

Subs 4 U LLC  
7245 Clubhouse Court  
West Chester, OH 45069

V.

Respondent.

Case No. 12-1951-GA-CSS


## MEMORANDUM OF LAW

By Entry dated July 25, 2012, this matter was set for a settlement conference at the Commission for August 23<sup>rd</sup> at 10:00 a.m. Duke Energy Ohio is already scheduled to attend a settlement conference at the Commission in another matter (Case #12-1938-EL-CSS) on August 21<sup>st</sup> at 10:00 a.m. It would be both efficient and economical for the Company if the settlement conference in this matter could be rescheduled for the afternoon on August 21<sup>st</sup>, thereby saving the Company considerable time and expense.

On August 6<sup>th</sup> counsel for Duke Energy Ohio spoke with Complainant by telephone to discuss the case and a request to reschedule the settlement conference. Complainant agreed with Duke Energy Ohio's request and confirmed that it is willing and able to attend the settlement conference on August 21<sup>st</sup> at 1:00 p.m. In addition, the parties agreed to communicate in advance thereof to ascertain if there is a way to resolve this case without having to participate in a formal settlement conference at the Commission.

WHEREFORE, Respondent Duke Energy Ohio requests that the Commission reschedule the settlement conference in this matter to August 21, 2012, at 1:00 p.m., as agreed by both parties, and waive the normal briefing schedule on motions filed with the Commission.

Respectfully submitted,



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Robert A. McMahon (0064319)

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Attorneys for Duke Energy Ohio, Inc.

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing Answer was served via regular US Mail, postage prepaid, this 6<sup>th</sup> day of August, 2012 upon the following:

Subs 4 U LLC  
7245 Clubhouse Court  
West Chester, OH 45069

  
\_\_\_\_\_  
Robert A. McMahon

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

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**Case No(s). 12-1951-GA-CSS**

Summary: Motion Agreed Motion to Reschedule Settlement Conference electronically filed by  
Carys Cochern on behalf of Duke Energy