

BEFORE THE  
PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of  
Columbus Southern Company and Ohio  
Power Company For Authority to Recover  
Costs Associated with the Construction and  
Ultimate Operation of an Integrated  
Gasification Combined Cycle Electric  
Generating Facility

CASE NO. 05-376-EL-UNC

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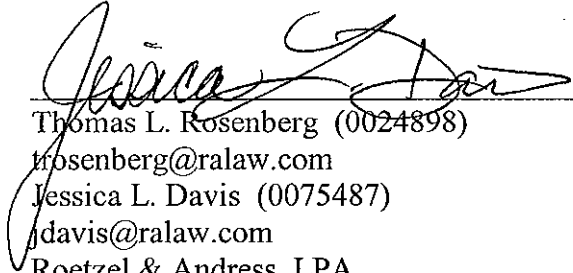
**MOTION TO INTERVENE OF INTERNATIONAL BROTHERHOOD OF  
ELECTRICAL WORKERS LOCAL #970, UNITED ASSOCIATION OF JOURNEYMEN  
AND APPRENTICES OF THE PLUMBING AND PIPE FITTING INDUSTRY OF THE  
UNITED STATES AND CANADA LOCAL #168 AND PARKERSBURG-MARIETTA  
BUILDING AND CONSTRUCTION TRADES COUNCIL AFL-CIO**

Pursuant to Ohio Revised Code § 4903.221 and Ohio Administrative Code § 4901-1-11,  
the International Brotherhood of Electrical Workers Local #970 ("Local #970") the United  
Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry of the  
United States and Canada Local #168 ("Local #168") and Parkersburg-Marietta Building and  
Construction Trades Council AFL-CIO ("Buildings Trades Council") move the Public Utilities  
Commission of Ohio ("PUCO") to grant their intervention in the above-captioned proceeding.  
Support for Local #970, Local #168 and the Buildings Trades Council's Motion to Intervene is  
outlined in the Memorandum in Support attached hereto.

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Respectfully submitted,



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Parkersburg-Marietta Building and  
Construction Trades Council AFL-CIO*

## **MEMORANDUM IN SUPPORT**

### **I. Introduction**

On March 18, 2005, Columbus Southern Power Company and Ohio Power Company (collectively, "AEP Companies") filed an application for authority to recover costs associated with the construction and operation of an integrated gasification combined cycle ("IGCC") electric generating facility<sup>1</sup>. The AEP Companies are prepared to embark on the path toward construction of a 600 MW IGCC facility in Ohio. Specifically, on a preliminary basis, the AEP Companies are analyzing the impact of locating an IGCC facility in Meigs County, Ohio in the Great Bend area.

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<sup>1</sup> The IGCC Facility, the benefits associated with the construction of this type of facility and the costs of construction and operation of the facility are more fully outlined in the AEP Companies' Application filed with the PUCO on March 18, 2005.

The AEP Companies are seeking authority from the PUCO to utilize a cost recovery system associated with the construction and operation of the IGCC facility. To begin recovery of some of the costs associated with this project, the AEP Companies have proposed that they be authorized to assess a generation rate surcharge<sup>2</sup>, effective with the first billing cycle in January 2006.

Local #970, Local #168 and the Buildings Trades Council are interested parties to this litigation. Local #970 is an electrical workers union representing electrical workers in Southeast Ohio and West Virginia, including Meigs County, Ohio. Local #168 is also a union, representing journeymen and apprentices of the plumbing and pipe fitting industry in Southeast Ohio and West Virginia, including Meigs County. The Buildings Trades Council is an organization of many unions situated in both the Southeast Ohio—Parkersburg, West Virginia area. Local #970, Local #168 and the Buildings Trades Council, representing thousands of trade workers and members of the affected community, support the approval of the surcharge proposed by the AEP Companies and construction of the IGCC facility in Meigs County. A decision by the PUCO denying the AEP Companies' Application would adversely affect the members of Local #970, Local #168 and the Buildings Trades Council. Accordingly, Local #970, Local #168 and the Buildings Trades Council have an interest in the outcome of these proceedings, especially as they affect the economy and job market in southeastern Ohio. As such, Local #970, Local #168 and the Buildings Trades Council's Motion to Intervene should be granted.

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<sup>2</sup> The AEP Companies have extensively outlined the manner in which the surcharges would apply in its Application filed with the PUCO on March 18, 2005.

**II. Local #970, Local #168 and the Buildings Trades Council Meet the Prerequisites of Intervention**

O.R.C. § 4903.221(B) and O.A.C. § 4901-1-11 outline essentially the same criteria to be considered and evaluated by the PUCO in determining whether to grant intervention. The following factors should be considered:

- (1) The nature and extent of the person's interest;
- (2) The extent to which the person's interest is represented by existing parties;
- (3) The legal position advanced by the prospective intervenor and its probable relation to the merits of the case;
- (4) Whether the intervention by the prospective intervenor will unduly prolong or delay the proceedings; and
- (5) The person's potential contribution to a just and expeditious resolution of the issues involved in the proceeding.

See O.R.C. § 4903.221(B) and O.A.C. § 4901-1-11.

The nature and extent of Local #970, Local #168 and the Buildings Trades Council's interest in this proceeding lies in the significant positive economic impact construction and operation of the IGCC facility would have on the southeastern Ohio community. The construction and subsequent operation of the IGCC facility would offer jobs to thousands of members of the community. No other party to this proceeding represents the interests of individuals who are both interested members of the community subject to the requested surcharge and members of the work force likely to respond to the increased demand for skilled trade workers.

As referenced herein, Local #970, Local #168 and the Buildings Trades Council, on behalf of its members, support the Application of the AEP Companies and the construction and operation of the IGCC facility. Local #970, Local #168 and the Buildings Trades Council

support the AEP Companies' Application because of the significant positive impact the construction and operation of the IGCC facility would have on the economy in southeastern Ohio. The construction and operation of the IGCC facility would increase the number of jobs available in southeastern Ohio and stimulate the region's overall economic growth. Both the increase in jobs and the potential for stimulation of the region's economic growth are important factors to be considered throughout the course of these proceedings.

It is the intention of Local #970, Local #168 and the Buildings Trades Council to monitor the proceedings and provide input in the event such information would be helpful. Consequently, allowing the intervention of Local #970, Local #168 and the Buildings Trades Council would not unduly prolong or delay the proceedings in anyway. Rather, allowing the intervention of the moving entities may contribute to the full development and equitable resolution of the factual issues in this case as it relates to the skilled trade workers job force in the area, the overall likelihood of an increase in jobs available in the community and the potential for stimulation of the region's economic growth, in the event such information is necessary.

Local #970, Local #168 and the Buildings Trades Council meet the criteria set forth in both O.R.C. § 4903.221(B) and O.A.C. § 4901-1-11. As such, the moving entities respectfully request that the PUCO grant its Motion to Intervene<sup>3</sup>.

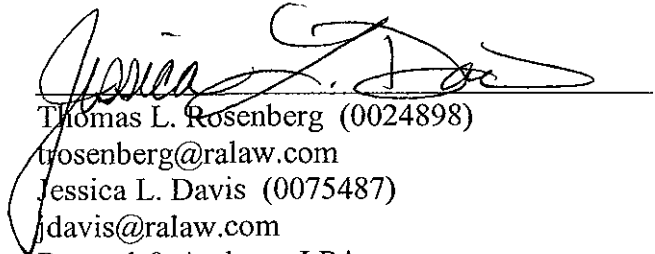
### **III. Conclusion**

For the aforementioned reasons, Local #970, Local #168 and the Buildings Trades Council respectfully move the PUCO to grant its Motion to Intervene in the above-referenced proceedings.

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<sup>3</sup> It is anticipated that undersigned counsel will be filing Motions to Intervene on behalf of additional Unions.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Thomas L. Rosenberg", is written over a horizontal line. The signature is fluid and cursive.

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Parkersburg-Marietta Building and  
Construction Trades Council AFL-CIO*

**CERTIFICATE OF SERVICE**

I do hereby certify the a copy of the foregoing was served, via regular U.S. Mail, on this

11<sup>th</sup> day of May, 2005, on the following:

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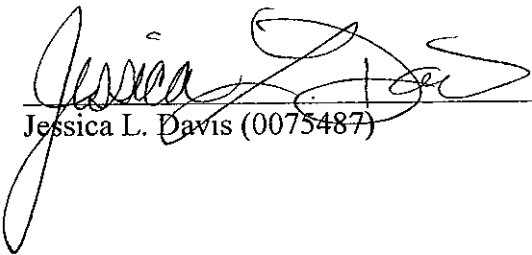
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