

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Report of Duke)	
Energy Ohio, Inc. Concerning Its)	
Advanced and Renewable Energy)	Case No. 10-511-EL-ACP
Baseline and Benchmarks)	
)	
In the Matter of the Request by Duke)	
Energy Ohio, Inc. for a One Time)	Case No. 10-512-EL-ACP
Waiver of Rule 4901:1-40-04(D)(1))	
)	
In the Matter of the Request for Force)	
Majeure Determination by Duke)	Case No. 10-513-EL-ACP
Energy Ohio Pursuant to)	
Rule 4901:1-40-06)	
)	

**MOTION TO ADMIT ROBERT KELTER TO PRACTICE
PRO HAC VICE BEFORE THE COMMISSION AND NOTICE OF SUBSTITUTION OF
COUNSEL**

Pursuant to Ohio Administrative Code §4901-1-08(B) of the Ohio Administrative Code, Michael E. Heintz (attorney number 0076264), an attorney licensed to practice in the State of Ohio, respectfully petitions the Commission to permit Robert Kelter to practice *pro hac vice* before the Commission in the above-referenced case. Mr. Kelter represents the Environmental Law & Policy Center, a not-for-profit organization based in Chicago, Illinois, but with an office in Columbus, Ohio. Mr. Kelter received his J.D. from the University of San Diego in 1987. As an active member of the State of Illinois Bar, attorney number 6236307, Mr. Kelter is licensed to practice before the courts of the State of Illinois. Furthermore, Mr. Kelter has practiced law continuously since being admitted to the State of Illinois bar in 1996, and was admitted to practice in the State of California in 1989. He has previously been admitted to practice *pro hac vice* before this Commission.

Furthermore, and in accordance with Ohio Administrative Code §4901-1-08(G), the Environmental Law & Policy Center, Intervenor in the above captioned action, hereby provides notice to the Commission and all parties of record of the notice of appearance and substitution of the following as its attorney of record:

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Accordingly, service of documents and other matters should now be directed to Robert Kelter and Michael Heintz withdraws as counsel.

Respectfully submitted,

/s Michael E. Heintz
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Attorney for the Environmental Law &
Policy Center

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing Motion to Admit Robert Kelter to Practice *Pro Hac Vice* Before the Commission and Notice of Substitution of Counsel of the Environmental Law & Policy Center has been served upon the following parties, via electronic mail, this 26th day of August, 2010.

/s Michael E. Heintz

Michael Heintz

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in

Case No(s). 10-0511-EL-ACP, 10-0512-EL-WVR, 10-0513-EL-ACP

Summary: Motion to Admit Robert Kelter to Practice Pro Hac Vice Before the Commission and Notice of Substitution of Counsel electronically filed by Mr. Michael E Heintz on behalf of Environmental Law and Policy Center