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**BEFORE THE
PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Duke Energy Ohio for Authority to Establish a Standard Service Offer Pursuant to Section 4928.143, Revised Code, in the Form of an Electric Security Plan, Accounting Modifications and Tariffs for Generation Service.)))))) Case No. 11-3549-EL-SSO

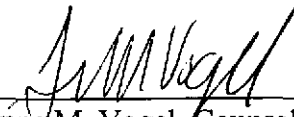
In the Matter of the Application of Duke Energy Ohio for Authority to Amend its Certified Supplier Tariff, P.U.C.O. No. 20.))) Case No. 11-3550-EL-ATA

In the Matter of the Application of Duke Energy Ohio for Authority to Amend its Corporate Separation Plan.))) Case No. 11-3551-EL-UNC

**AEP RETAIL ENERGY PARTNERS LLC'S
MOTION TO INTERVENE**

AEP Retail Energy Partners LLC (AEP Retail) respectfully requests that it be permitted to intervene in this proceeding as full parties of record, under Section 4903.221, Ohio Revised Code, and Rule 4901-1-11, Ohio Administrative Code, and for reasons set out in the attached Memorandum in Support.

Respectfully submitted,



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Counsel for AEP Retail Energy Partners LLC

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MEMORANDUM IN SUPPORT

Section 4903.221, Revised Code, and Rule 4901-1-11 of the Ohio Administrative Code establish the standard for intervention, providing in relevant part:

- (A) Upon timely motion, any person shall be permitted to intervene in a proceeding upon a showing that:

(2) 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.

- (B) In deciding whether to permit intervention under paragraph (A) (2) of this rule, the commission, the legal director, the deputy legal director, or an attorney examiner shall consider:

- (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 full development and equitable resolution of the factual issues.
- (5) The extent to which the person's interest is represented by existing parties.¹

A review of these criteria supports granting AEP Retail's intervention in this proceeding.

AEP Retail provides electricity and energy-related services to more than 1000 retail customers in Ohio, representing approximately 200 MW of load. It is a certified competitive retail electric supplier (CRES), licensed by the Commission to sell power in all regions of the state of Ohio, including in Duke Energy Ohio's service area.

¹ The factors in Rule 4901-1-11 (B) (1) – (4) are consistent with §4903.221 (B), Ohio Rev. Code.

In its first application filed under S.B. 221, in Case No. 08-920-EL-SSO, Duke Energy Ohio, Inc. (Duke) sought and received approval from the Commission to implement an electric security plan (ESP). Duke's ESP expires on December 31, 2011, and Duke now seeks approval in this proceeding for its next standard service offer (SSO), which it proposes will take the form of a electric service plan (ESP), pursuant to 4928.141 and 4928.143, Revised Code, and Administrative Code Chapter 4901:1-35. Duke requests Commission approval of its ESP on or before January 1, 2012.

AEP Retail has existing and potential business interests in Ohio which will be affected by the outcome of the proceeding. The Commission's decision in this matter will affect the viability of the competitive retail electric market in Ohio, in which AEP Retail provides electric power and other services to retail customers across the state. AEP Retail is an active market participant and has experience in the development of a competitive bidding process, and will be able to assist the Commission in developing a complete record in this proceeding.

AEP Retail's intervention will not prolong or delay this proceeding. This motion is timely, precedes all discovery or other procedural termination dates, and is filed more than five days before the hearing deadline established in Rule 4901-1-29.

For the foregoing reasons, AEP Retail respectfully requests that the Commission grant this joint motion for leave to intervene and that AEP Retail be made a full party of record in this proceeding.

Respectfully submitted,

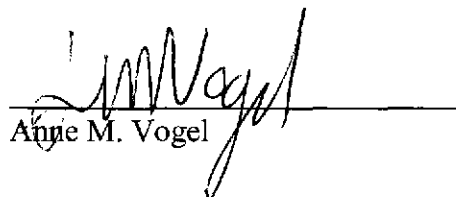


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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing AEP Retail Energy Partners LLC Motion to Intervene was served by U.S. Mail upon counsel identified below this 5th day of July, 2011.


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