

4
BEFORE

RECEIVED-DOCKETING DIV
2011 DEC -7 AM 10:51

THE PUBLIC UTILITIES COMMISSION OF OHIO

PUCO


In the Matter of the Commission's Review)
of the Alternative Rate Plan and)
Exemption Rules Contained in Chapter) Case No. 11-5590-GA-ORD
4901:1-19 of the Ohio Administrative)
Code.)

**MOTION OF DUKE ENERGY OHIO, INC.,
FOR AN EXTENSION OF THE PROCEDURAL SCHEDULE
AND
REQUEST FOR EXPEDITED TREATMENT**

Comes now Duke Energy Ohio, Inc. (Duke Energy Ohio), by and through counsel, and hereby respectfully requests that the Public Utilities Commission of Ohio (Commission) extend the procedural schedule to allow an additional 30 days to prepare and file comments and reply comments on the proposed rules. Further, Duke Energy Ohio respectfully requests that the Commission rule on the within motion on an expedited basis.

Duke Energy Ohio offers the following memorandum in support of its request.

DUKE ENERGY OHIO, INC.


Amy B. Spiller (Counsel of Record)
Deputy General Counsel
Jeanne W. Kingery
Associate General Counsel
139 E. Fourth Street, 1303-Main
P.O. Box 960
Cincinnati, Ohio 45201-0960
(513) 287-4359 (telephone)
(513) 287-4385 (facsimile)
Amy.Spiller@duke-energy.com (e-mail)

This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business.
Technician SM Date Processed DEC 07 2011

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Commission's Review)	
of the Alternative Rate Plan and)	
Exemption Rules Contained in Chapter)	Case No. 11-5590-GA-ORD
4901:1-19 of the Ohio Administrative)	
Code.)	

MEMORANDUM IN SUPPORT

On November 22, 2011, the Public Utilities Commission of Ohio (Commission) issued an entry proposing numerous changes to the rules comprising Chapter 4901:1-19 of the Ohio Administrative Code. In that entry, the Commission ordered that persons or entities wishing to file comments or reply comments regarding the proposal do so no later than December 22, 2011, and January 23, 2012, respectively. On December 2, 2011, Columbia Gas of Ohio, Inc., and the East Ohio Gas Company d/b/a Dominion East Ohio (jointly, the Joint Movants) filed a motion for a 30-day extension of the comment period.

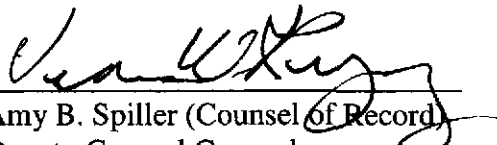
Like the Joint Movants, Duke Energy Ohio, Inc., (Duke Energy Ohio) respectfully moves that the Commission extend the comment period by 30 days, such that initial comments are due on January 21, 2012, and reply comments are due on February 22, 2012. Duke Energy Ohio is in complete agreement with the assertions made by the Joint Movants in their December 2, 2011, motion. In light of the holidays during this time of year and the important nature of the changes being proposed, Duke Energy Ohio believes that interested persons will be better able to provide

helpful and comprehensive comments under such a schedule. Appropriate review of these rule changes is otherwise extremely challenging in the allowed one-month period.

Duke Energy Ohio also requests expedited treatment of the within motion, pursuant to paragraph (C) of O.A.C. Rule 4901-1-12. In light of the current schedule for comments, it is imperative that interested persons know whether immediate attention must be devoted to the review process. No motions to intervene have been filed in this proceeding; hence, there are no parties to be contacted pursuant to the applicable rule and no party has objected to the issuance of an expedited ruling.

WHEREFORE, for the reasons set forth herein, Duke Energy Ohio respectfully requests that the Commission grant its motion to extend the procedural schedule for the filing of comments and reply comments and that the Commission rule on said motion in an expedited manner.

DUKE ENERGY OHIO, INC.


Amy B. Spiller (Counsel of Record)
Deputy General Counsel
Jeanne W. Kingery
Associate General Counsel
139 E. Fourth Street, 1303-Main
P.O. Box 961
Cincinnati, Ohio 45201-0960
(513) 287-4359 (telephone)
(513) 287-4385 (facsimile)
Amy.Spiller@duke-energy.com (e-mail)

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing was delivered via U.S. mail (postage prepaid), personal, or electronic mail delivery on this the 7th day of December, 2011, to the following:


Jeanne W. Kingery

William L. Wright
Section Chief
Public Utilities Commission of Ohio
180 East Broad Street
Columbus, Ohio 43215
William.wright@puc.state.oh.us

**Counsel for Staff, Public Utilities
Commission of Ohio**

Mark A. Whitt
Melissa L. Thompson
Carpenter Lipps @ Leland LLP
280 Plaza, Suite 1300
280 North High Street
Columbus, Ohio 43215
whitt@carpenterlippps.com
thompson@carpenterlippps.com

**Counsel for The East Ohio Gas
Company d/b/a Dominion East
Ohio**

Stephen B. Seiple
Assistant General Counsel
Brooke E. Leslie
Counsel
200 Civic Center Drive
P.O. Box 117
Columbus, Ohio 43216-0117
sseiple@nisource.com
bleslie@nisource.com

**Counsel for Columbia Gas of
Ohio, Inc.**