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BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

Evelyn and John Keller,

Complainants,

Case No. 12-2177-EL-CSS

V.

Ohio Power Company,

COMPLAINANTS' UNOPPOSED MOTION TO EXTEND DEADLING TO FILE A MEMORANDUM IN OPPOSITION TO RESPONDENT'S MOTION TO DISMISS

On August 16, 2012, Respondent filed a motion to dismiss. At a settlement conference the parties agreed that a reasonable deadline for Complainants to file a memorandum in opposition to the motion to dismiss would be February 1, 2013, so as to allow discovery to proceed. At the same conference, Respondent requested that Complainants engage in "informal discovery" in lieu of formal discovery, and Complainants agreed. Unfortunately, however, there was an apparent disagreement as to the meaning of "informal discovery" which resulted in Complainants not receiving substantive discovery until early January 2013 and some of the initially requested information has not yet been produced pending agreement on a protective order requested by Respondent. Additional discovery including depositions is reasonably required as a result of the discovery responses which have been received.

As a result thereof, Complainants respectfully request that their deadline to file a memorandum in opposition to Respondent's motion to dismiss be extended for 90 days. Respondent does not oppose this request for an extension.

> to certify that the images appearing ivered, in the re

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that a copy of the foregoing document was served by electronic mail and regular U.S. mail on the following persons this 11th day of January 2013:

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