

BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

Virgil Temke)	
2985 Wardall Ave.)	
Cincinnati, OH 45211)	
)	
Complainant,)	Case No. 14-1545-EL-CSS
)	
v.)	
)	
Duke Energy Ohio, Inc.)	
)	
Respondent.)	

**RESPONDENT DUKE ENERGY OHIO, INC.'S
EMERGENCY MOTION TO CONTINUE SETTLEMENT CONFERENCE**

Respondent Duke Energy Ohio, Inc. respectfully moves the Commission to continue the settlement conference scheduled for Thursday, October 23, 2014, at 11:00 a.m. Respondent presents this motion on an emergency basis given the date and schedule. In addition, Respondent's attorney confirmed with Complainant that he does not oppose this motion. A memorandum in support of this motion is attached.

Respectfully Submitted,

/s/ Robert A. McMahon

Robert A. McMahon (0064319)
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Attorney for Respondent,
Duke Energy Ohio, Inc.

MEMORANDUM IN SUPPORT

By entry dated October 9, 2014, this case was scheduled for a settlement conference on October 23, 2014, pursuant to a request for a continuance filed by Complainant and approved by Respondent. Respondent and Complainant reached a settlement on October 22nd but need time to complete the appropriate paperwork to complete the settlement. Respondent's undersigned attorney notified the Attorney Examiner who scheduled the settlement conference of the pending settlement but has not received a response or confirmation that the conference is cancelled. Therefore, Respondent is filing the present motion to address the matter.

The request to continue the settlement conference is not being filed for purposes of delay. Rather, the parties merely need additional time to finalize a settlement, which will include a written agreement and joint motion to dismiss.

WHEREFORE, Respondent Duke Energy Ohio, Inc. requests that the Commission vacate the settlement conference scheduled for October 23, 2014, and give the parties several weeks to document and finalize their settlement.

Respectfully Submitted,

/s/ Robert A. McMahon

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Eberly McMahon LLC

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Attorney for Respondent,
Duke Energy Ohio, Inc.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing discovery requests were served via regular US Mail, postage prepaid, on the 22 day of October, 2014, upon the following:

Virgil Temke
2985 Wardall Ave.
Cincinnati, OH 45211

/s/ Robert A. McMahon

This foregoing document was electronically filed with the Public Utilities

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in

Case No(s). 14-1545-GA-CSS

Summary: Motion Emergency Motion To Continue Settlement Conference electronically filed by Mr. Robert A. McMahon on behalf of Duke Energy Ohio, Inc.