

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Commission's Review of)
its Rules for Safety Standards at Chapter) Case No. 09-223-TR-ORD
4901:2-5, Ohio Administrative Code.)

ENTRY

The attorney examiner finds:

- (1) By entry of July 29, 2010, the Commission extended the comment period on proposed changes to Chapter 4901:2-5, Ohio Administrative Code (O.A.C.), until August 20, 2010.
- (2) On August 11, 2010, the Dayton Power and Light Company, Duke Energy Ohio, Inc., Ohio Edison Company, The Cleveland Electric Illuminating Company, The Toledo Edison Company, Columbus Southern Power Company, Ohio Power Company, Columba Gas of Ohio, the East Ohio Gas Company dba Dominion East Ohio and Vectren Energy Delivery of Ohio, Inc., the Ohio Gas Company, AT&T Ohio, the Ohio Telecom Association, and The Ohio Gas Association (collectively "joint movants") filed a joint motion for an extension of the comment period until September 20, 2010. Joint movants state that the extension of the comment period will permit them to fully analyze these rules to which traditional utilities have never been subject. In addition, the joint movants claim that permitting this additional time will allow the group as a whole to develop consolidated comments which will benefit the Commission and staff reviewers. Further, joint movants contend that the extension will not create any delay relating to full implementation and enforcement of the new rules since the Commission has suspended enforcement of the new regulations, except in some limited circumstances, until January 1, 2011.
- (3) Upon review, the attorney examiner finds that the joint motion for an extension of time until September 20, 2010, to file comments is warranted. Accordingly, comments to the proposed revisions to Chapter 4901:2-5, O.A.C., should now be filed by September 20, 2010.

It is, therefore,

ORDERED, That the date for filing comments be extended to September 20, 2010.
It is, further,

ORDERED, That a copy of this entry be served upon the Ohio Aggregates & Industrial Minerals Association, Ohio Concrete/Ohio Ready Mixed Concrete Association, Anderson Concrete Corporation, Transportation Advocacy Group of Northwest Ohio, and The Ohio Trucking Association, Ohio Department of Transportation, Ohio State Highway Patrol, Ohio Gas Company, the Ohio Gas Association, Ohio Cable Telecommunications Association, Columbus Southern Power Ohio Power, Columbia Gas of Ohio, Inc., The East Ohio Gas Company d/b/a Dominion East Ohio, Vectren Energy Delivery of Ohio, Inc., Dayton Power and Light Company, Ohio Edison Company, The Cleveland Electric Illuminating Company, The Toledo Edison Company, Ohio Telecom Association, Duke Energy Ohio, Inc., AEP Ohio, Ohio Automobile Dealers Association, Ohio Oil and Gas Association, Flexible Pavements of Ohio, Ohio Petroleum Marketers & Convenience Store Association, Ohio Contractors Association, Ohio Nursery & Landscape Association, Ohio Roofing Contractors Association, Ohio Soft Drink Association, Ohio Lawncare Association, Ohio Grocers Association, Ohio Pest Management Association, Ohio Home Builders Association, Ohio Construction Suppliers Association, Volunteers of America Greater Ohio, Ohio Coin Machine Association, and all other interested persons of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO



By: Scott Farkas
Attorney Examiner

JPJ/sc

Entered in the Journal

AUG 17 2010



Renee J. Jenkins
Secretary