

IN THE COURT OF APPEALS OF OHIO
TENTH APPELLATE DISTRICT

FILED

SEP 16 PM 1:12

CLERK OF COURTS

State of Ohio ex rel.)
AEP Ohio, etc. et al.)
)
Relators,)
)
v.)
)
The Ohio Environmental Review)
Appeals Commission, et al.)
)
)
Respondents.)

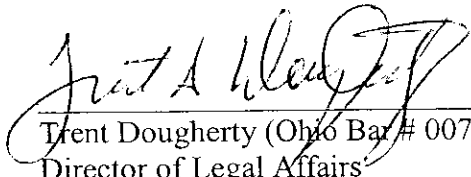
No. 09AP-839

Regular Calendar

MOTION TO INTERVENE

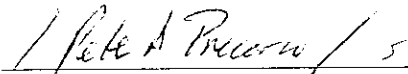
Pursuant to Ohio Rule of Civil Procedure 24, the Natural Resources Defense Council, National Parks Conservation Association, Ohio Environmental Council, Sierra Club, and SunCoke Watch, Inc. (collectively, "Citizen Groups") respectfully move to intervene in the above-captioned proceeding. For the reasons set forth in the accompanying memorandum, the Court should grant the Citizen Groups intervention as of right or, in the alternative, permissive intervention, so that the Citizen Groups can fully participate in this proceeding that may impact their direct, substantial, and legally protectable interests in appeals pending before the Ohio Environmental Review Appeals Commission.

Respectfully Submitted,



Trent Dougherty (Ohio Bar # 0079817)
Director of Legal Affairs
Ohio Environmental Council
1207 Grandview Ave., Suite 201
Columbus, Ohio 43212
Phone: 614-487-7506
Facsimile: 614-487-7510
Email: trent@theoec.org

Counsel for the
Ohio Environmental Council



Peter A. Precario (Ohio Bar # 027080)
326 S High St, Annex Ste 100
Columbus, OH 43215
Phone: 614-224-7883
Fax: 614-224-4510
Email: precariolaw@aol.com

Counsel for the Ohio Environmental
Council and SunCoke Watch



Shannon Fisk
Natural Resources Defense Council
2 N. Riverside Drive, Suite 2250
Chicago, Illinois 60606
Phone: 312-651-7904
Facsimile: 312-234-9633
Email: sfisk@nrdc.org

Counsel for the
Natural Resources Defense Council,
Sierra Club, and National Parks
Conservation Association