

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Columbus)	
Southern Power Company and Ohio Power)	
Company for Authority to Establish a Standard)	Case No. 11-346-EL-SSO
Service Offer Pursuant to Section 4928.143,)	Case No. 11-348-EL-SSO
Revised Code, in the Form of an Electric)	
Security Plan)	
)	
)	
)	
In the Matter of the Application of Columbus)	Case No. 11-349-EL-AAM
Southern Power Company and Ohio Power)	Case No. 11-350-EL-AAM
Company for Approval of Certain Accounting)	
Authority.)	

MOTION TO INTERVENE OF THE CITY OF UPPER ARLINGTON, OHIO

The City of Upper Arlington, Ohio (“Upper Arlington”) on behalf of itself and its residential and commercial citizens hereby moves the Public Utility Commission of Ohio (“Commission”) to intervene as a full party of record in the above captioned proceedings pursuant to Ohio Revised Code (“R.C.”) Section 4903.221 and Ohio Administrative Code (“OAC”) Rule 4901-1-11.

As set forth in the attached Memorandum in Support, Upper Arlington submits that it has a real and substantial interest in these proceedings, that its interests cannot be adequately represented by any other party, and that the Public Utility Commission of Ohio’s (“Commission”) disposition of the proceedings will impair or impede its ability to protect those interests. Upper Arlington further submits that the legal positions and issues that it will advance are relevant to the merits of the proceedings and that it intends to contribute in a unique manner to the full development and equitable resolution of the proceedings. Finally, Upper Arlington

submits that granting this Motion will not unduly delay the proceedings or unjustly prejudice any existing party.

For these reasons, as explained more fully herein, Upper Arlington respectfully requests that the Commission grant its motion to intervene in the above captioned proceedings.

Respectfully Submitted,



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**MEMORANDUM IN SUPPORT OF THE MOTION TO INTERVENE OF THE CITY OF
UPPER ARLINGTON, OHIO**

I. PROCEDURAL BACKGROUND

The above captioned proceedings were initiated by Columbus Southern Power Company and Ohio Power Company (collectively “the Companies”). The Companies initiated these proceedings in order to obtain Commission review and approval of its Standard Service Offer (“SSO”) to be completed via the Electric Security Plan (“ESP”) proposed jointly by the Columbus Southern Power Company (11-346-EL-SSO) and by the Ohio Power Company (11-348-EL-SSO). The Companies conduct combined business in the state of Ohio under the trade name AEP Ohio.

By Entry dated April 2, 2012, the Commission established a procedural schedule for its consideration of the ESP requiring that adversely impacted parties file motions to intervene by April 20, 2012. Thus, Upper Arlington's submission of this Motion is timely.

II. BASIS FOR INTERVENTION

a. Standard of Review

R.C. section 4903.221 and OAC Rule 4901-1-11 set forth the standards pursuant to which Upper Arlington may intervene in the above-captioned Commission proceedings. R.C. section 4903.221 confers the statutory right to intervene in a Commission proceeding to any party “who may be adversely affected by a proceeding.” Additionally, OAC Rule 4901-1-11 provides that:

Upon timely motion, any person shall be permitted to intervene in a proceeding upon a showing that: . . . [t]he 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.

(See R.C. 4903.221(B) and OAC 4901-1-11(B)).

b. Upper Arlington Has A Real And Substantial Interest In This Proceeding That Cannot Be Represented By Any Other Party, And The Disposition Of These Proceedings Will Impair Those Interests.

Currently, Upper Arlington relies upon the Companies to provide electric to illuminate municipal traffic signals, provide lighting, as well as to power certain municipal buildings and facilities. On an annual basis, Upper Arlington expends in excess of Three Hundred Thousand Dollars (\$300,000.00) on electric on just the first two aforementioned electric uses. Thus, Upper Arlington is an extremely large user of electric services and this proceeding and the results thereof will have a significant impact on the cost and manner in which Upper Arlington continues to obtain and pay for its electric service.

The above captioned proceedings will also have a real, substantial, and adverse impact on Upper Arlington residential customers. Almost the entirety of Upper Arlington residential customers rely upon the Companies for electric service. Similar to residents in many Ohio cities

and metropolitan areas, Upper Arlington residential customers are currently dealing with a difficult economy, high unemployment rates and low wages. Upper Arlington has a special interest, if not a duty, to ensure that the electricity requirements of its residents are continually served by readily available dependable electric service which is attainable at reasonable prices which are affordable to its residential population.

In addition to the impact on Upper Arlington and its residential customers, the proceedings will also have a real, substantial, and adverse impact on Upper Arlington's commercial citizens using the Companies' electric service. Any proposed cost increases and service modifications will have an economic development and job retention impact on a local economy that cannot afford to lose current jobs or opportunities for future growth.

Electricity price and service modifications caused by the proposed SSO will impact Upper Arlington's budget and citizens both residential and commercial. Additionally, as initially proposed, these cases may materially modify the terms and conditions under which Upper Arlington and its residents obtain electric service in a manner favoring the interests of the Companies and to the detriment of the Upper Arlington and its residents.

Accordingly, Upper Arlington will focus its participation in the proceedings on matters specifically impacting the City and its residential citizens as well as commercial citizens. Specifically, these matters may include, among other things, the SSO's impact on pricing, deferrals, surcharges, tariffs for economic development, special and unique rider applications, energy efficiency issues, and renewable and/or alternative energy issues that particularly impact the City and its citizens.

III. CONCLUSION

For the reasons set forth above, Upper Arlington respectfully requests that the Commission grant its request to intervene in the above-captioned proceedings. Upper Arlington's intervention will not unduly prolong or delay the proceedings. In contrast, Upper Arlington's intervention will contribute to the full development the factual issues to be resolved in the proceedings. Finally, no other party to the proceedings is capable of representing the interests of Upper Arlington as well as its residential and commercial citizens.

Respectfully Submitted,



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CERTIFICATE OF SERVICE

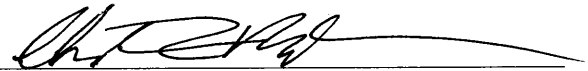
The undersigned hereby certifies that a copy of the foregoing Motion to Intervene was served upon the following persons listed below this 20th day of April, 2012 via electronic mail.

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A handwritten signature in black ink, appearing to read "Chris Miller", with a long horizontal line extending to the right.

Christopher L. Miller

This foregoing document was electronically filed with the Public Utilities

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Case No(s). 11-0346-EL-SSO

Summary: Motion Motion to Intervene of the City of Upper Arlington, Ohio electronically filed by Mr. Christopher L. Miller on behalf of City of Upper Arlington, Ohio