

FILE

6

BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Fuel Adjustment	)	Case No. 10-268-EL-FAC
Clauses for Columbus Southern Power	)	Case No. 10-269-EL-FAC
Company and Ohio Power Company.)	
	)	Case No. 10-870-EL-FAC
	)	Case No. 10-871-EL-FAC
)	
	)	Case No. 10-1286-EL-FAC
	)	Case No. 10-1288-EL-FAC

MOTION TO INTERVENE AND MEMORANDUM IN SUPPORT
OF INDUSTRIAL ENERGY USERS-OHIO

RECEIVED-DOCKETING DIV

2011 JUN -3 PM 5:12

PUCO

Samuel C. Randazzo (Counsel of Record)
Frank P. Darr
Joseph E. Oliker
MCNEES WALLACE & NURICK LLC
21 East State Street, 17TH Floor
Columbus, OH 43215
Telephone: (614) 469-8000
Telecopier: (614) 469-4653
sam@mwncmh.com
fdarr@mwncmh.com
joliker@mwncmh.com

June 3, 2011

Attorneys for Industrial Energy Users-Ohio

{C34221: }

This is to certify that the images appearing are an
accurate and complete reproduction of a case file
document delivered in the regular course of business.
Technician SM Date Processed JUN 06 2011

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Fuel Adjustment	)	Case No. 10-268-EL-FAC
Clauses for Columbus Southern Power	)	Case No. 10-269-EL-FAC
Company and Ohio Power Company.)	
	)	Case No. 10-870-EL-FAC
	)	Case No. 10-871-EL-FAC
)	
	)	Case No. 10-1286-EL-FAC
	)	Case No. 10-1288-EL-FAC

MOTION TO INTERVENE OF INDUSTRIAL ENERGY USERS-OHIO

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.

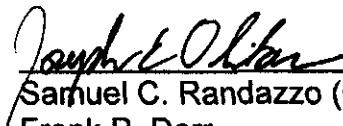
On March 18, 2009, the Commission issued an Opinion and Order in Case Nos. 08-917-EL-SSO and 08-918-EL-SSO¹ approving the establishment of a fuel adjustment clause ("FAC") mechanism for Columbus Southern Power Company ("CSP") and Ohio Power Company ("OPCo") (collectively the "Companies").

Accordingly, on March 8, 2010, CSP and OPCo filed their second quarterly filings in Case Nos. 10-268-EL-FAC and 10-269-EL-FAC; their third quarterly filings on June 22, 2010, in Case Nos. 10-870-EL-FAC and 10-871-EL-FAC; and their fourth quarterly filings on September 2, 2010, in Case Nos. 10-1286-EL-FAC and 10-1288-EL-FAC.

¹ *In the Matter of the Application of Columbus Southern Power Company for approval of its Electric Security Plan; an Amendment to its Corporate Separation Plan; and the Sale or Transfer of Certain Generating Assets*, Case No. 08-917-EL-SSO, et al., Opinion and Order (March 18, 2009).

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,



Samuel C. Randazzo (Counsel of Record)

Frank P. Darr

Joseph E. Olikier

MCNEES WALLACE & NURICK LLC

21 East State Street, 17TH Floor

Columbus, OH 43215

Telephone: (614) 469-8000

Telecopier: (614) 469-4653

sam@mwncmh.com

fdarr@mwncmh.com

joliker@mwncmh.com

Attorneys for Industrial Energy Users-Ohio

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Fuel Adjustment	)	Case No. 10-268-EL-FAC
Clauses for Columbus Southern Power	)	Case No. 10-269-EL-FAC
Company and Ohio Power Company.)	
	)	Case No. 10-870-EL-FAC
	)	Case No. 10-871-EL-FAC
)	
	)	Case No. 10-1286-EL-FAC
	)	Case No. 10-1288-EL-FAC

MEMORANDUM IN SUPPORT

In support of this Motion to Intervene, Industrial Energy Users-Ohio ("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. 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.

Respectfully submitted,



Samuel C. Randazzo (Counsel of Record)

Frank P. Darr

Joseph E. Olikier

MCNEES WALLACE & NURICK LLC

21 East State Street, 17TH Floor

Columbus, OH 43215

Telephone: (614) 469-8000

Telecopier: (614) 469-4653

sam@mwncmh.com

fdarr@mwncmh.com

joliker@mwncmh.com

Attorneys for Industrial Energy Users-Ohio

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 3rd day of June, 2011 via first class mail, postage prepaid.



Joseph E. Olicker

Steven T. Nourse
Matthew J. Satterwhite
American Electric Power Service
Corporation
1 Riverside Plaza, 29th Floor
Columbus, OH 43215
stnourse@aep.com
mjsatterwhite@aep.com

**ON BEHALF OF COLUMBUS SOUTHERN
POWER AND OHIO POWER COMPANY**

Janine Migden-Ostrander
Ohio Consumers' Counsel
Terry L. Etter, Counsel of Record
Michael E. Idzkowski
Assistant Consumers' Counsel
Office of the Ohio Consumers' Counsel
10 West Broad Street, Suite 1800
Columbus, Ohio 43215-3485
Telephone: (614) 466-8574
etter@occ.state.oh.us
idzkowski@occ.state.oh.us

**On Behalf of the Office of the Ohio
Consumers' Counsel**

Greta See
Attorney Examiner
Public Utilities Commission of Ohio
180 East Broad Street
Columbus, Ohio 43215
greta.see@puc.state.oh.us

Lisa G. McAlister
Matthew W. Warnock
BRICKER & ECKLER LLP
100 South Third Street
Columbus, Ohio 43215
lmcaster@bricker.com
mwarnock@bricker.com

ON BEHALF OF THE OMA ENERGY GROUP

William Wright
Section Chief
Thomas McNamee
Steven Beeler
Ohio Attorney General's Office
180 East Broad Street – 6th Floor
Columbus, Ohio 43215
william.wright@puc.state.oh.us
thomas.mcnamee@puc.state.oh.us
steven.beeler@puc.state.oh.us