

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of)	
Lynne Gwynn,)	
)	
Complainant,)	
)	
v.)	Case No. 13-666-EL-CSS
)	
The Cleveland Electric Illuminating)	
Company,)	
)	
Respondent.)	

ENTRY

The attorney examiner finds:

- (1) On March 14, 2013, the complainant, Lynne Gwynn, filed a complaint against the respondent, The Cleveland Electric Illuminating Company (CEI), alleging that the respondent's action in cutting down trees in the complainant's backyard resulted in damages to the complainant's driveway for which the complainant should be compensated and the respondent should be held responsible.
- (2) On March 22, 2013, pursuant to Rule 4901-1-13, Ohio Administrative Code (O.A.C.), CEI filed a motion seeking to extend, from April 3, 2013, to April 23, 2012, the deadline for filing its responsive pleading in this case. In its memorandum in support, CEI explains that it seeks this extension of time so that it can fully investigate the complainant's claims. CEI points out that it has not sought a time extension previously in this case. CEI avers that it is not requesting this extension for purposes of delay and argues that granting the requested extension will not prejudice any party to the case. CEI requests that its motion be granted on an expedited basis.
- (3) Under Rule 4901-1-12, O.A.C., the complainant had seven days from the filing of CEI's March 22, 2013, motion, i.e., until March 29, 2013, to file its memorandum contra to that motion, if any. The record reflects that the complainant has not timely filed any such memorandum contra.

- (4) Upon review, the attorney examiner finds that CEI's motion for extension of time is reasonable and should be granted on an expedited basis. Accordingly, CEI shall have until the close of business on April 23, 2013, to file its answer or other responsive pleading in this case.

It is, therefore,

ORDERED, That CEI's motion for extension of time be granted, on an expedited basis, and that CEI's answer or other responsive pleading be filed no later than the close of business on April 23, 2013. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/Daniel Fullin

By: Daniel E. Fullin
Attorney Examiner

JRJ/sc

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in

Case No(s). 13-0666-EL-CSS

Summary: Attorney Examiner Entry grants the respondents' request for an extension of time for filing its responsive pleading. - electronically filed by Sandra Coffey on behalf of Daniel Fullin, Attorney Examiner, Public Utilities Commission of Ohio