

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

<b>Consolidated Duke Energy Ohio, Inc.,</b>	)	<b>Case Nos.</b>	<b>03-93-EL-ATA</b>
<b>Rate Stabilization Plan Remand and</b>	)		<b>03-2079-EL-AAM</b>
<b>Rider Adjustment Cases</b>	)		<b>03-2081-EL-AAM</b>
	)		<b>03-2080-EL-ATA</b>
	)		<b>05-724-EL-UNC</b>
	)		<b>05-725-EL-UNC</b>
	)		<b>06-1068-EL-UNC</b>
	)		<b>06-1069-EL-UNC</b>
	)		<b>06-1085-EL-UNC</b>

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**MOTION FOR EXTENSION OF TIME  
TO RESPOND TO THE OFFICE OF THE CONSUMERS' COUNSEL'S  
MEMORANDUM CONTRA MOTION TO EXTEND THE PROTECTIVE ORDER AND  
SPECIFIC IDENTIFICATION OF PAGES TO REMAIN UNDER PROTECTIVE  
ORDERS OF DUKE ENERGY OHIO, INC., CENERGY CORP.,  
AND DUKE ENERGY RETAIL SALES, LLC**

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Pursuant to Ohio Administrative Code §4901-1-13(A), Duke Energy Ohio, Inc., Cinergy Corp., and Duke Energy Retail Sales, LLC respectfully move the Public Utilities Commission of Ohio for an extension of seven (7) days, until and including December 21, 2010, in which to file a response to the Office of the Consumers' Counsel's Memorandum Contra Motion to Extend the Protective Order and Specific Identification of Pages to Remain under Protective Orders of Duke Energy Ohio, Inc., Cinergy Corp., and Duke Energy Retail, LLC. The reasons supporting this Motion are provided in the attached Memorandum in Support.

Respectfully Submitted,



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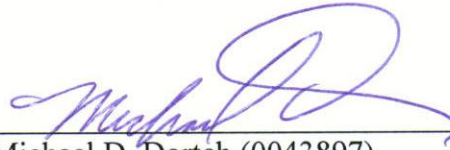
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### **MEMORANDUM IN SUPPORT**

On December 7, 2010, the Ohio Consumers' Counsel (OCC) electronically served a Memorandum Contra Motion to Extend the Protective Order and Specific Identification of Pages to Remain under Protective Orders of Duke Energy Ohio, Inc., Cinergy Corp., and Duke Energy Retail, LLC (Memorandum Contra). Pursuant to Ohio Admin. Code §4901-7-12(B)(2), Duke Energy Ohio, Inc., Cinergy Corp., and Duke Energy Retail, LLC's (collectively, Movants') reply memorandum to OCC's Memorandum Contra is currently due on December 14, 2010. Movants respectfully request that the Commission grant them an extension of time to file a response to the OCC's Memorandum Contra of seven (7) days, until and including December 21, 2010.

Movants seek this extension for two principle reasons. First, Movants currently have several matters pending before the Commission which, of course, require the use of Movants' finite resources. Second, the building in which the office of Movants' undersigned counsel is located was without power for much of the weekend of December 10, 2010, due to the building's annual power shutdown. Because the undersigned's office building was without power, the undersigned was unable to access electronic resources necessary to the drafting of Movants' reply memorandum. For these reasons, Movants will not have sufficient time to respond to OCC's Memorandum Contra by the current deadline the rules establish. Therefore, pursuant to O.A.C. §4901-1-13(A) and for good cause shown, Movants respectfully request a seven (7) day extension, until and including December 21, 2010, in which to respond to OCC's Memorandum Contra.

Respectfully Submitted,



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## CERTIFICATE OF SERVICE

I certify that a copy of the foregoing was served electronically upon parties, their counsel, and others through use of the following email addresses this December 14, 2010.

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**This foregoing document was electronically filed with the Public Utilities**

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**Case No(s). 03-0093-EL-ATA**

Summary: Motion Motion for Extension of Time to Respond to the Office of the Consumers' Counsel's

Memorandum Contra Motion to Extend the Protective Order and Specific Identification of Pages to Remain Under Protective Orders of Duke Energy Ohio, Inc., Cinergy Corp., and Duke Energy Retail Sales, LLC electronically filed by Mr. Michael D. Dortch on behalf of Duke Energy Ohio, Inc. and Cinergy Corp. and Duke Energy Retail Sales, LLC