

Washington, DC 20005

202.408.8004 Telephone

202.408.6399 Facsimile

clinton.vince@snr Denton.com

doug.bonner@snr Denton.com

dan.barnowski@snr Denton.com

emma.hand@snr Denton.com

keith.nusbaum@snr Denton.com

*Attorneys for Ormet Primary Aluminum
Corporation*

Dated: February 22, 2011

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**MEMORANDUM IN SUPPORT OF MOTION TO INTERVENE OF
ORMET PRIMARY ALUMINUM CORPORATION**

Ormet Primary Aluminum Corporation ("Ormet") should be permitted to intervene in these matters pursuant to Section 4903.221, Ohio Revised Code and the Commission's Rules and Regulations contained in Section 4901-1-11 of the Ohio Administrative Code. The outcome of these proceedings could impact the rates Ormet pays for electricity.

Under Section 4903.221, any person who may be adversely affected by a Commission proceeding may intervene in such proceeding. The Commission's rules state that any person shall be permitted to intervene in a proceeding upon a showing that:

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.¹

Ormet has a substantial interest in this proceeding. Ormet owns an aluminum reduction facility in Hannibal, Ohio. The reduction facility is physically located in the AEP zone of PJM, and takes generation, transmission and distribution services from Columbus Southern Power Company and Ohio Power Company (collectively, "AEP Ohio") under an electric service agreement entered into in accordance with the Commission's July 15, 2009 and September 15, 2009 orders in Case No. 09-119-EL-AEC ("Agreement"). This Agreement between Ormet and AEP Ohio provides, *inter alia*, that under certain circumstances Ormet will receive electricity at a rate discounted from AEP Ohio's standard tariff rates. Because the discount that Ormet may receive each year is capped under the Agreement and the Commission's orders, an increase in the AEP Ohio tariff rates may result in an increase in the rate Ormet pays for electricity. Therefore, Ormet's rates could be affected by the outcome of this proceeding.

In deciding whether to permit intervention under Section 4901-1-11(B), the Commission considers:

- (1) The nature and extent of the prospective intervenor's interest.
- (2) The legal position advanced by the prospective intervenor and its probable relation to the merits of the case.
- (3) Whether the intervention by the prospective intervenor will unduly prolong or delay the proceedings.
- (4) Whether the prospective intervenor will significantly contribute to the full development and equitable resolution of the factual issues.
- (5) The extent to which the person's interest is represented by existing parties.²

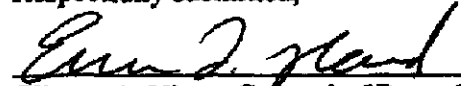
¹ Ohio Admin. Code § 4901-1-11(A)(2) (2011).

² Ohio Admin. Code § 4901-1-11(B) (2011).

As described above, Ormet is a customer of AEP Ohio and Ormet's rates may be affected by changes to AEP Ohio's tariff rates, thus Ormet has an interest in ensuring that AEP Ohio's rates remain just and reasonable. Ormet's unique relationship with AEP will also assist in the full development and equitable resolution of the factual issues and indicates that no other party can adequately represent Ormet's interest in these proceedings. Ormet's intervention is timely and will not unduly prolong or delay the proceedings.

WHEREFORE, Ormet respectfully requests that the Commission grant its motion to intervene in this proceeding.

Respectfully submitted,



Clinton A. Vince, Counsel of Record

Douglas G. Bonner

Emma F. Hand

Daniel D. Barnowski

Keith C. Nusbaum (#0082745)

SNR Denton US LLP

1301 K Street NW

Suite 600, East Tower

Washington, DC 20005

202.408.8004 Telephone

202.408.6399 Facsimile

clinton.vince@snr Denton.com

doug.bonner@snr Denton.com

dan.barnowski@snr Denton.com

emma.hand@snr Denton.com

keith.nusbaum@snr Denton.com

*Attorneys for Ormet Primary Aluminum
Corporation*

Dated: February 22, 2011

CERTIFICATE OF SERVICE

I hereby certify that a copy of Ormet Primary Aluminum Corporation's Motion to Intervene and Memorandum in Support were served by U.S. Mail upon counsel identified below for all parties of record this 22nd day of February, 2011.



Emma F. Hand

SERVICE LIST

Columbus Southern Power Company
Ohio Power Company
Selwyn J. R. Dias
850 Tech Center Drive
Gahanna OH 43230

Steven T. Nourse, Trial Attorney
Marvin I. Resnik
Matthew J. Satterwhite
American Electric Power Company
1 Riverside Plaza, 29th Floor
Columbus OH 43215

The Ohio Hospital Association
Richard L. Sites
155 East Broad Street, 15th Floor
Columbus OH 43215-3620

The Ohio Hospital Association
Thomas J. O'Brien
Bricker & Eckler LLP
100 South Third Street
Columbus OH 43215-4291

Industrial Energy Users-Ohio
Samuel C. Randazzo
Joseph E. Olikier
Frank P. Darr
McNees Wallace & Nurick LLC
21 East State Street, 17th Floor
Columbus OH 43215

The Office of the Ohio Consumers' Counsel
Maureen R. Grady
Michael I. Idzkowski
Richard C. Reese
Office of the Ohio Consumers' Counsel
10 West Broad Street, Suite 1800
Columbus OH 43215-3485

The Ohio Energy Group
David F. Boehm
Michael L. Kurtz
Boehm, Kurtz & Lowry
36 East Seventh Street, Suite 1510
Cincinnati OH 45202

Ohio Partners for Affordable Energy
Colleen L. Mooney
231 West Lima Street
Findlay OH 45839-1793

The Natural Resources Defense Council
Henry W. Eckhart
50 West Broad Street #2117
Columbus OH 43215

FirstEnergy Solutions Corp.
Mark A. Hayden
FirstEnergy Service Company
76 South Main Street
Akron OH 44308

FirstEnergy Solutions Corp.
James F. Lang
Laura C. McBride
N. Trevor Alexander
Calfee, Halter & Griswold LLP
1400 KeyBank Center
800 Superior Ave.
Cleveland OH 44114

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**MOTION FOR ADMISSION *PRO HAC VICE* OF
 CLINTON A. VINCE, DOUGLAS G. BONNER, DANIEL D. BARNOWSKI
 AND EMMA F. HAND**

Pursuant to Section 4901-1-08(B) of the Ohio Administrative Code, Keith C. Nusbaum (#0082745), an attorney licensed to practice law in the State of Ohio in good standing, respectfully petitions the Public Utilities Commission of Ohio ("Commission") to permit Clinton A. Vince, Douglas G. Bonner, Daniel D. Barnowski, and Emma F. Hand to practice *pro hac vice* before the Commission in the captioned proceedings. Mr. Vince, Mr. Bonner, Mr. Barnowski and Ms. Hand represent Ormet Primary Aluminum Corporation, an industrial customer of Columbus Southern Power Company and Ohio Power Company.

Mr. Vince was graduated from the Georgetown University Law Center in 1974. Mr. Vince is an active member in good standing of the District of Columbia Bar (#223594) and the New York Bar (#3805892), and has been admitted to the Supreme Court of the United States, the United States Courts of Appeal for the First, Second, Fourth, Fifth, Eighth, Tenth, Eleventh and D.C. Circuits and the District of Columbia and New York federal district courts. Mr. Vince has practiced energy law continuously since being admitted to the New York Bar in 1975.

Mr. Bonner was graduated from Catholic University Law School in 1983. Mr. Bonner is an active member in good standing in the District of Columbia Bar (#384060) and the Florida Bar (#376825), and has been admitted to the United States Courts of Appeal for the Fifth, Ninth, Eleventh, and D.C. Circuits and the District of Columbia and Southern and Middle District of Florida federal district courts. Mr. Bonner has practiced law continuously since being admitted to the Florida Bar in 1983, and has over sixteen years experience representing regulated utilities in administrative and litigation matters.

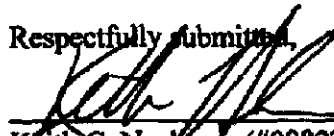
Mr. Barnowski was graduated from the University of Michigan Law School in 1995. Mr. Barnowski is an active member in good standing of the District of Columbia Bar (# 457108) and an inactive member of the Arizona Bar (# 16364), and has been admitted to the United States Courts of Appeal for the Fifth Circuit and the District of Columbia and District of Arizona federal district courts. Mr. Barnowski has practiced law continuously since being admitted to the Arizona Bar in 1995, and has experience representing regulated utilities in administrative and litigation matters.

Ms. Hand was graduated from the Georgetown University Law Center in 2001. She is an active member in good standing of the Virginia Bar (#46272) and the District of Columbia Bar (#4760001), and is admitted to the United States Courts of Appeal for the Fourth, Ninth and D.C.

Circuits and the United States District Court for the District of Columbia. Ms. Hand has practiced energy law continuously since she was admitted to the Virginia Bar in 2001.

WHEREFORE, Keith C. Nusbaum respectfully requests that Clinton A. Vince, Douglas G. Bonner, Daniel D. Barnowski and Emma F. Hand be permitted to practice before the Commission in the aforementioned proceedings.

Respectfully submitted,

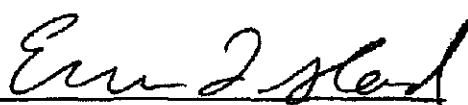


Keith C. Nusbaum (#0082745)
SNR Denton US LLP
1221 Avenue of the Americas
New York, NY 10020-1089
212-768-6910 phone
212-768-6800 fax
keith.nusbaum@snrdenton.com

Dated: February 22, 2011

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion to Admit *Pro Hac Vice* was served by U.S. Mail upon counsel identified below for all parties of record this 22nd day of February, 2011.


Emma F. Hand

SERVICE LIST

Columbus Southern Power Company
Ohio Power Company
Selwyn J. R. Dias
850 Tech Center Drive
Gahanna OH 43230

Steven T. Nourse, Trial Attorney
Marvin I. Resnik
Matthew J. Satterwhite
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1 Riverside Plaza, 29th Floor
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