

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Columbus )	
Southern Power Company for Approval of its )	
Program Portfolio Plan and Request for )	Case No. 11-5568-EL-POR
Expedited Consideration. )	
)	
)	

In the Matter of the Application of Ohio Power )	
Company for Approval of Its Program Portfolio )	Case No. 11-5569-EL-POR
Plan and Request or Expedited Consideration )	
)	

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**MOTION TO INTERVENE OF  
APPALACHIAN PEACE AND JUSTICE NETWORK**

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The Appalachian Peace and Justice Network (“APJN”) hereby respectfully moves 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, 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. The reasons for granting this motion are contained in the memorandum attached hereto and incorporated herein.

s/ Michael R. Smalz  
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s/ Joseph V. Maskovyak

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**On Behalf of the Appalachian Peace and Justice  
Network**

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**MEMORANDUM IN SUPPORT OF THE MOTION TO INTERVENE OF  
THE APPALACHIAN PEACE AND JUSTICE NETWORK**

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The Appalachian Peace and Justice Network (“APJN”) should be permitted to intervene in these matters pursuant to Section 4903.221, Revised Code, and the Commission’s Rules and Regulations, specifically Section 4901-1-11, Ohio Administrative Code. As required by those provisions, these intervenors are real parties in interest herein, whose interests are not now represented, who can make a contribution to the proceeding, and who will not unduly delay the proceeding nor prejudice any existing party.

APJN is a nonprofit organization that empowers and challenges groups and individuals to work for peace and social justice. It has approximately 200 members in southeastern (Appalachian) Ohio; the majority of its members are low-income and many of its members are customers or consumers of electric service by Columbus Southern Power or Ohio Power (the “Companies”). APJN engages in a wide range of educational and advocacy efforts to promote peace, social justice,

and consumer protections for low-income residents of Appalachian Ohio. It has one paid staff person/organizer and its principal office is located in Athens, Ohio.

APJN has a real and substantial interest in this proceeding by virtue of the direct impact on its members and other low-income and rural residential consumers who could benefit from the continuation and expansion of a large-scale, comprehensive low-income energy efficiency program undertaken by Columbus Southern Power (CSP) and Ohio Power (OP). As noted, APJN has members located in the Companies' service territories. APJN low-income members have an interest in ensuring that any AEP Program Portfolio continues to include programs targeted to low-income households, as do both the current AEP Portfolio and the plan incorporated into this proceeding.

Further, APJN previously intervened in and actively participated in the AEP 2009 SEET case, PUCO Case No. 10-1261-EL-UNC, in the Companies' pending ESP case, PUCO Case Nos. 11-356-EL-SSO and 11-348-EL-SSO, and on the Companies' pending distribution rate case, PUCO Case Nos. 11-351-EL-AIR and 11-351-EL-AIR.

APJN's participation in these proceedings will not cause undue delay, will not unjustly prejudice any existing party, and will contribute to the full development and equitable resolution of the issues raised in these proceedings. Furthermore, other parties to the proceedings will not adequately represent APJN's interests because of the unique low-income and rural perspective that APJN and its counsel bring to utility matters. Therefore, APJN is entitled to intervene in these proceedings with the full powers and rights granted, by the Commission specifically, by statute, and by the provisions of the Commission's Codes of Rules and Regulations, to intervening parties.

Respectfully submitted,

s/ Michael R. Smalz

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**On Behalf of the Appalachian Peace and Justice  
Network**

## **CERTIFICATE OF SERVICE**

I hereby certify that a copy of this Motion to Intervene and Memorandum in Support of Appalachian Peace and Justice Network was served by regular first-class U.S. mail on these parties on this 20<sup>th</sup> day of December, 2012.

/s/ Michael R. Smalz

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**On Behalf of Office of Ohio Consumers'  
Council**

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Summary: Motion electronically filed by Mr. Michael R. Smalz on behalf of Appalachian Peace and Justice Network