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April 2, 2012

Via Federal Express

Public Utilities Commission of Ohio
Docketing Division
180 East Broad Street
Columbus, Ohio 43215-3793

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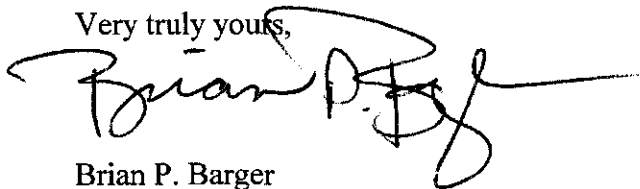
- RE:** Case No. 10-2376-EL-UNC
Case No. 11-346-EL-SSO
Case No. 11-348-EL-SSO
Case No. 11-349-EL-AAM
Case No. 11-350-EL-AAM
Case No. 10-343-EL-ATA
Case No. 10-344-EL-ATA
Case No. 10-2929-EL-UNC
Case No. 11-4920-EL-RDR
Case No. 11-4921--EL-RDR

Dear Docketing Division:

Enclosed herewith please find an original and twenty copies of a Motion in Support of Motion to Intervene of the Ohio Construction Materials Coalition regarding the above docketed matter. Please file in your customary manner.

Should you have any questions or concerns, please feel free to contact the undersigned.

Very truly yours,



Brian P. Barger

BPB/kd

Enclosures

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 MM Date Processed APR 03 2012

BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of Ohio) Case No. 10-2376-EL-UNC
Power Company and Columbus Southern Power)
Company for Authority to Merge) Case No. 11-346-EL-SSO
and Related Approvals.) Case No. 11-348-EL-SSO

In the Matter of the Application of)
Columbus Southern Power Company and) Case No. 11-349-EL-AAM
Ohio Power Company for Authority to) Case No. 11-350-EL-AAM
Establish a Standard Service Offer)
Pursuant to Section 4928.143, Revised)
Code, in the Form of an Electric Security) Case No. 10-343-EL-ATA
Plan.) Case No. 10-344-EL-ATA

In the Matter of the Application of)
Columbus Southern Power Company and) Case No. 10-2929-EL-UNC
Ohio Power Company for Approval of)
Certain Accounting Authority.)

In the Matter of the Application of) Case No. 11-4920-EL-RDR
Columbus Southern Power Company and) Case No. 11-4921--EL-RDR
Ohio Power Company to Amend their)
Emergency Curtailment Service Riders)

In the Matter of the Commission Review)
of the Capacity Charges of Ohio Power)
Company and Columbus Southern Power)
Company.) Brian P. Barger (0018908)
Attorney for the Ohio Construction
Materials Coalition

In the Matter of the Application of) 4052 Holland-Sylvania Road
Columbus Southern Power Company and) Toledo, Ohio 43623
Ohio Power Company for Approval of) Ph: (419) 885-3000
Mechanisms to Recover Deferred Fuel) Fx: (419) 885-1120
Costs Ordered Under Section 4928.144,) bpbarger@bcslawyers.com
Revised Code.)

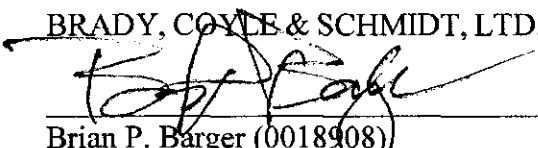
**MOTION TO INTERVENE OF THE
OHIO CONSTRUCTION MATERIALS
COALITION**

The Ohio Construction Materials Coalition ("OCMC") pursuant to R.C. 4903.221 and §4901-1-11 of the Ohio Admin. Code, moves for intervention in the above-referenced matters as a full party of record. The OCMC has a real and substantial interest in this matter for the reasons more fully set forth in the accompanying Memorandum in Support.

Accordingly, the OCMC respectfully requests that its Motion to Intervene is granted and that it be made a full party of record.

Respectfully submitted,

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MEMORANDUM IN SUPPORT

I. INTRODUCTION

On January 27, 2011, Columbus Southern Power Company and Ohio Power Company (collectively “AEP Ohio”) filed an application to establish authority to set up a standard service offer (“SSO”) pursuant to R.C. 4928.142 in the form of an electric security plan (“ESP”) and for approval of certain accounting methods.

The new proposal would recover costs for wholesale electricity purchases and for fuel used to generate electricity. On September 7, 2011, AEP Ohio and many other parties filed a stipulation that settled many of the issues in the ESP proposal. On December 14, 2011, the PUCO modified and approved the September 7, 2011 agreement. However, on February 23, 2012, the Commission issued an Entry on Rehearing rejecting the previously agree to Stipulation.

A. The Ohio Construction Materials Coalition

The OCMC, is an Ohio based coalition of businesses comprised of the Ohio Aggregates and Industrial Minerals Association (“OAIMA”), the Ohio Ready-Mix Concrete Association (“Ready-Mix”), Flexible Pavements of Ohio (“Flexible”), and the Ohio Forestry Advisory Council (“Forestry,”). Taken together, the OCMC’s members provide needed construction materials for building and maintaining Ohio’s infrastructure needs.

II. LAW AND ARGUMENT

OAC Rule 4901-1-11(A) reads that an individual shall be permitted to intervene in a proceeding if:

- (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.

According to OAC Rule 4901-1-11(B), in determining whether to permit intervention, the following criteria are to be considered;

- (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.

The OCMC's members represent a significant number of small to medium size businesses in Ohio that provide materials necessary for building Ohio's infrastructure. The coalition represent a strong and diverse business interests, and consequentially, a great number of the coalition member companies stand to affected by a decision in this matter. The OCMC's primary interest in this case is to protect the interests of OCMC members whose supply of electric service will be affected by these proceedings. The OCMC's interests are not currently be represented, and no other party to the matter will adequately represent the interest of the OCMC because the coalition members are generally General Service 2 ("GS 2") customers with unique load factors that are not generally shared with other parties to the case. Accordingly, the OCMC should be permitted to intervene in the above-captioned proceedings.

III. CONCLUSION

For the above reasons, the OCMC has a direct, real and substantial interest in the proposed settlement of AEP Ohio's ESP. The disposition of these matters may impair or impede the OCMC's ability to protect its interests. The OCMC's interests are currently not being represented, and no

other party to the matter will adequately represent the interest of the OCMC. Likewise, the OCMC's participation in this proceeding will not cause undue delay, will not unjustly prejudice any existing party, and will contribute to the just and expeditious resolution fo the issues raised in these proceedings. Accordingly, the OCMC's Motion to Intervene pursuant to R.C. 4903.22 and OAC Rule 4901-1-11(B) should be granted.

Respectfully submitted,

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CERTIFICATION

This is to certify that a copy of the foregoing Motion to Intervene of the Ohio Construction has been served on this 3rd day of April, 2012, by regular U.S. Mail, postage prepaid, or by electronic mail, upon the persons listed below:



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