

BEFORE THE CORPORATION COMMISSION OF THE STATE OF OKLAHOMA

**COURT CLERK'S OFFICE - OKC
CORPORATION COMMISSION
OF OKLAHOMA**

**IN THE MATTER OF THE APPLICATION OF)
OKLAHOMA GAS AND ELECTRIC COMPANY)
FOR AN ORDER OF THE COMMISSION)
AUTHORIZING APPLICANT TO MODIFY ITS)
RATES, CHARGES, AND TARIFFS FOR RETAIL)
ELECTRIC SERVICE IN OKLAHOMA)**

Cause No. PUD 200800398

MOTION TO INTERVENE OF OKLAHOMA SUSTAINABILITY NETWORK

COMES NOW, the Oklahoma Sustainability Network (“OSN”) and respectfully requests that it be allowed to intervene in this Cause as a full party of record pursuant to OAC 165:5-9-4 of the Oklahoma Corporation Commission Rules of Practice. In support of its Motion, OSN states as follows:

1. Parties.

(a) Applicant herein is Oklahoma Gas & Electric Company (“OG&E”).

(b) Parties to the proceedings currently include the Oklahoma Corporation Commission’s Public Utility Division, the Oklahoma Industrial Energy Consumers, the Oklahoma Attorney General, OG&E Shareholders Association, AES Shady Point, LLC, Wal-Mart Stores East, LP and Sam’s East, Inc. (collectively “Wal-Mart”), AES Shady Point, LLC and PowerSmith Cogeneration Project, Limited Partnership.

(c) Movant is the Oklahoma Sustainability Network, which is an Oklahoma non-profit organization the purpose of which is to connect and educate people of Oklahoma regarding the many aspects of sustainability, including the improvement of Oklahoma’s economy, ecology and social equity.

(d) OSN requests that copies of all notices, pleadings, orders, correspondences and other communications be directed and served upon the following counsel at the address shown below:

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(e) The names and addresses of persons notified of this Motion are set forth hereafter on the Certificate of Mailing.

2. Allegation of Facts.

(a) On December 12, 2008 OG&E filed a Notice of Intent with the Oklahoma Corporation Commission indicating that OG&E would file an Application seeking to modify the rates and charges for OG&E's Oklahoma jurisdictional customers. OG&E subsequently filed its Application to modify its rates, charges and tariffs on February 27, 2009.

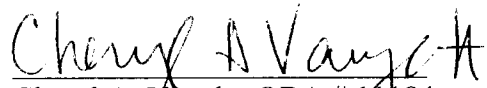
(b) OSN is particularly interested in OG&E's proposed deployment of SmartPower technology in Norman, Oklahoma and its other efforts aimed at more efficient use of resources. OSN has members across the state that are customers of OG&E and has individual chapters in Norman and Oklahoma City, both areas served by OG&E.

- (c) OSN was a party to Cause No. PUD 2008-59, OG&E's Demand Side Management docket, and also actively participated in the Commission's Demand Side Management rulemaking, Cause No. RM 2007-7.
- (d) OSN's interest cannot be adequately represented by any other party and OSN will provide the Oklahoma Corporation Commission with information, evidence and perspectives that are unavailable from any other participant in this proceeding.
- (e) OSN's intervention is not for the purpose of delay, but to provide for its full participation in this matter. OSN accepts all deadlines as set forth in the procedural order entered in this Cause, Order No. 567320.

3. **Legal Authority.** This Motion to intervene is filed pursuant to OAC 165:5-9-4 and jurisdiction over this intervention exists with the Oklahoma Corporation Commission by virtue of Article 9, Section 18 of the Oklahoma Constitution.

4. **Relief Sought.** OSN respectfully requests that the Commission grant it intervenor status as a party of record, and allow it to fully participate in this cause including without limitation filing and presenting testimony, cross examination of witnesses, participation in all formal and informal conferences and hearings and filing of briefs and any other pleadings necessary to its full participation herein.

Respectfully submitted,



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ATTORNEYS FOR
OKLAHOMA SUSTAINABILITY NETWORK

CERTIFICATE OF MAILING

This is to certify that on this 26th day of May 2009, a true and correct copy of the above and foregoing Motion to Intervene and Notice of Hearing thereof was e-mailed, addressed to:

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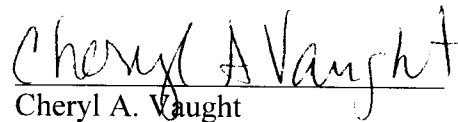
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