



Janine L. Migden-Ostrander  
(Reg. No. 0002310)  
Consumers' Counsel  
Joseph P. Serio (Reg. No. 0036959)  
(Counsel of Record)  
Larry S. Sauer (Reg. No. 0039223)  
Gregory J. Poulos (Reg. No. 0070532)  
Assistant Consumer's Counsel  
10 West Broad Street, Suite 1800  
Columbus, Ohio 43215-3485  
Telephone: 614-466-8574  
Facsimile: 614-466-9475  
Email: serio@occ.state.oh.us  
sauer@occ.state.oh.us  
poulos@occ.state.oh.us

COUNSEL FOR APPELLANT, OFFICE OF THE  
OHIO CONSUMERS' COUNSEL

Richard Cordray (Reg. No. 0038034)  
Attorney General of Ohio  
Duane W. Luckey (Reg. No. 0023557)  
Stephen A. Reilly (Reg. No. 0019267)  
Anne L. Hammerstein (Reg. No. 0022867)  
Assistant Attorney General  
Public Utilities Section  
180 East Broad Street, 9<sup>th</sup> Floor  
Columbus, Ohio 43215-3793  
Telephone: 614-466-4397  
Fax: 614-466-8764

COUNSEL FOR APPELLEE, THE PUBLIC  
UTILITIES COMMISSION OF OHIO

The East Ohio Gas Company d/b/a/ Dominion East Ohio (“DEO”) hereby moves for leave to intervene as intervening appellee in this matter. This case is before the Court on the appeal by Ohio Partners for Affordable Energy and the Office of the Ohio Consumers’ Counsel from the October 15, 2008 Opinion and Order and the December 19, 2008 Entry on Rehearing of the Public Utilities Commission of Ohio (“PUCO”) in PUCO Case Nos. 07-829-GA-AIR, 07-830-GA-ALT, 07-831-GA-AAM, 08-169-GA-ALT, and 06-1453-GA-UNC. The consolidated PUCO proceeding involved an application by DEO for approval of new rates and a straight fixed variable rate design, along with related accounting changes. As the applicant in the PUCO proceeding, and as a party directly affected by the PUCO’s orders, DEO has a real and substantial interest in the appeal of those orders.

WHEREFORE, DEO respectfully requests that the Court grant it leave to intervene as intervening appellee in this proceeding.

Respectfully submitted,

*David Kutik (see authority)*

David A. Kutik (Reg. No. 0006418)

(Counsel of Record)

JONES DAY

North Point

901 Lakeside Avenue

Cleveland, Ohio 44114

Telephone: 216-586-3939

Facsimile: 216-579-0212

E-mail: dakutik@jonesday.com

Douglas R. Cole (Reg. No. 0070665)

JONES DAY

Mailing Address:

P.O. Box 165017

Columbus, Ohio 43216-5017

Street Address:

325 John H. McConnell Blvd., Suite 600

Columbus, Ohio 43215-2673

Telephone: 614-469-3939

Facsimile: 614-461-4198

E-mail: drcole@jonesday.com

COUNSEL FOR INTERVENING APPELLEE,

THE EAST OHIO GAS COMPANY D/B/A

DOMINION EAST OHIO

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing Motion of The East Ohio Gas Company d/b/a/ Dominion East Ohio for Leave to Intervene as Appellee was delivered to the following via regular U.S. mail this 23rd day of February, 2009:

Colleen L. Mooney  
Ohio Partners for Affordable Energy  
1431 Mulford Road  
Columbus, Ohio 43212

Duane W. Luckey  
Office of the Ohio Attorney General  
Public Utilities Section  
180 East Broad Street, 9<sup>th</sup> Floor  
Columbus, Ohio 43215-3793

Joseph P. Serio  
Office of the Ohio Consumers' Counsel  
10 West Broad Street, Suite 1800  
Columbus, Ohio 43215-3485

  
COUNSEL FOR INTERVENING APPELLEE,  
THE EAST OHIO GAS COMPANY  
D/B/A DOMINION EAST OHIO