

Respectfully Submitted,

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Attorneys for the Retail Energy Supply Association

**MEMORANDUM IN SUPPORT OF
THE MOTION TO INTERVENE OF
THE RETAIL ENERGY SUPPLY ASSOCIATION**

Section 4903.221, Revised Code and Rule 4901-1-11 of the Ohio Administrative Code, establish the standard for intervention in the above-styled proceeding as a full party of record.

Rule 4901-1-11 of the Ohio Administrative Code states in part:

Upon timely motion, any person shall be permitted to intervene in a proceeding upon a showing that:

* * *

(2) The person has a real and substantial interest in the proceeding, and the person is so situated that the disposition of the proceeding may, as a practical matter, impair or impede his or her ability to protect that interest, unless the person's interest is adequately represented by existing parties.

In addition to establishment of a direct interest, the factors that the Public Utilities Commission of Ohio (the "Commission") considers in implementing the above rule are the nature of the intervenor's interest, the extent that interest is represented by existing parties, the intervenor's potential contribution to a just and expeditious resolution of the issues involved, and whether intervention would result in an undue delay of the proceeding. (See also R.C. 4903.221(B) upon which the above rule is authorized). A review of these factors in light of following facts supports granting RESA's intervention.

RESA is a broad and diverse group of retail energy suppliers who share the common vision that competitive retail energy markets deliver a more efficient, customer-oriented outcome than regulated utility structure. Several RESA members are certificated as competitive retail electric service providers and active in the Ohio retail electric and natural gas markets providing service to residential, commercial, industrial and governmental customers. In addition, some of RESA's members currently provide CRES service to retail customers in Columbus Southern

Power and Ohio Power's service areas.

In its first application filed in Case Nos. 08-917-EL-SSO and 08-918-EL-SSO pursuant to S.B. 221, Columbus Southern Power Company and Ohio Power Company ("AEP Ohio") sought — and received — approval from the Public Utilities Commission of Ohio ("the Commission") to implement an electric security plan ("ESP") as modified by the Commission. The term of that ESP was three years and AEP Ohio now seeks approval of its next standard service offer (SSO).

RESA's members have existing and potential business interests in the State that will be affected by the outcome of the proceeding. The Commission's decision in this matter will affect the viability of the competitive retail electric market in Columbus Southern Power's and Ohio Power Company's service territories, in which some of the RESA members provide electric power and other products and services to retail service customers. In fact, if not significantly modified, AEP's application will eliminate the prospects for the development of retail competition in the Columbus Southern Power and Ohio Power service territories to the detriment of RESA and to the detriment of retail customers.

This motion to intervene meets the deadline established by the Attorney Examiner's Entry of March 14, 2011.

WHEREFORE, the Retail Energy Supply Association respectfully requests that the Commission grant this motion for leave to intervene and that RESA be made a full party of record.

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and accurate copy of the foregoing documents was served this 14th day of March, 2011 by regular U.S. mail, postage prepaid, or by electronic mail, upon the persons listed below.


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