

**BOEHM, KURTZ & LOWRY**

ATTORNEYS AT LAW  
36 EAST SEVENTH STREET  
SUITE 1510  
CINCINNATI, OHIO 45202  
TELEPHONE (513) 421-2255  
TELECOPIER (513) 421-2764

**Via E-FILE**

June 10, 2013

Public Utilities Commission of Ohio  
PUCO Docketing  
180 E. Broad Street, 10th Floor  
Columbus, Ohio 43215

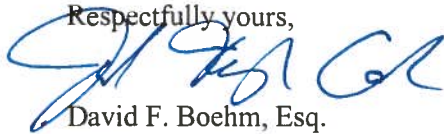
**In re: Case No. 13-0431-EL-POR**

Dear Sir/Madam:

Please find attached the OHIO ENERGY GROUP'S MOTION FOR LEAVE TO INTERVENE AND MEMORANDUM IN SUPPORT e-filed today in the above-referenced matter.

Copies have been served on all parties on the attached certificate of service. Please place this document of file.

Respectfully yours,

A handwritten signature in blue ink, appearing to read 'D. F. Boehm', is written over the typed name.

David F. Boehm, Esq.

Michael L. Kurtz, Esq.

Jody Kyler Cohn, Esq.

**BOEHM, KURTZ & LOWRY**

MLKkew

Encl.

Cc: Certificate of Service

**BEFORE THE  
PUBLIC UTILITY COMMISSION OF OHIO**

**In The Matter Of The Application Of Duke Energy Ohio For :  
Approval of its Energy Efficiency and Peak-Demand : Case No. 13-0431-EL-POR  
Reductions Portfolio of Programs :**

---

---

**THE OHIO ENERGY GROUP'S  
MOTION FOR LEAVE TO INTERVENE**

---

Pursuant to the Ohio Rev. Code §4903.221 and Ohio Admin. Code §4901-1-11, the Ohio Energy Group. ("OEG") moves for leave to intervene in this proceeding. The Public Utility Commission of Ohio ("Commission") should grant OEG leave to intervene because OEG has a real and substantial interest in the proceeding, and the Commission's disposition of this proceeding may impair or impede OEG's ability to protect that interest.

Respectfully submitted,



David F. Boehm, Esq.

Michael L. Kurtz, Esq.

Jody Kyler Cohn, Esq.

**BOEHM, KURTZ & LOWRY**

36 East Seventh Street, Suite 1510

Cincinnati, Ohio 45202

Ph: (513) 421-2255 Fax: (513) 421-2764

E-Mail: [dboehm@BKLawfirm.com](mailto:dboehm@BKLawfirm.com)

[mkurtz@BKLawfirm.com](mailto:mkurtz@BKLawfirm.com)

[jkylercohn@BKLawfirm.com](mailto:jkylercohn@BKLawfirm.com)

June 10, 2013

**COUNSEL FOR THE OHIO ENERGY GROUP**

**BEFORE THE  
PUBLIC UTILITY COMMISSION OF OHIO**

<b>In The Matter Of The Application Of Duke Energy Ohio For Approval of its Energy Efficiency and Peak-Demand Reductions Portfolio of Programs</b>	<b>:</b> <b>:</b> <b>:</b>	<b>Case No. 13-0431-EL-POR</b>
--	----------------------------------	--------------------------------

---

**MEMORANDUM IN SUPPORT OF  
THE OHIO ENERGY GROUP'S MOTION TO INTERVENE**

---

Pursuant to Ohio Rev. Code §4903.221 and Ohio Admin. Code §4901-01-11, the Public Utility Commission of Ohio should grant OEG leave to intervene in this proceeding.

OEG is a non-profit entity organized to represent the interests of large industrial customers in electric and gas regulatory proceedings before the Public Utility Commission of Ohio ("Commission"). OEG's members who are participating in this intervention are: AK Steel Corporation, Air Products and Chemicals, Inc., BP-Husky Refining, LLC, E.I. DuPont de Nemours & Co., Ford Motor Company, GE Aviation, General Motors LLC and Worthington Industries. These companies purchase electric distribution services from Duke Energy Ohio, Inc. Therefore, the interests of OEG's members may be directly affected by the outcome of this proceeding. OEG intends to play a constructive role in this case and provide information which will assist the Commission.

No other party to this proceeding can adequately represent OEG's interest. Intervention would not unduly delay the proceeding nor unjustly prejudice any existing party.

Accordingly, OEG has a real and substantial interest and is entitled to intervene in this action under Ohio Rev. Code §4903.221 and Ohio Admin. Code §4901-1-11.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "David F. Boehm", is written over a horizontal line.

David F. Boehm, Esq.

Michael L. Kurtz, Esq.

Jody Kyler Cohn, Esq.

**BOEHM, KURTZ & LOWRY**

36 East Seventh Street, Suite 1510

Cincinnati, Ohio 45202

Ph: (513) 421-2255 Fax: (513) 421-2764

E-Mail: [dboehm@BKLawfirm.com](mailto:dboehm@BKLawfirm.com)

[mkurtz@BKLawfirm.com](mailto:mkurtz@BKLawfirm.com)

[jkylercohn@BKLawfirm.com](mailto:jkylercohn@BKLawfirm.com)

**COUNSEL FOR THE OHIO ENERGY GROUP**

June 10, 2013

## CERTIFICATE OF SERVICE

I hereby certify that true copy of the foregoing was served by electronic mail (when available) or ordinary mail, unless otherwise noted, this 10<sup>th</sup> day of June, 2013 to the following:

A handwritten signature in blue ink, appearing to read "David F. Boehm", is written over a horizontal line.

David F. Boehm, Esq.

Michael L. Kurtz, Esq.

Jody Kyler Cohn, Esq.

AMERICAN TRANSMISSION SYSTEMS INCORPORATED  
76 S MAIN ST  
AKRON OH 44308

\*SCHMIDT, ROBERT J MR.  
PORTER WRIGHT MORRIS & ARTHUR  
41 SOUTH HIGH ST.  
COLUMBUS OH 43215

\*BUTLER, MATT MR.  
PUBLIC UTILITIES COMMISSION OF OHIO  
180 E. BROAD ST.  
COLUMBUS OH 43215

**This foregoing document was electronically filed with the Public Utilities**

**Commission of Ohio Docketing Information System on**

**6/10/2013 3:27:10 PM**

**in**

**Case No(s). 13-0431-EL-POR**

Summary: Motion Ohio Energy Group's (OEG) Motion to Intervene and Memorandum in Support electronically filed by Mrs. Jody Kyler Cohn on behalf of Ohio Energy Group