## BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application for Establishment of a Reasonable Arrangement Between ASHTA Chemicals Inc. and The Cleveland Electric Illuminating Company

Case No. 12-1494-EL-AEC

## JOINT MOTION FOR A CONTINUANCE AND MEMORANDUM IN SUPPORT SUBMITTED ON BEHALF OF ASHTA CHEMICALS INC. AND PUCO STAFF

Pursuant to Rule 4901-1-13, Ohio Administrative Code, ASHTA Chemicals Inc.

("ASHTA"), and the Staff of the Public Utilities Commission of Ohio ("Staff") respectfully

request that the procedural schedule in this case be continued for the reasons set forth

in the attached memorandum in support.

Respectfully submitted,

<u>/s/ Scott E. Elisar</u> Samuel C. Randazzo Frank P. Darr Scott E. Elisar Joseph E. Oliker McNees Wallace & Nurick LLC 21 East State Street, 17<sup>th</sup> Floor Columbus, Ohio 43215 (614) 469-8000 (T) (614) 469-4653 (Fax) sam@mwncmh.com fdarr@mwncmh.com selisar@mwncmh.com joliker@mwncmh.com

<u>/s/ Thomas W. McNamee</u> Thomas W. McNamee (Per email authorization 5/31/13) Public Utilities Commission of Ohio Staff 180 East Broad St., 6<sup>th</sup> Floor Columbus, Ohio 43215-3793

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COUNSEL FOR ASHTA CHEMICALS INC.

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### JOINT MEMORANDUM IN SUPPORT

Business and commercial matters of ASHTA as well as ongoing discussions with Staff necessitate the requesting of a continuance for additional time for preparation in this matter. The Public Utilities Commission of Ohio's consideration of this case will be enhanced by a full exposition of all relevant matters. An extension of the procedural schedule will allow this to occur. ASHTA and Staff would, therefore, ask that the date for the filing of testimony be moved to September 18, 2013, and, the hearing moved to September 25, 2013. No party to the case has an objection to this procedural change.

Respectfully submitted,

<u>/s/ Scott E. Elisar</u> Samuel C. Randazzo Frank P. Darr Scott E. Elisar Joseph E. Oliker McNees Wallace & Nurick LLC 21 East State Street, 17<sup>th</sup> Floor Columbus, Ohio 43215 sam@mwncmh.com fdarr@mwncmh.com selisar@mwncmh.com joliker@mwncmh.com

COUNSEL FOR ASHTA CHEMICALS INC.

/s/ Thomas W. McNamee

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COUNSEL FOR THE STAFF OF THE PUBLIC UTILITIES COMMISSION OF OHIO

# **CERTIFICATE OF SERVICE**

We hereby certify that a copy of the foregoing *Joint Motion for a Continuance and Memorandum In Support Submitted on Behalf of ASHTA Chemicals Inc. and Staff,* was served upon the following parties of record this 31st day of May 2013, *via* electronic transmission.

<u>/s/ Scott E. Elisar</u> Scott E. Elisar <u>/s/ Thomas W. McNamee</u> Thomas W. McNamee (per email authorization 4/12/13)

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#### **ATTORNEY EXAMINER**

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Summary: Motion (Joint Motion) for Continuance of ASHTA Chemicals Inc. and PUCO Staff electronically filed by Scott E. Elisar on behalf of ASHTA Chemicals Inc.