

FILE

BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Report of Duke Energy )  
Ohio, Inc. Concerning its Energy ) Case No. 09-1999-EL-POR  
Efficiency and Peak-Demand Reduction )  
Programs and Portfolio Planning. )

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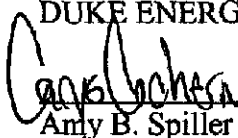
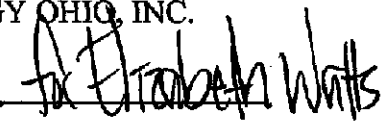
MOTION FOR EXTENSION  
FILED BY  
DUKE ENERGY OHIO, INC.

Pursuant to Ohio Administrative Code (O.A.C.) 4901-1-12, Duke Energy Ohio, Inc., (Duke Energy Ohio) hereby files a motion for an extension of time to file proposed revised tariffs in the above-captioned proceeding.

For the reasons explained in the memorandum in support attached hereto, Duke Energy Ohio respectfully requests that the Commission allow Duke Energy Ohio to postpone filing proposed revised tariffs until seven days after either it decides not to file an application for rehearing or the Commission issues a final order following the filing of an application for rehearing.

Respectfully submitted,

DUKE ENERGY OHIO, INC.

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## MEMORANDUM IN SUPPORT

On December 29, 2009, Duke Energy Ohio filed its application for approval of its energy efficiency and peak demand reduction programs and portfolio plan. The Commission issued its Opinion and Order (Order) on December 15, 2010. In that Order, the Commission required, *inter alia*, that Duke Energy Ohio file proposed revised tariffs within seven days of the issuance of the Order.

R.C. 4903.10 allows any party to apply for rehearing with regard to any matters determined in the proceeding. An application for such rehearing is required, by that statute, to be filed within thirty days after the entry of the order upon the journal of the Commission. Thus, Duke Energy Ohio has the legal right to apply for rehearing, no later than January 14, 2011.

Duke Energy Ohio has not yet had time to consider fully whether or not it will seek rehearing of the Order. Therefore, Duke Energy Ohio respectfully requests that the deadline for filing proposed revised tariffs be delayed. Duke Energy Ohio suggests that it should be required to file such tariffs no later than either (a) January 21, 2011, if no application for rehearing has been filed by January 14, 2011, or (b) seven days after the entry upon the journal of the Commission of the final order of the Commission, if an application for rehearing has been filed by January 14, 2011.

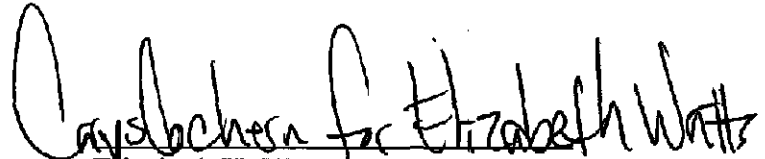
Respectfully submitted,  
DUKE ENERGY OHIO, INC.

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**CERTIFICATE OF SERVICE**

I certify that a copy of the foregoing was served via U.S. mail, postage prepaid, to all parties of record this 22nd day of December, 2010.

  
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