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BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO 2002 FEB 15 PM 4:57

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In the Matter of the Application of ) The Cincinnati Gas & Electric Company ) For an Increase in its Gas Rates in its ) Service Territory. )	Case No. 01-1228-GA-AIR
In the Matter of the Application of ) The Cincinnati Gas & Electric Company ) For Approval of an Alternative Rate Plan ) For its Gas Distribution Service. )	Case No. 01-1478-GA-ALT
In the Matter of the Application of ) The Cincinnati Gas & Electric Company ) For Approval to Change Accounting ) Methods. )	Case No. 01-1539-GA-AAM

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**THE OHIO HOME BUILDERS ASSOCIATION'S  
MOTION TO INTERVENE  
AND  
MEMORANDUM IN SUPPORT**

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February 15, 2002

Attorney for the Ohio Home Builders  
Association

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

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**MOTION TO INTERVENE**

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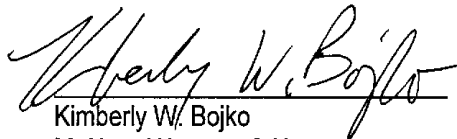
Now comes the Ohio Home Builders Association ("OHBA") and, pursuant to Section 4903.221, Ohio Revised Code, and Rule 4901-1-11, Ohio Administrative Code, respectfully moves for leave to intervene in the above-captioned proceedings as a full party of interest.

As demonstrated further in the Memorandum in Support attached hereto and incorporated herein, OHBA has a direct, real, and substantial interest in the issues and matters involved in the above-captioned proceedings, and is so situated that the disposition of these proceedings may, as a practical matter, impair or impede its ability to protect that interest.

OHBA believes that its participation in these proceedings will not cause undue delay, will not unjustly prejudice any existing party, and will contribute to the just and expeditious resolution of the issues and concerns raised in these proceedings. The

interest of OHBA will not be adequately represented by other parties to the proceedings and, as such, OHBA is entitled to intervene in these proceedings 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,



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**MEMORANDUM IN SUPPORT**

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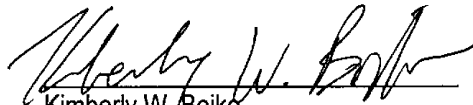
In support of this Motion to Intervene, OHBA states that it is an Ohio non-profit organization and a statewide association of builders and developers, many of which develop and build homes within The Cincinnati Gas & Electric Company's ("CG&E") service area. OHBA has nearly 9,000 members.

On July 31, 2001, CG&E filed various applications to increase base rates for its natural gas services, for approval of an alternative rate plan for its gas distribution service, and for approval to change its accounting methods. CG&E's proposals include modifications to its Main Extension Policy, Rider X. The proposed modifications could result in substantial increases in the charges associated with service connections that are requested by developers, builders, and individual customers. Additionally, it seems that other potential effects may occur as a result of the various modifications to CG&E's current policy. Representatives of CG&E and members of the OHBA have already

begun discussing these issues and believe that OHBA's concerns can be resolved; however, the modifications as proposed by CG&E in its rate case filings that will affect OHBA's members are presently before the Commission. Thus, OHBA and its members, have a direct and substantial interest in these proceedings. OHBA members with a direct and substantial interest in these proceedings include all of its members.

For the aforementioned reasons and consistent with the requirements of Section 4903.221, Ohio Revised Code, and Rule 4901-1-11(B), Ohio Administrative Code, OHBA has a direct, real, and substantial interest in the issues and matters involved in the above-captioned proceedings that will only be protected by its participation in these proceedings. Therefore, OHBA respectfully requests leave to intervene in these proceedings.

Respectfully submitted,

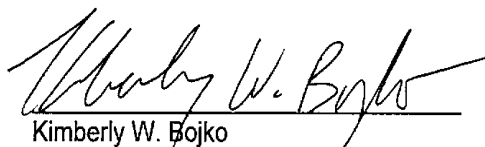


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**Attorney for the Ohio Home Builders  
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**CERTIFICATE OF SERVICE**

I certify that a copy of the foregoing *Motion to Intervene and Memorandum in Support* was served via hand-delivery, express mail or regular U.S. Mail, postage prepaid, upon all parties of record to this proceeding this 15<sup>th</sup> day of February, 2002.

  
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