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February 20, 2004

Public Utilities Commission of Ohio
Docketing
180 East Broad Street
Columbus, OH 43215

Re: Case Numbers 03-93-EL-ATA
03-2079-EL-AAM
03-2081-EL-AAM
03-2080-EL-ATA
01-2164-EL-ORD

Dear Sir or Madam:

Accompanying this cover letter are ten copies of OHA's Motion in Intervene and Memorandum in the above referenced matters involving The Cincinnati Gas & Electric Company.

Parties are being served by first class mail as indicated in the certificate of service.

Please contact me if further information is required.

Sincerely,

Richard L. Sites
General Counsel

Enclosure per above

This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business
Technician ANJ Date Processed 2/20/04

**BEFORE THE
PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of The Cincinnati Gas & Electric Company to Modify Its Nonresidential Generation Rates to Provide for Market-Based Standard Service Offer Pricing and to Establish an Alternative Competitive-Bid Service Rate Option Subsequent to the Market Development Period.

Case No. 03-93-EL-ATA

In the Matter of the Application of The Cincinnati Gas & Electric Company for Authority to Modify Current Accounting Procedures for Certain Costs Associated with the Midwest Independent Transmission System Operator

Case No. 03-2079-EL-AAM

In the Matter of the Application of The Cincinnati Gas & Electric Company for Authority to Modify Current Accounting Procedures for Capital Investment in its Electric Transmission and Distribution System and to Establish a Capital Investment Reliability Rider to be Effective after the Market Development Period

Case No. 03-2081-EL-AAM

Case No. 03-2080-EL-ATA

In the Matter of the Commission's Promulgation of Rules for the Conduct of a Competitive Bidding Process for Electric Distribution Utilities Pursuant to Section 4928.14, Revised Code

Case No. 01-2164-EL-ORD

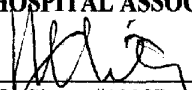
MOTION TO INTERVENE OF THE OHIO HOSPITAL ASSOCIATION (OHA)

Pursuant to section 4903.221 of the Ohio Revised Code and section 4901-1-11 of the Ohio Administrative Code, the Ohio Hospital Association ("OHA") moves for leave to intervene in these proceedings. The Public Utilities Commission of Ohio ("Commission") should

grant OHA leave to intervene because OHA has a real and substantial interest in these proceedings, and the Commission's disposition of these proceedings may impair or impede the OHA's ability to protect that interest.

Respectfully submitted,

OHIO HOSPITAL ASSOCIATION



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MOTION IN SUPPORT OF MOTION TO INTERVENE OF THE
OHIO HOSPITAL ASSOCIATION

The Ohio Hospital Association ("OHA") should be permitted to intervene in the above-captioned proceedings. The OHA has a real and substantial interest in these proceedings. The OHA was an active participant in the legislative process that resulted in the electric restructuring law and has since been an active participant in the regulatory process. The 170 member hospitals of the OHA have over 700 electricity accounts statewide and annually spend about \$100 million for electricity services, and a significant amount of this expenditure is for electric service provided by the Cincinnati Gas & Electric Company ("CG&E").

CG&E has filed application to modify its non-residential rates to provide for market based standard service offer ("MBSSO") pricing and to establish an alternative competitive bid process (CBP) to commence after the market development period ("MDP"). CG&E would offer a retail market-based generation rate to non-residential customers that do not switch to a

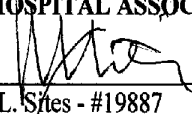
competitive supplier or to the CBP for their service. The rate components of the MBSSO include both variable and fixed components. The variable components include a Market Price Tracker Adjustment and a True-up Adjustment. The above-captioned matters also address recovery of certain capital investments made by CG&E.

OHA is concerned that the ultimate resolution of the matters to be addressed in the above-captioned proceedings could have a substantial effect on the electricity costs of the OHA membership. The cost of electricity represents a significant component of total hospital expenses. Additionally, hospitals have somewhat unique electricity load patterns and require a high level of reliability to provide effective and safe patient care. As a result of these concerns, OHA has a substantial interest in these proceedings that are not adequately addressed by any other party. OHA's participation will enhance the effectiveness of the above proceedings, will not unnecessarily cause delay, and will help ensure that the proceedings in this matter are fair to Ohio hospitals.

Accordingly, the OHA respectfully requests that the Commission determine that it has a real and substantial interest in these proceedings and grant its Motion to Intervene in this proceeding.

Respectfully submitted,

OHIO HOSPITAL ASSOCIATION



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CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing Motion to Intervene and Motion in Support of Motion to Intervene were served on the following either electronically or by first class mail this 20th day of February 2004.



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