



Office of the People's Counsel District of Columbia

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Elizabeth A. Noël
People's Counsel

September 25, 2007

Kimberly D. Bose, Secretary
Federal Energy Regulatory
Commission
888 First Street, N.E.
Washington, D.C. 20426

RE: American Electric Power Service Corporation Docket Nos. EL07-101-000;
ER05-6-100; EL04-135-003; EL02-111-120

Dear Secretary Bose:

Please find for e-filing, the Office of the People's Counsel of the District of Columbia's Motion to Intervene. Copies of this document have been served upon all parties designated on the Commission's official service list, in accordance with Rule 2010 of the Commission's Rules of Practice and Procedure.

Very truly yours,

- Filed electronically -

Lopa B. Parikh
Assistant People's Counsel

Enclosure

UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION

American Electric Power Service Corporation

Docket No. EL07-101-000

v.

Midwest Independent Transmission System
Operator, Inc., and PJM Interconnection, L.L.C.

Midwest Independent Transmission System
Operator, Inc.

Docket No. ER05-6-100

Midwest Independent Transmission System
Operator, Inc., PJM Interconnection, L.L.C., et al.

Docket No. EL04-135-003

Midwest Independent Transmission System
Operator, Inc., PJM Interconnection, L.L.C., et al.

Docket No. EL02-111-120

Ameren Services Company, et al.

Docket No. EL03-212-116

**MOTION TO INTERVENE OF THE
OFFICE OF THE PEOPLE’S COUNSEL OF THE DISTRICT OF COLUMBIA**

Pursuant to Sections 212 and 214 of the Commission’s Rules of Practice and Procedure, 18 C.F.R. §§ 385.212 and 385.214, the Office of the People’s Counsel of the District of Columbia (“DC OPC”) respectfully moves for leave to intervene in this proceeding. In support of this Motion, DC OPC submits as follows:

I. BACKGROUND

On September 17, 2007, American Electric Power Service Corporation on behalf of Appalachian Power Company, Columbus Southern Power Company, Indiana Michigan Power Company, Kentucky Power Company, Kingsport Power Company, Ohio Power Company and

Wheeling Power Company (collectively, AEP), pursuant to Rule 206 of the Rules of Practice and Procedure and sections 206 and 306 of the Federal Power Act, filed a Complaint and Motion to Consolidate against Midwest Independent Transmission System Operator, Inc. (MISO) and PJM Interconnection, L.L.C. (PJM), alleging that the rate designs underlying their open access transmission tariffs are unjust, unreasonable, and unduly discriminatory and therefore must be revised. Specifically, AEP seeks to recover the costs of existing facilities from customers in MISO and PJM and requests that the Commission establish a refund-effective date of October 1, 2007, with respect to the requested revisions. The September 19, 2007 Notice of Filing in this proceeding established an intervention and comment date of October 9, 2007.

II. COMMUNICATION

The name, address, phone number, facsimile number and e-mail address of the D.C. OPC's designated recipient for service are as follows:

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III. MOTION TO INTERVENE

Section 214 of the Commission's Rules of Practice and Procedure provides that the "movant has or represents an interest which may be directly affected by the outcome of the proceeding, including any interest as a consumer..." DC OPC is an independent agency of the District of Columbia government and is the statutory representative of District of Columbia

consumers in public utility issues in proceedings before the District of Columbia Public Service Commission, federal regulatory agencies and state and federal courts.¹ DC OPC represents the interests of residential consumers in the District of Columbia, who receive their energy from load serving entities within PJM. The load serving entities may produce or procure a portion of this energy in PJM's or MISO's wholesale markets. The transmission costs borne by the supplier are rolled into the rates charged to customers. Thus, the filing affects the interests of the residential consumers that DC OPC represents.

No other party to this proceeding can represent these interests. The electric utility that serves District of Columbia consumers must represent the interests of their shareholders, whose interests as shareholders in a transmission-facility-owning entity directly conflict with the interests of small retail consumers as the ultimate purchasers of transmission services provided over those transmission facilities. Additionally, the District of Columbia Public Service Commission represents the public interest in the District, which includes interests broader than those represented by the DC OPC. Consequently, the DC OPC must be allowed to participate in this proceeding in order to ensure that the interests of small retail consumers in the District of Columbia are adequately represented. Therefore, DC OPC has a direct and material interest in the outcome of this proceeding, which interests cannot be adequately represented by any other party.

IV. CONCLUSION

For the foregoing reasons, the DC OPC respectfully requests that the Commission grant its Motion for Intervention in this case and that DC OPC be permitted to intervene and be granted full party status in this proceeding.

¹ D.C. Code § 34-804 (d) (2006).

Respectfully Submitted,

/s/ filed electronically

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CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document upon each person designated on the official service list compiled by the Secretary in this proceeding by U.S. mail postage prepaid.

Dated at Washington D.C. this 25th day of September 2007.

Filed electronically

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