## BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

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In the Matter of the Regulation of the Purchased Gas Adjustment Clause Contained Within the Rate Schedules of Columbia Gas of Ohio, Inc., and Related Matters.

In the Matter of the Regulation of the Purchased Gas Adjustment Clause Contained Within the Rate Schedules of Columbia Gas of Ohio, Inc. Case No. 05-221-GA-GCR

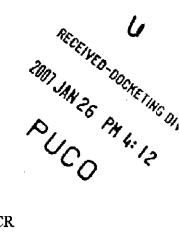
Case No. 04-221-GA-GCR

### MOTION FOR CONTINUANCE OF COLUMBIA GAS OF OHIO, INC.

Pursuant to Ohio Admin. Code §§ 4901-1-12 and 4901-1-13, Columbia Gas of Ohio ("Columbia") moves for a two-week continuance of the hearing scheduled for this case on January 30, 2007. The reasons for the requested continuance are set forth in the accompanying

Memorandum in Support.

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Respectfully submitted, COLUMBIA GAS OF OHIO, INC.

Mar By:

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Attorneys for COLUMBIA GAS OF OHIO, INC.

#### **MEMORANDUM IN SUPPORT**

The hearing in this case is currently scheduled for Tuesday, January 30, 2007. Late in the day on Thursday, January 25, 2007, the Office of the Ohio Consumer's Counsel ("OCC") filed a Motion for Subpoena Duces Tecum ("Motion"). In the Motion, the OCC sought detailed records relating to some of Columbia's Off-System Sales and Capacity Release transactions, as well as such transactions of Columbia's affiliates. The Motion also sought certain other agreements related to the negotiation of the most recent stipulation in Case No. 94-987-GA-AIR, et al. It is Columbia's understanding that the Attorney Examiner granted the OCC motions and issued the subpoenas.

Columbia plans to file a motion to quash the subpoenas and plans to file its responsive pleading prior to the scheduled start of the hearing on January 30, 2007. However, due to the OCC's last minute filing of its Motion, the Attorney Examiner assigned to the case will have little or no time in which to rule upon Columbia's motion to quash. Columbia submits that all parties, and the Attorney Examiner, deserve sufficient time to consider and address the motion to quash. Therefore, Columbia requests that the hearing in this case be continued for two weeks to allow the Attorney Examiner and parties time to reasonably respond to Columbia's motion to quash the OCC's subpoenas.

Furthermore, Columbia notes that unless the motion to quash is granted, in whole or in part, Columbia will not be able to assemble and provide the documents required by the unmodified subpoena by January 30, 2007. It will take Columbia up to two weeks to attempt to assemble all the information requested by the OCC at the last minute.

WHEREFORE, for the reasons stated herein, Columbia respectfully requests that the hearing in this matter be continued for two weeks.

Respectfully submitted,

# COLUMBIA GAS OF OHIO, INC.

By:

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Attorneys for COLUMBIA GAS OF OHIO, INC.

#### CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion for Continuance of Columbia Gas of Ohio, Inc. was served upon all parties of record by regular U.S. Mail and/or by electronic mail this 26<sup>th</sup> day of January, 2007.

Stephen B. Seiple Attorney for COLUMBIA GAS OF OHIO, INC.

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