

FILE

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BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO 2005 MAY -2 PM 1:53

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In the Matter of the Application of Columbus)
Southern Power Company and Ohio Power)
Company for Authority to Recover Costs) Case No. 05-376-EL-UNC
Associated with the Construction and Ultimate)
Operation of an Integrated Gasification)
Combined Cycle Electric Generating Facility)

**COLUMBUS SOUTHERN POWER COMPANY'S
AND OHIO POWER COMPANY'S MEMORANDUM CONTRA
CALPINE CORPORATION'S MOTION TO INTERVENE**

On April 18, 2005, Calpine Corporation ("Calpine") filed a motion to intervene in this proceeding. In its only basis in support of its intervention request, Calpine states that it "builds, owns and operates power generation assets in various geographical areas of the U.S., including the Midwest...." Calpine also notes that "[t]he primary focus of [its] business is the provision of wholesale electricity to distribution utilities." Motion at page 2.

Calpine's status as a builder and operator of power plants or seller of wholesale power does not amount to an interest that is cognizable before the Commission, let alone one that supports intervention in this proceeding. First, the Commission does not review and approve decisions regarding power plants that are owned or operated by entities that are not public utilities subject to its jurisdiction. Nor does the Commission have jurisdiction over wholesale power transactions.

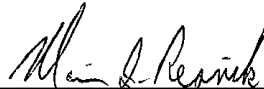
The only possible relationship between Calpine's business interest (as an owner/operator of generating facilities and wholesale seller of electricity) and the Companies' decision to build an Integrated Gasification Combined Cycle (IGCC) generating facility (or any other form of generating technology) is how that decision might affect

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Calpine's ability to sell wholesale electricity to the Companies or to Competitive Retail Electric Service (CRES) providers doing business in the Companies' service territories. As a potential provider of wholesale electricity in Ohio, Calpine has no legally cognizable entitlement to this Commission making decisions which promote the business interest of a seller of wholesale electricity. In that regard, Calpine's lack of standing to promote its interest is comparable to the standing of a business that could sell coal or other commodities to CRES providers or to the Companies. Calpine, like any other would-be supplier, has no standing to pursue its interest in this proceeding. Its business interest is neither relevant to this proceeding nor within the Commission's jurisdiction to consider.

Calpine has not articulated a real and substantial interest in the subject matter of this proceeding. Therefore, it does not meet the requirement set forth in § 4901-1-11(A)(2), Ohio Admin. Code, for intervention. Its motion to intervene should be denied.

Respectfully submitted,



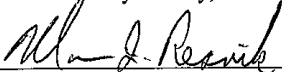
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CERTIFICATE OF SERVICE

Columbus Southern Power Company's and Ohio Power Company's Memorandum
Contra Calpine Corporation's Motion to Intervene was served by First-Class U.S. Mail upon
counsel identified below for all parties of record this 2nd day of May, 2005.



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