

**BEFORE**

**THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Adoption of Chapter       )  
4901:1-3, Ohio Administrative Code,       )  
Concerning Access to Poles, Ducts,       ) Case No. 13-579-AU-ORD  
Conduits, and Rights-of-Way by Public       )  
Utilities       )


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**JOINT MOTION  
OF  
OHIO POWER COMPANY, COLUMBUS SOUTHERN POWER COMPANY, OHIO  
EDISON COMPANY, THE CLEVELAND ELECTRIC ILLUMINATING  
COMPANY, THE TOLEDO EDISON COMPANY, THE DAYTON POWER AND LIGHT  
COMPANY AND DUKE ENERGY OHIO, INC.,  
FOR EXTENSION OF TIME TO FILE COMMENTS  
AND REQUEST FOR EXPEDITED TREATMENT**

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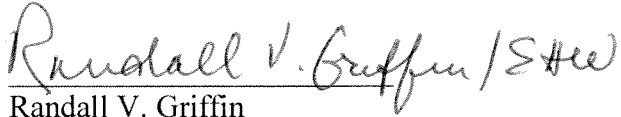
Now come the Ohio Power Company, Columbus Southern Power Company, Ohio Edison Company, The Cleveland Electric Illuminating Company, The Toledo Edison Company, The Dayton Power and Light Company, and Duke Energy Ohio, Inc., (collectively, Joint Movants), in accordance with Rule 4901-1-13, Ohio Administrative Code (O.A.C.), and hereby submit to the Public Utilities Commission of Ohio, a Joint Motion for an Extension of Time to File Comments. Joint Movants also request that this motion be granted on an expedited basis as provided for in Rule 4901-1-12 (C), O.A.C. Reasons for this request are set forth in the attached Memorandum in Support.

Respectfully submitted,  
On Behalf of Duke Energy Ohio, Inc.,



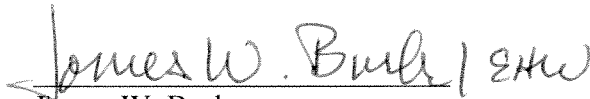
Amy/B. Spiller  
Deputy General Counsel  
Elizabeth H. Watts  
Associate General Counsel  
139 East Fourth Street,  
Cincinnati, Ohio 45201

On Behalf of The Dayton Power and Light  
Company,



Randall V. Griffin  
Chief Regulatory Counsel  
The Dayton Power and Light Company  
1065 Woodman Drive  
Dayton, Ohio 45432

On Behalf of The Ohio Edison Company, The  
Cleveland Electric Illuminating Company and The  
Toledo Edison Company,



James W. Burk  
Managing Counsel  
FirstEnergy Service Company  
76 South Main Street  
Akron, Ohio 44308

On Behalf of Ohio Power Company and Columbus  
Southern Power Company,



Steven T. Nourse  
Senior Counsel  
American Electric Power Service Corporation  
Legal Department, 29th Floor  
1 Riverside Plaza  
Columbus, Ohio 43215-2373

## **MEMORANDUM IN SUPPORT**

Pursuant to an Entry dated May 15, 2013, the Public Utilities Commission of Ohio (Commission) announced that it was considering adopting a new chapter of rules, in Chapter 4901:1-3, O.A.C., specifically dedicated to access to poles, ducts, conduits, and rights-of-way provided by public utilities. Further in its Entry, the Commission invited interested persons to comment on the attached proposed rules and to assist in the review required by Executive Order 2011-01K. Comments are presently to be filed by June 14, 2013 and reply comments are due July 1, 2013.

Ohio Power Company, Columbus Southern Power Company, Ohio Edison Company, The Cleveland Electric Illuminating Company, The Toledo Edison Company, The Dayton Power and Light Company, and Duke Energy Ohio, Inc., (collectively, Joint Movants), are all public utilities as defined in Revised Code 4905.02 and 4905.03. The Joint Movants all have an interest in the subject matter to be addressed in the rulemaking in this proceeding.

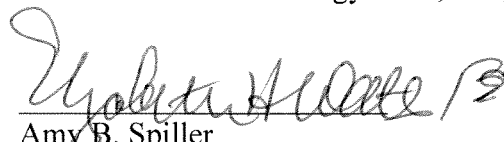
As a new Chapter in the O.A.C., the Proposed Rules represent a significant departure from the current and long-time regulatory approach in Ohio involving the application of the Joint Movants' tariffs, joint use agreements and joint ownership agreements. Given the broad scope of the Proposed Rules, including the incorporation of Federal Communications Commission ("FCC") provisions not previously applied to electric utilities in Ohio, the Joint Movants submit that substantial analysis and input from subject matter experts is required for a full understanding of the potential reliability, safety, and cost impacts upon the utilities and their customers.

Moreover, the Joint Movants propose to engage in discussions to determine the feasibility of filing joint comments in this docket. In order to develop their comments, and given that various subject matter experts are unavailable during certain times over the next few weeks, the Joint Movants request that the Commission grant a thirty-day extension within which to submit comments. Such an extension will provide time for collaborative discussions and may ultimately allow the Joint Movants to file joint comments, thereby eliminating potentially duplicative filings.

For the reasons stated, Joint Movants respectfully request that the Commission grant this motion for a thirty-day extension and provide that comments be due on July 12, 2013 and reply comments due July 26. The Joint Movants further request that the motion be granted on an expedited basis in order to allow the Joint Movants to immediately schedule collaborative discussions to work toward possible joint comments. This request is made pursuant to Rule 4901-1-12 (C), O.A.C.

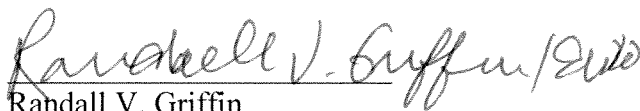
Respectfully submitted,

On Behalf of Duke Energy Ohio, Inc.,



Amy B. Spiller  
Deputy General Counsel  
Elizabeth H. Watts  
Associate General Counsel  
139 East Fourth Street,  
Cincinnati, Ohio 45201

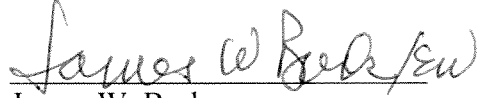
On Behalf of The Dayton Power & Light Company,



Randall V. Griffin  
Chief Regulatory Counsel  
1065 Woodman Drive

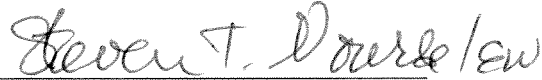
Dayton, Ohio 45432

On Behalf of the Ohio Edison Company, The  
Cleveland Electric Illuminating Company and The  
Toledo Edison Company,

A handwritten signature in dark ink, appearing to read "James W. Burk / ew", written over a horizontal line.

James W. Burk  
Managing Counsel  
FirstEnergy Service Company  
76 South Main Street  
Akron, Ohio 44308

On Behalf of Ohio Power Company and Columbus  
Southern Power Company,

A handwritten signature in dark ink, appearing to read "Steven T. Nourse / ew", written over a horizontal line.

Steven T. Nourse  
Senior Counsel  
American Electric Power Service Corporation  
Legal Department, 29th Floor  
1 Riverside Plaza  
Columbus, Ohio 43215-2373

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

**Commission of Ohio Docketing Information System on**

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**in**

**Case No(s). 13-0579-AU-ORD**

Summary: Motion JOINT MOTION OF  
OHIO POWER COMPANY, COLUMBUS SOUTHERN POWER COMPANY, OHIO EDISON  
COMPANY, THE CLEVELAND ELECTRIC ILLUMINATING COMPANY, THE TOLEDO  
EDISON COMPANY, THE DAYTON POWER AND LIGHT COMPANY AND DUKE ENERGY  
OHIO, INC.,  
FOR EXTENSION OF TIME TO FILE COMMENTS  
AND REQUEST FOR EXPEDITED TREATMENT  
electronically filed by Carys Cochern on behalf of Watts, Elizabeth H. Ms.