

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of	)	
Time Warner Cable LLC,	)	
	)	
Complainant,	)	
v.	)	Case No. 11-3797-EL-CSS
	)	
Duke Energy Ohio, Inc.,	)	
	)	
Respondent.	)	

ENTRY

The attorney examiner finds:

- (1) On June 21, 2011, Time Warner Cable, LLC, (TWC) filed a complaint against Duke Energy Ohio (Duke). In the complaint, TWC alleges that Duke has violated the terms of a stipulation entered into between TWC and Duke regarding the rates to be charged for the use of Duke's conduit, that Duke has refused to negotiate the rates, terms, and conditions of a proposed conduit occupancy agreement with TWC, and that Duke's proposed charges for the use of its conduit are unjust and unreasonable.
- (2) On July 12, 2011, Duke filed its answer to the complaint, variously admitting and denying the material allegations of the complaint.
- (3) Duke also filed a motion to dismiss the complaint on July 12, 2011. TWC filed its memorandum contra the motion to dismiss on August 1, 2011.
- (4) On August 8, 2011, Duke filed a motion for extension of time to file its reply to the memorandum contra the motion to dismiss. Duke requests that the time to file its reply be extended to August 12, 2011. Duke represents that no other party objects to the extension of time.
- (5) The attorney examiner finds that the motion for extension of time is reasonable and should be granted. Accordingly, the time for Duke to file its reply to the memorandum contra the motion to dismiss shall be extended until August 12, 2011.

- (6) Finally, motions for admission *pro hac vice* have been filed in this proceeding on behalf of Gardner F. Gillespie and James A. George. The attorney examiner finds that these motions should be granted.

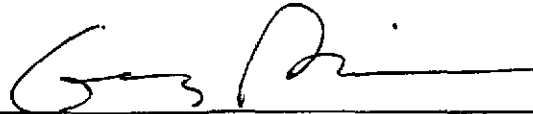
It is, therefore,

ORDERED, That Duke's motion for extension of time to file its reply to TWC's memorandum contra be granted. It is, further,

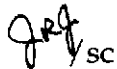
ORDERED, That the motions for admission *pro hac vice* filed on behalf of Gardner F. Gillespie and James A. George be granted. It is, further,

ORDERED, That a copy of this entry be served upon all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

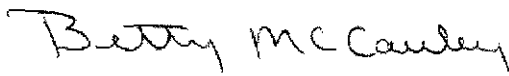


By: Gregory A. Price  
Attorney Examiner



Entered in the Journal

AUG 09 2011



Betty McCauley  
Secretary