

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

Federal Insurance Company,	)	
as subrogee of Genesis Healthcare	)	
System,	)	
	)	
Complainant,	)	
	)	
v.	)	Case No. 12-1750-EL-CSS
	)	
American Electric Power Company, Inc.	)	
	)	
Respondent.	)	

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**JOINT RECOMMENDATION FOR MODIFICATION OF THE  
PROCEDURAL SCHEDULE AND REQUEST FOR EXPEDITED RULING**

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Complainant and Respondent (collectively the “Parties”) respectfully request the Commission to modify the procedural schedule in this case, as set forth below. Currently, pursuant to the attorney examiner’s January 30, 2013 Entry, the hearing in this matter is scheduled to occur on April 23, 2013, and any expert testimony is to be filed no later than seven days prior to the commencement of the hearing pursuant to Rule 4901-1-29(A)(1)(h). Aside from the hearing date and the default deadline for filing expert testimony, no other procedural date has been established in this case. Because the Parties believe a modification to the current procedural schedule is necessary to allow the Parties to file testimony separately, continue to conduct necessary depositions and written discovery, and to better explore any potential settlement opportunities, the Parties submit a modified procedural schedule as follows:

- May 10 – Complainant testimony
- May 17 – Deposition(s) of Complainant’s witness(es)
- May 28 – Respondent testimony

- June 14 – Deposition(s) of Respondent's witness(es)
- June 21 – Hearing

All other deadlines established by the Commission's rules would remain the same.

The Parties request an expedited ruling on this motion. A memorandum in support of this motion is set forth below.

Respectfully submitted,

/s Yazen Alami  
Steven T. Nourse  
*Counsel of Record*  
Yazen Alami  
American Electric Power Service Corp.  
1 Riverside Plaza, 29<sup>th</sup> Floor  
Columbus, Ohio 43215-2373  
(614) 716-1608  
(614) 716-2014 *fax*  
stnourse@aep.com  
yalami@aep.com

*Counsel for Respondent*

/s Daniel C. Theveny (per email authorization)  
Daniel C. Theveny  
Cozen O'Connor  
1900 Market Street  
Philadelphia, PA 19103  
(215) 665-4194  
dtheveny@cozen.com

*Counsel for Complainant*

## **MEMORANDUM IN SUPPORT**

While the attorney examiner's January 30, 2013, Entry set a hearing date and provided that the default rule for filing expert testimony would apply, it established no other procedural dates for this case. Because the Parties believe a more comprehensive procedural schedule is necessary, they propose the following modified procedural schedule:

- May 10 – Complainant testimony
- May 17 – Deposition(s) of Complainant's witness(es)
- May 28 – Respondent testimony
- June 14 – Deposition(s) of Respondent's witness(es)
- June 21 – Hearing

The procedural schedule proposed by the Parties provides for the separate filing of testimony, which is more appropriate in a proceeding of this nature. Further, the Parties' proposed procedural schedule allows the Parties to continue to conduct necessary depositions and written discovery. Lastly, the Parties' proposed procedural schedule enables the Parties to better explore any potential settlement opportunities prior to the hearing.

For the foregoing reasons, the Parties respectfully request that the Commission adopt the more comprehensive modified procedural schedule proposed herein. Because the procedural schedule should be modified as soon as possible, the Parties respectfully request expedited ruling of this motion

Respectfully submitted,

/s/ Yazen Alami

Steven T. Nourse  
*Counsel of Record*  
Yazen Alami

American Electric Power Service Corp.  
1 Riverside Plaza, 29<sup>th</sup> Floor  
Columbus, Ohio 43215-2373  
(614) 716-1608  
(614) 716-2014 *fax*  
stnourse@aep.com  
yalami@aep.com

*Counsel for Respondent*

/s Daniel C. Theveny (per email authorization)  
Daniel C. Theveny  
Cozen O'Connor  
1900 Market Street  
Philadelphia, PA 19103  
(215) 665-4194  
dtheveny@cozen.com

*Counsel for Complainant*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 1<sup>st</sup> day of April, 2013, a copy of the foregoing motion was served via electronic mail on counsel for the Complainant at the address below.

Daniel C. Theveny, Esq.  
Cozen O'Connor  
1900 Market Street  
Philadelphia, PA 19103  
DTheveny@cozen.com

/s Yazen Alami  
Yazen Alami

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**Case No(s). 12-1750-EL-CSS**

Summary: Motion Joint Motion and Memorandum in Support for Modification of the Procedural Schedule and Request for Expedited Ruling electronically filed by Mr. Yazen Alami on behalf of Ohio Power Company