

FILE

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of)
Aqua Ohio, Inc. for Authority to)
Increase its Rates and Charges in its)
Lake Erie Division.)

Case No. 09-1044-WW-AIR

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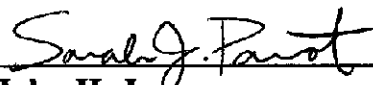
**MOTION FOR EXTENSION AND
REQUEST FOR EXPEDITED RULING**

Pursuant to Rules 4901-1-12 and 4901-1-13 of the Ohio Administrative Code, the Staff of the Public Utilities Commission of Ohio ("Staff") respectfully requests that the deadline of July 16, 2010 for the filing of Staff's direct testimony be extended until July 20, 2010. As described in the accompanying memorandum in support, which is incorporated herein by reference, Staff and the parties to the case continue to engage in settlement negotiations. No party objects to Staff's request for an extension. The Staff respectfully requests an expedited ruling on this motion.

Respectfully submitted,

Richard Cordray
Ohio Attorney General

Duane W. Luckey
Section Chief



John H. Jones
Sarah J. Parrot
Assistant Attorneys General
Public Utilities Section

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MEMORANDUM IN SUPPORT

During the prehearing conference held on June 25, 2010, the attorney examiner established July 16, 2010 as the deadline for the filing of Staff's direct testimony in this rate case. Since the date of the prehearing conference, Aqua Ohio, Inc., the Office of the Ohio Consumers' Counsel, and Staff have actively engaged in settlement negotiations. The parties and Staff continue to work toward reaching a settlement agreement that would resolve all of the issues in this proceeding. For that reason, Staff requests that the deadline for filing its direct testimony be extended from July 16, 2010 to July 20, 2010. The requested extension will enable Staff to focus its time and efforts on the ongoing settlement discussions. No party objects to Staff's request. Rule 4901-1-13(A) of the Ohio Administrative Code permits an extension where good cause is shown. Allowing additional time for reaching a settlement agreement to present to the Commission constitutes good cause for granting an extension under these circumstances.

For the above reasons, Staff further requests an expedited ruling on this motion pursuant to Rule 4901-1-12(C) of the Ohio Administrative Code. Because Staff requests

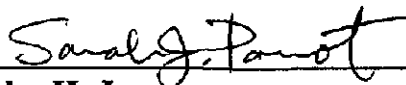
an extension of less than five days, this motion may be granted without the filing of memoranda.

Accordingly, Staff respectfully requests that its motion for an extension and request for an expedited ruling be granted.

Respectfully submitted,

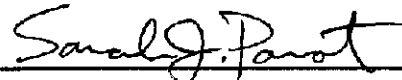
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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing **Motion for Extension and Request for Expedited Ruling** was served upon the following parties of record by regular U.S. mail, postage prepaid and via electronic e-mail, this 14th day of July, 2010.



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