

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application)	
of Ohio Edison Company, The Cleveland)	
Electric Illuminating Company and The)	Case No. 12-2190-EL-POR
Toledo Edison Company for Approval of)	Case No. 12-2191-EL-POR
Their Energy Efficiency and Peak Demand)	Case No. 12-2192-EL-POR
Reduction Program Portfolio Plans for)	
2013 through 2015)	

**MOTION TO INTERVENE AND MEMORANDUM IN SUPPORT
OF INDUSTRIAL ENERGY USERS-OHIO**

Samuel C. Randazzo (Counsel of Record)
Frank P. Darr
Joseph E. Olikier
Matthew R. Pritchard
MCNEES WALLACE & NURICK LLC
21 East State Street, 17TH Floor
Columbus, OH 43215
Telephone: (614) 469-8000
Telecopier: (614) 469-4653
sam@mwncmh.com
fdarr@mwncmh.com
joliker@mwncmh.com
mpritchard@mwncmh.com

August 24, 2012

Attorneys for Industrial Energy Users-Ohio

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application)	
of Ohio Edison Company, The Cleveland)	
Electric Illuminating Company and The)	Case No. 12-2190-EL-POR
Toledo Edison Company for Approval of)	Case No. 12-2191-EL-POR
Their Energy Efficiency and Peak Demand)	Case No. 12-2192-EL-POR
Reduction Program Portfolio Plans for)	
2013 through 2015)	

MOTION TO INTERVENE OF INDUSTRIAL ENERGY USERS-OHIO

Industrial Energy Users-Ohio ("IEU-Ohio") hereby respectfully moves the Public Utilities Commission of Ohio ("Commission"), pursuant to Section 4903.221, Revised Code, and Rule 4901-1-11, Ohio Administrative Code, for leave to intervene in the above-captioned matter(s) with the full powers and rights granted by the Commission, specifically by statute or by the provisions of the Ohio Administrative Code, to intervening parties.

On July 31, 2012, Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company (collectively, "FirstEnergy") filed an Application for approval of their Energy Efficiency and Peak Demand Reduction Program ("EE/PDR") Portfolio Plans for 2013 through 2015.

As demonstrated further in the Memorandum in Support attached hereto and incorporated herein, IEU-Ohio has a direct, real, and substantial interest in the issues and matters involved in the above-captioned proceeding, and is so situated that the disposition of this proceeding may, as a practical matter, impair or impede its ability to protect that interest. IEU-Ohio believes that its participation will not unduly prolong or

delay this proceeding and that it will significantly contribute to the full development and equitable resolution of the factual and other issues in the proceeding. The interests of IEU-Ohio will not be adequately represented by other parties to the proceeding and, as such, IEU-Ohio is entitled to intervene with the full powers and rights granted by the Commission, specifically by statute and by the provisions of the Ohio Administrative Code, to intervening parties.

Respectfully submitted,

/s/ Joseph E. Oliker

Samuel C. Randazzo (Counsel of Record)

Frank P. Darr

Joseph E. Oliker

Matthew R. Pritchard

MCNEES WALLACE & NURICK LLC

21 East State Street, 17TH Floor

Columbus, OH 43215

Telephone: (614) 469-8000

Telecopier: (614) 469-4653

sam@mwncmh.com

fdarr@mwncmh.com

joliker@mwncmh.com

mpritchard@mwncmh.com

Attorneys for Industrial Energy Users-Ohio

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application)	
of Ohio Edison Company, The Cleveland)	
Electric Illuminating Company and The)	Case No. 12-2190-EL-POR
Toledo Edison Company for Approval of)	Case No. 12-2191-EL-POR
Their Energy Efficiency and Peak Demand)	Case No. 12-2192-EL-POR
Reduction Program Portfolio Plans for)	
2013 through 2015)	

MEMORANDUM IN SUPPORT

In support of this Motion to Intervene, Industrial Energy Users-Ohio ("IEU-Ohio") states that it is an association of ultimate customers. A current listing of IEU-Ohio member companies is available on IEU-Ohio's website at http://www.ieu-ohio.org/member_list.aspx. IEU-Ohio's members purchase substantial amounts of electric and related services from Ohio's Electric Distribution Utilities ("EDU").

IEU-Ohio's members work together to address matters that affect the availability and price of utility services. Additionally, IEU-Ohio seeks to promote customer-driven policies that will assure an adequate, reliable, and efficient supply of energy for all consumers at competitive prices. To this end, IEU-Ohio has worked, including actively participating in the legislative process related to Substitute Senate Bill 221, and will continue to work to produce legislative, regulatory, and market outcomes that are consistent with the state policy contained in Section 4928.02, Revised Code.

IEU-Ohio has a real and substantial interest inasmuch as this proceeding may directly or indirectly impact the provision of electric service to IEU-Ohio members' manufacturing facilities. Specifically, IEU-Ohio's direct interest in this proceeding is the

result of the effect that this proceeding shall have upon the price, adequacy, and reliability of the electric supply and related services within Ohio.

Respectfully submitted,

/s/ Joseph E. Olikier

Samuel C. Randazzo (Counsel of Record)

Frank P. Darr

Joseph E. Olikier

Matthew R. Pritchard

MCNEES WALLACE & NURICK LLC

21 East State Street, 17TH Floor

Columbus, OH 43215

Telephone: (614) 469-8000

Telecopier: (614) 469-4653

sam@mwncmh.com

fdarr@mwncmh.com

joliker@mwncmh.com

mpritchard@mwncmh.com

Attorneys for Industrial Energy Users-Ohio

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing *Motion to Intervene and Memorandum in Support of Industrial Energy Users-Ohio*, was served upon the following parties of record this 24th day of August, 2012 *via* hand-delivery, electronic transmission, or first class mail, U.S. postage prepaid.

/s/ Joseph E. Olikier

Joseph E. Olikier

Kathy J. Kolich (Counsel of Record)
Carrie M. Dunn
First Energy Service Company
76 South Main Street
Akron, OH 44308
kjkolich@firstenergycorp.com
edunn@firstenergycorp.com

**ATTORNEYS FOR OHIO EDISON COMPANY,
THE CLEVELAND ELECTRIC COMPANY, AND
THE TOLEDO EDISON COMPANY**

Richard L. Sites
General Counsel & Senior Director of
Health Policy
Ohio Hospital Association
155 East Broad Street, 15th Floor
Columbus, OH 43215-3620
ricks@ohanet.org

Thomas J. O'Brien
Bricker & Eckler, LLP
100 South Third Street
Columbus, OH 43215-4291
tobrien@bricker.com

**ON BEHALF OF THE OHIO HOSPITAL
ASSOCIATION**

Todd M. Williams (Counsel of Record)
Williams Allwein and Moser, LLC
Two Maritime Plaza, Third Floor
Toledo, OH 43604
toddm@wamenergylaw.com

Christopher J. Allwein
Williams Allwein and Moser, LLC
1371 Grandview Ave., Suite 212
Columbus, OH 43212
callwein@wamenergylaw.com

**ON BEHALF OF THE SIERRA CLUB AND THE
NATURAL RESOURCES DEFENSE COUNCIL**

Colleen L. Mooney
Ohio Partners for Affordable Energy
231 West Lima Street
Findlay, OH 45839-1793
cmooney2@columbus.rr.com

**ON BEHALF OF OHIO PARTNERS FOR
AFFORDABLE ENERGY**

Cathryn N. Loucas
Trent Dougherty
The Ohio Environmental Council
1207 Grandview Avenue, Suite 201
Columbus, OH 43212-3449
Cathy@theOEC.org
Trent@theOEC.org

**ON BEHALF OF THE OHIO ENVIRONMENTAL
COUNCIL**

Michael L. Kurtz
Kurt J. Boehm
Jody M. Kyler
Boehm, Kurtz & Lowry
36 East Seventh Street, Suite 1510
Cincinnati, OH 45202
mkurtz@BKLawfirm.com
kboehm@BKLawfirm.com
jkyler@BKLawfirm.com

ON BEHALF OF THE OHIO ENERGY GROUP

Justin Vickers
Robert Kelter
Environmental Law & Policy Center
35 East Wacker Drive, Suite 1600
Chicago, IL 60601-2110
jvickers@elpc.org
rkelter@elpc.org

**ON BEHALF OF THE ENVIRONMENTAL LAW
& POLICY CENTER**

Bruce J. Weston
Consumers' Counsel

Kyle L. Kern
Assistant Consumers' Counsel
10 West Broad Street, Suite 1800
Columbus, OH 43215-3485
kern@occ.state.oh.us

**ON BEHALF OF THE OFFICE OF THE OHIO
CONSUMERS' COUNSEL**

Gregory J. Poulos
EnerNOC, Inc.
471 East Broad Street, Suite 1520
Columbus, OH 43215
gpoulos@enernoc.com

ON BEHALF OF ENERNOC

Devin Parram
Attorney General's Office
Public Utilities Commission of Ohio
180 East Broad St., 6th Floor
Columbus, OH 43215
devin.parram@puc.state.oh.us

**ON BEHALF OF THE PUBLIC UTILITIES
COMMISSION OF OHIO**

Gregory Price
Mandy Willey
Attorney Examiners
Public Utilities Commission of Ohio
180 East Broad Street
Columbus, OH 43215
gregory.price@puc.state.oh.us
mandy.willey@puc.state.oh.us

ATTORNEY EXAMINERS

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

8/24/2012 3:00:42 PM

in

Case No(s). 12-2190-EL-POR, 12-2191-EL-POR, 12-2192-EL-POR

Summary: Motion to Intervene and Memorandum in Support electronically filed by Mr. Joseph E. Oliker on behalf of Industrial Energy Users-Ohio