

BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

JJS3 Foundation dba Neusole Glassworks)	
937 Windsor Ave.)	
Cincinnati, OH 45206)	
Complainant,)	Case No. 13-1803-GA-CSS
)	
v.)	
)	
Duke Energy Ohio, Inc.)	
)	
Respondent.)	

**RESPONDENT DUKE ENERGY OHIO, INC.'S
AGREED MOTION FOR ADDITIONAL TIME TO ANSWER
AND FOR EXPEDITED RULING**

Pursuant to OAC 4901-1-12 and 4901-1-13, Respondent Duke Energy Ohio, Inc. respectfully moves the Commission to allow it an additional 20 days to answer Complainant's Complaint, and to expedite its consideration and ruling on this motion. Complainant has agreed to both the extension of time and expedited ruling. A memorandum in support of this motion is attached.

Respectfully Submitted,

/s/ Robert A McMahon
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Attorney for Respondent,
Duke Energy Ohio, Inc.

MEMORANDUM IN SUPPORT

Complainant filed its Complaint on August 20, 2013. Respondent has until September 9, 2013, to file its responsive pleading. Respondent requests additional time to answer because Respondent needs additional time to investigate the underlying facts so it may prepare and file an informed responsive pleading. Based on communications between Respondent's attorney and Complainant's attorney, Complaint has agreed to allow 20 additional days for Respondent to file its responsive pleading.

The request to continue the hearing is not being filed for purposes of delay. Rather, Respondent simply needs time to fully investigate the facts before answering the Complaint. Respondent has not requested or obtained any prior extensions of time in these proceedings.

Respondent further requests that the Commission expedite its consideration of and ruling on this motion given the fast-approaching deadline for Respondent to answer the Complaint.

WHEREFORE, Respondent Duke Energy Ohio, Inc. requests that the Commission allow Respondent up to and including September 29, 2013, in which to file its Answer or other responsive pleading, and further requests that the Commission consider and rule on this motion in an expedited manner given the upcoming deadlines and hearing date.

Respectfully Submitted,

/s/ Robert A McMahon
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Attorney for Respondent,
Duke Energy Ohio, Inc.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion to Dismiss was served via email and regular US Mail, postage prepaid, this 5th day of September, 2013, upon the following counsel of record:

Brian R. Redden, Esq.
Buechner Haffner Meyers & Koenig Co. LPA
105 E. Fourth Street, Suite 300
Cincinnati, OH 45202

/s/ Robert A McMahon_____

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in

Case No(s). 13-1803-GA-CSS

Summary: Motion For Additional Time to Answer and for Expedited Ruling electronically filed by Mr. Robert A. McMahon on behalf of Duke Energy Ohio, Inc.