

ORIGINAL

IN THE SUPREME COURT OF OHIO

City of Reynoldsburg  
Appellant,

:  
: Supreme Court Case No. 11-1274

:  
:

: Appeal From the Public  
: Utilities Commission of Ohio  
: Case Nos. 08-846-EL-CSS

v.

The Public Utilities Commission of Ohio,  
Appellee,

:

COLUMBUS SOUTHERN POWER COMPANY'S  
MOTION TO INTERVENE AS APPELLEE

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**IN THE SUPREME COURT OF OHIO**

<b>City of Reynoldsburg</b>	:
Appellant,	: <b>Supreme Court Case No. 11-1274</b>
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	: <b>Appeal From the Public</b>
v.	: <b>Utilities Commission of Ohio</b>
<b>The Public Utilities Commission of Ohio,</b>	: <b>Case Nos. 08-846-EL-CSS</b>
Appellee,	:

**COLUMBUS SOUTHERN POWER COMPANY'S  
MOTION TO INTERVENE AS APPELLEE**

Columbus Southern Power Company, which is an electric utility operating company ("CSP"), move to intervene as Appellee in this proceeding. For the reasons discussed in the following memorandum: 1) CSP has an interest relating to the matters that are the subject of this action; 2) the disposition of the action may impair or impede CSP's ability to protect that interest; and 3) that interest is not adequately represented by existing parties.

**MEMORANDUM IN SUPPORT**

This appeal involves the effect of orders issued by the Public Utilities Commission of Ohio (Commission), in its Case No. 08-846-EL-CSS. The case involves the application of a CSP tariff in relation to the efforts of a local community contrary to the tariff. The appeal seeks to challenge the authority of CSP's tariff and the application of it to the Appellant and to all municipalities in Ohio. The appeal also seeks to question the wording and meaning of the tariff and by implication the application of the tariff.

The appeal questions the application of CSP's tariff as applied to its customer the Appellant so as to achieve a result that would be contrary to CSP's interest. Therefore, CSP has a direct interest in the matters that are the subject of these appeals. Absent granting intervention, CSP's ability to protect this interest may be impaired or impeded, and the Court will not have the benefit of hearing from the companies whose rates are at issue in this appeal. CSP is also the only other party to participate at the evidentiary hearing and has first hand knowledge of the facts and evidence that may assist the Court in its determination.

Finally, neither the Appellant nor the Appellee can adequately represent CSP's interests in this regard. Therefore, CSP requests that the Court grant this motion to intervene.

Respectfully submitted,



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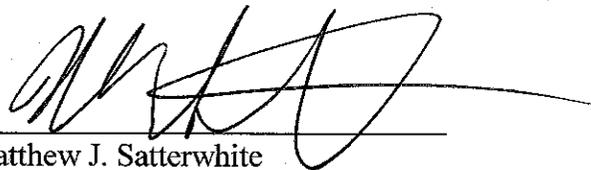
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## PROOF OF SERVICE

I certify that Columbus Southern Power Company's Motion to Intervene was served by First-Class U.S. Mail upon counsel identified below for all parties of record this 16<sup>th</sup> day of August, 2011.



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