

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Commission's Review)
of Chapter 4901:1-10, Ohio Administrative) Case No. 12-2050-EL-ORD
Code, Regarding Electric Companies.)

ENTRY

The attorney examiner finds:

- (1) R.C. 119.032 requires all state agencies to conduct a review, every five years, of their rules and to determine whether to continue their rules without change, amend their rules, or rescind their rules. On January 15, 2014, the Commission issued its Finding and Order adopting the rules in Ohio Adm.Code Chapter 4901:1-10.
- (2) Pursuant to R.C. 4903.10, any party in a Commission proceeding may apply for rehearing with respect to any matters determined by the Commission, within 30 days of the entry of the Order upon the Commission's journal. Applications for rehearing were filed by Direct Energy Services, LLC, Direct Energy Business, LLC (collectively, Direct Energy), the Ohio Hospital Association, The Dayton Power and Light Company, Duke Energy Ohio, Inc., Ohio Power Company, Ohio Edison Company, The Toledo Edison Company, and the Cleveland Electric Illuminating Company (collectively, FirstEnergy), and IGS Energy.
- (3) On February 19, 2014, the Ohio Consumers' Counsel (OCC) filed a motion for an extension of time to file memoranda contra the applications for rehearing, with a request for an expedited ruling. OCC contends that a five-day extension would provide parties additional time to review and evaluate the applications for rehearing. OCC further asserts that granting its motion for an extension of time to file memoranda contra will not cause undue delay or prejudice upon any party.
- (4) The attorney examiner finds that OCC's motion for an extension of time to file memoranda contra the applications for rehearing should be denied. Pursuant to R.C. 4903.10, the Commission has 30 days to grant or deny an application

for rehearing or it is denied by operation of law. In this instance, granting OCC's motion for an extension of time to file memoranda contra the applications for rehearing would shorten the amount of time the Commission has between the filing of memoranda contra and issuing an order granting or denying the applications for rehearing. Accordingly, memoranda contra the applications for rehearing should be filed by February 24, 2014.

It is, therefore,

ORDERED, That OCC's motion for an extension of time to file memoranda contra be denied and memoranda contra be filed by February 24, 2014. It is, further,

ORDERED, That a copy of this Entry be served upon all electric utilities in the state of Ohio, all certified competitive retail electric service providers in the state of Ohio, the Electric-Energy industry list-serve, and all other interested persons of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/Bryce McKenney

By: Bryce A. McKenney
Attorney Examiner

SEF/sc

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Commission of Ohio Docketing Information System on

2/21/2014 3:46:38 PM

in

Case No(s). 12-2050-EL-ORD

Summary: Attorney Examiner Entry denies OCC's motion for an extension of time to file memoranda contra the applications for rehearing. - electronically filed by Sandra Coffey on behalf of Bryce McKenney, Attorney Examiner, Public Utilities Commission of Ohio