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BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

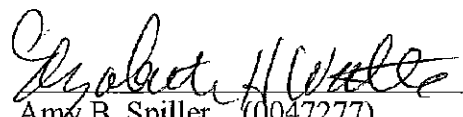
In the Matter of the Application)
of Duke Energy Ohio to Adjust and)
Set the Annually Adjusted) Case No. 09- 770-EL-UNC
Component of its Market Based)
Standard Service Offer)

DUKE ENERGY OHIO, INC'S
MOTION TO EXTEND DEADLINE FOR COMMENTS
AND FOR EXPEDITED RULING

Duke Energy Ohio, Inc., hereby moves this honorable Commission to extend the deadline for the filing of comments by the Parties in this matter. Duke Energy Ohio, Inc., sets forth in the attached Memorandum in Support demonstrating good cause for this requested extension.

Respectfully submitted,

Duke Energy Ohio, Inc.



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MEMORANDUM IN SUPPORT

Comes now Duke Energy Ohio, Inc. (Duke Energy Ohio), by and through counsel, and hereby moves the Public Utilities Commission of Ohio (Commission) for an extension of the deadline for the filing of reply comments relative to the captioned matter. Said extension is requested so that the parties may make better use of available time to discuss resolution of this matter. In support of this motion, Duke Energy Ohio states as follows:

On September 18, 2009, a procedural schedule was established for this matter. (See Entry dated September 18, 2009.) Pursuant to the procedural schedule, reply comments of all parties are to be filed on October 30, 2009. (Id.) Thereafter, if all issues raised in the comments are not resolved, a determination is to be made on November 10, 2009, as to whether a hearing is necessary. (Id.)

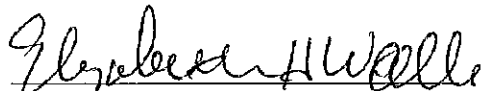
In an effort to explore resolution prior to hearing, a settlement conference was held on October 27, 2009. At that time, Duke Energy Ohio and the Office of the Ohio Consumers' Counsel (OCC) made substantial progress in resolving the two issues identified by the OCC in its initial comments. Given this progress, Duke Energy Ohio proposes extending today's deadline for the submission of reply comments by all parties from October 30, 2009, to November 5, 2009. Such an extension will allow the parties to focus their efforts on resolution of this matter. Duke Energy Ohio further offers that this extension should not adversely affect the procedural schedule. Indeed,

Duke Energy Ohio does not seek to modify any other dates in the procedural schedule.

Rule 4901-1-12, Ohio Administrative Code, provides, in paragraph (C), that any motion may include a request for an expedited ruling and that, if the movant certifies that no party objects to the issuance of such a ruling, an immediate ruling may be issued. Duke Energy Ohio has contacted the two intervening parties, OCC and Ohio Partners for Affordable Energy, and both of such parties indicated that they do not oppose this requested extension. Therefore, Duke Energy Ohio requests that an expedited ruling on this motion be granted.

WHEREFORE, Duke Energy Ohio respectfully requests that the Commission grant its Motion to Extend Procedural Schedule, on an expedited basis.

Respectfully submitted,



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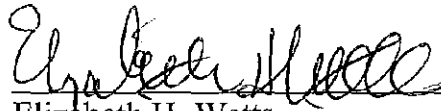
CERTIFICATE OF SERVICE

I hereby certify that, on this 30th day of October 2009, the foregoing Motion of Duke Energy Ohio has been served via electronic mail to the following persons:

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