

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Commission Review of the)
Capacity Charges of Ohio Power Company) Case No. 10-2929-EL-UNC
and Columbus Southern Power Company.)

THE CITY OF GROVE CITY, OHIO'S MOTION TO INTERVENE

The City of Grove City, Ohio ("Grove City") on behalf of itself and its residential and commercial citizens hereby moves the Public Utilities Commission of Ohio ("Commission") to intervene as a full party of record in the above captioned proceedings pursuant to Ohio Revised Code ("R.C.") § 4903.221 and Ohio Administrative Code ("O.A.C") Rule 4901-1-11. Grove City's interests in this proceeding and the reasons supporting this Motion are set forth in the attached Memorandum in Support.

Respectfully Submitted,



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MEMORANDUM IN SUPPORT

I. Argument

Grove City respectfully submits that it is entitled to intervene in these proceedings. R.C. § 4903.221 confers the statutory right to intervene in a Commission proceeding to any party "who may be adversely affected by a proceeding." Additionally, O.A.C Rule 4901-1-11 provides that:

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.

Upon filing a timely motion demonstrating a real and substantial interest and upon demonstrating that the proceeding will impair or impede the ability to protect the interest, a party is entitled to an Order granting its intervention request. In determining whether a party is entitled to intervene, the Commission 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 proceeding; (4) whether the prospective intervenor will significantly contribute to full development and equitable resolution of the factual issues; and (5) the extent to which the person's interest is represented by existing parties

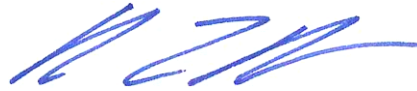
Grove City has a real and substantial interest in these proceedings as it seeks to protect itself, as well as its corporate and residential citizenry from potentially increased capacity costs. Grove City has been, and continues to be a participant in the 11-346-SSO case, and the two cases are inextricably intertwined in the context of electricity expenditures that will be experienced by Grove City and its corporate and residential citizenry. Furthermore, Grove City seeks to intervene in order to ensure that it will be given the opportunity to acquire electricity on the competitive market, and potentially aggregate, both concepts being intertwined in this case as well.

Grove City's Motion is timely, as the Commission designated March 30, 2012 as the deadline to file motions to intervene, and Grove City's interests are not represented by any existing party as only Grove City can protect itself and its diverse citizenry in this case. Grove City will contribute significantly to the full development and equitable resolution of the factual issues in this case, as it is the only municipal entity that has intervened, and Grove City has never unduly prolonged a proceeding before this Commission,

II. Conclusion

For the reasons set forth above, Grove City respectfully requests that the Commission grant its request to intervene in the above-captioned proceedings.

Respectfully Submitted,

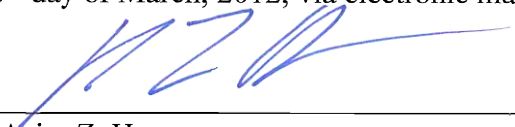


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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Motion to Intervene was served upon the parties of record listed below this 30th day of March, 2012, via electronic mail.



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Summary: Motion to Intervene electronically filed by Mr. Asim Z. Haque on behalf of The City of Grove City, Ohio