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November 10, 2005

Public Utilities Commission of Ohio
Docketing Division
180 East Broad Street
Columbus, Ohio 43315-3793

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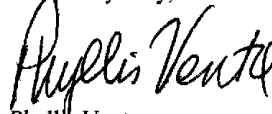
Re: Case Number 05-0704-EL-ATA
Ohio Edison Company, et al.
Application for Tariff Approval

Dear Sir or Madam:

Enclosed please find an original and eight copies of the City of Euclid's Motion to Intervene in the above matter. Please file the original and return one time-stamped copy to me in the enclosed self-addressed, stamped envelope.

Thank you for your assistance.

Yours very truly,


Phyllis Vento
Assistant Director of Law

PV/ga

Enclosures

Public Utilities Commission 11-10.Tariff Approval Application

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BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO


In the Matter of the Joint Application of)
Ohio Edison Company, The Cleveland)
Electric Illuminating Company and) Case No. 05-704-EL-ATA
Toledo Edison Company for Approval of)
Generation Charge Adjustment Rider.)

MOTION TO INTERVENE
BY
The City of Euclid

City of Euclid respectfully moves the Public Utilities Commission of Ohio ("Commission") to grant the City of Euclid's motion to intervene in the above-captioned proceeding. R.C. § 4903.221; O.A.C. Section 4901-1-11. The City of Euclid further explains the reasons for its motion in the attached memorandum in support.

Respectfully submitted,

CHRIS FREY
Director of Law

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BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Joint Application of)
Ohio Edison Company, The Cleveland)
Electric Illuminating Company and) Case No. 05-704-EL-ATA
Toledo Edison Company for Approval of)
Generation Charge Adjustment Rider.)

MEMORANDUM IN SUPPORT
OF
MOTION TO INTERVENE
BY
The City of Euclid

The City of Euclid meets the standards in statute and rule for intervention in this case. Ohio Revised Code ("R.C.") Section 4903.221; Ohio Administrative Code ("O.A.C.") Section 4901-1-11. On May 27, 2005, Ohio Edison Company ("OE"), Cleveland Electric Illuminating Company ("CEI") and Toledo Edison Company ("TECO") (collectively, "FirstEnergy Companies" or "Applicants") filed an Application in this case for approval of what they are calling a generation charge adjustment rider. The FirstEnergy Companies seek regulatory authority to recover increased fuel costs for calendar year 2006 and beyond through a rider mechanism, which Applicants filed in connection with the Applicant's Rate Stabilization Plan in Case No. 03-2144-EL-ATA.

The City of Euclid is a PUCO-certified governmental aggregator in Case No. 01-0228-EL-GAG. It is a "person who may be adversely affected" by these proceedings. R.C. § 4903.221.

The City of Euclid may be adversely affected for reasons that include, but are not limited to, the following. The outcome of the above-captioned proceeding will directly affect The City of Euclid. The City of Euclid's electricity aggregation program operations, and the electric rates of Euclid's customers, who are residential and small commercial customers of CEI, will be increased. Any increase in these rates have an adverse affect

on Euclid's residential customers as well as its small commercial customers, many of whom are struggling to survive in northeast Ohio's difficult economic climate.

In addition to being adversely affected by this proceeding, Euclid meets the four statutory criteria that the Commission must consider for interventions. First, the "nature and extent" of Euclid's "interest" warrant the granting of intervention. R.C. § 4903.221(B)(1). Euclid is the governmental aggregator to about 20,000 consumers in FirstEnergy Company's distribution territory.

The second statutory standard is the prospective intervenor's "legal position" and "its probable relation to the merits of the case." R.C. § 4903.221(B)(2). As noted above, The City of Euclid has legal positions as an aggregator operating in FirstEnergy Company's distribution territory. The City of Euclid's positions are related to the fact that the FirstEnergy Company's proposals in this case will increase the electric rates of Euclid's aggregation electric customers and will affect the operation of Euclid's aggregation program in the future. These positions are directly relevant and material to the merits of the case.

The third statutory standard is whether the "prospective intervenor will unduly prolong or delay the proceeding." R.C. § 4903.221(B)(3). Euclid is timely filing this motion, so there is not an issue of prolonging or delaying matters that have developed later in a case. In any event, Euclid will pursue reasonable efforts to work cooperatively with others in the cases, to maximize case efficiency where practical but without compromising Euclid positions reflecting unique differences between Euclid and other parties.

The fourth statutory standard is whether the "prospective intervenor will significantly contribute to the full development and equitable resolution of the factual issues." R.C. § 4903.221(B)(4). The FirstEnergy Companies' application contains assertions and assumptions which may or may

not be accurate. Euclid's intervention will contribute to the testing of those opinions and conclusions, which is appropriate and necessary for a full and fair Commission adjudication.

Euclid also meets the standards for intervention under the PUCO's rules of practice and procedure. O.A.C. 4901-1-11. Euclid satisfies the elements of O.A.C. 4901-1-11 for intervention based on the above explanation for meeting the statutory standards. As shown above, Euclid has a "real and substantial interest in the proceeding..." given its existing aggregation service to residential and small commercial customers in one of the subject FirstEnergy Companies' distribution territories. O.A.C. 4901-1-11(A)(2). Euclid's interest is not adequately represented by existing parties.

Euclid explained above the "nature" of its interest. O.A.C.4901-1-11(B)(1). No parties that represent Euclid's interest are intervenors in the case. O.A.C. 4901-1-11(B)(2). As such, Euclid must represent its own interest. The Commission recognizes such distinctions when it grants intervention to more than one consumer representative and more than one CRES provider.

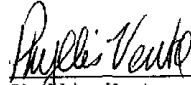
Euclid described above that it will significantly contribute to the proceedings and not unduly prolong or delay the proceedings. Those explanations satisfy the next criterion in the rules-that Euclid will contribute to a just and expeditious resolution of the issues. O.A.C. 4901-1-11(B)(3).

Also, Euclid's intervention would not unduly delay or unjustly prejudice any party. O.A.C. 4901-1-11(B)(4). Euclid has explained that it will not unduly delay the proceedings. Further, Euclid has not proposed anything that would unjustly prejudice a party.

Finally, this motion is timely. R.C. § 4903.221(A)(2); also O.A.C. 4901-1-11(E)(1).

WHEREFORE, Euclid's Motion to Intervene should be granted.

Respectfully submitted,



Phyllis Vento
Assistant Director of Law

CERTIFICATE OF SERVICE

A copy of the foregoing Motion to Intervene by the City of Euclid was mailed this 12

day of November 2005 via regular U.S. Mail postage prepaid to the following:

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