

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

**In the Matter of the Application of Duke)
Energy Ohio, Inc. for Tariff Approval) Case No. 14-2209-EL-ATA
Regarding Customer Energy Usage Data.)**

**JOINT MOTION FOR AN EXTENSION OF THE PROCEDURAL SCHEDULE
AND AN EXPEDITED RULING ON MOTION**

Pursuant to Rules 4901-1-13 and 4901-1-14 of the Ohio Administrative Code, The Retail Energy Supply Association (“RESA”)¹, Direct Energy Services LLC and Direct Energy Business Services LLC (collectively, “Direct”), and IGS Energy (“IGS”) (RESA, Direct and IGS together, the “Joint Movants”) respectfully move for a five-day extension of the procedural schedule established by the December 16, 2015 Entry in this case. This motion is made for good cause to allow the timely determination of the narrow issues presented while avoiding scheduling conflicts of the Joint Movants’ representatives and potential witnesses.

Because the existing deadlines are approaching, Joint Movants further request an expedited ruling on this motion under O.A.C. 4901-1-12(C). The undersigned certifies that counsel for all parties of record have been contacted regarding this request, and that while Duke Energy Ohio, Inc. (“Duke”) may not agree to this request, the request for an expedited ruling and five-day extension is unopposed by counsel for remaining intervenors and proposed intervenors.²

¹ This filing represents the position of the Retail Energy Supply Association (RESA) as an organization but may not represent the views of any particular member of the Association. Founded in 1990, RESA is a broad and diverse group of more than twenty retail energy suppliers dedicated to promoting efficient, sustainable and customer-oriented competitive retail energy markets. RESA members operate throughout the United States delivering value-added electricity and natural gas service at retail to residential, commercial and industrial energy customers. More information on RESA can be found at www.resausa.org.

² Specifically, this includes intervenors Ohio Partners for Affordable Energy (“OPAE”), the Environmental Defense Fund (“EDF”) and the Ohio Environmental Council (“EDC”) and proposed intervenor the Ohio Consumers’ Counsel (“OCC”).

WHEREFORE, Joint Movants respectfully request an expedited ruling that the procedural schedule in Paragraph 17 of the December 16, 2015 Entry be extended by five days so that:

- a) Testimony on behalf of Duke shall be filed by January 27, 2016.
- b) Testimony on behalf of all intervenors shall be filed by February 10, 2016.
- c) The evidentiary hearing shall commence on February 22, 2016, 10:00 a.m. at the offices of the Commission.

Respectfully Submitted,

/s/ Gretchen L. Petrucci

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**MEMORANDUM IN SUPPORT OF JOINT MOTION FOR AN EXTENSION OF THE
PROCEDURAL SCHEDULE AND AN EXPEDITED RULING ON THE MOTION**

To allow the timely determination of the issues scheduled for hearing by the Public Utilities Commission of Ohio (“Commission”) while accommodating pre-existing conflicts with the scheduled hearing date in this case, the procedural schedule set forth in the December 16, 2015 Entry should be extended by five days. Because deadlines are imminent, this motion should be decided on an expedited basis.

This case commenced on December 16, 2014, when Duke filed an Application for Tariff Approval (Application). Motions to intervene were filed by IGS, Direct, OPAE, EDF, EDC, and RESA. Case No. 14-2209, Entry ¶ 6 (Dec. 16, 2015). Those motions were unopposed and were granted by the Commission. *Id.* The OCC has also filed a Motion to Intervene Out-of-Time, which is pending. Case No. 14-2209, Motion to Intervene (Dec. 18, 2015).

Comments on Duke’s Application were timely filed by RESA as well as by OPAE, Direct, IGS and also by the Commission’s Staff (“Staff”). Case No. 14-2209, Entry ¶ 8 (Dec. 16, 2015). Reply comments were filed by Duke and by Direct, IGS, OPAE, RESA and Staff. *Id.*

After review of all comments, the Commission determined that a hearing should be held on Duke’s Application to address four specific issues: what customer energy usage data (“CEUD”) is Duke collecting with its advanced metering infrastructure (“AMI”); what CEUD should be available to competitive retail electric service (“CRES”) providers; what is the cost of providing

AMI CEUD to CRES providers and how should it be recovered; and, what is a reasonable timeframe for implementing a CEUD sharing system. Case No. 14-2209, Entry ¶ 16 (Dec. 16, 2015). Accordingly, the Commission set a procedural schedule with the following deadlines: (a) January 22, 2016, for filing testimony in support of Duke and (b) February 5, 2016 for filing testimony in support of all intervenors, as well as an evidentiary hearing on February 17, 2016. Id., ¶ 17.

The specific issues scheduled for hearing should be timely decided. But the scheduled hearing date conflicts with pre-existing commitments of several of the Joint Movant's representatives and/or potential witnesses. For good cause, and to avoid conflicts so that Joint Movants may fully and fairly participate at hearing, Joint Movants request that the procedural schedule in this case be extended by a mere five days such that testimony on behalf of Duke be due by January 27, 2016, testimony on behalf of all intervenors be due by February 10, 2016, and the evidentiary hearing commence on February 22, 2016.

WHEREFORE, Joint Movants respectfully request an expedited ruling that the procedural schedule set forth in Paragraph 17 of the December 16, 2015 Entry be extended by five days so that:

- a) Testimony on behalf of Duke shall be filed by January 27, 2016.
- b) Testimony on behalf of all intervenors shall be filed by February 10, 2016.
- c) The evidentiary hearing shall commence on February 22, 2016, 10:00 a.m. at the offices of the Commission.

Respectfully Submitted,

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CERTIFICATE OF SERVICE

The Public Utilities Commission of Ohio's e-filing system will electronically serve notice of the filing of this document on the parties referenced on the service list of the docket card who have electronically subscribed to the case. In addition, the undersigned hereby certifies that a copy of the foregoing document is also being served (via electronic mail) on the January 14, 2016, upon the persons listed below.

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1/14/2016 12:06:29 PM

in

Case No(s). 14-2209-EL-ATA

Summary: Motion Joint Motion for an Extension of the Procedural Schedule and an Expedited Ruling on Motion electronically filed by Mrs. Gretchen L. Petrucci on behalf of Retail Energy Supply Association and Direct Energy Services LLC and Direct Energy Business Services LLC and IGS Energy