

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Aqua)
Ohio, Inc. to Increase Its Rates and) Case No. 16-0907-WW-AIR
Charges for Its Waterworks Service.)

**UNOPPOSED JOINT MOTION TO EXTEND PROCEDURAL SCHEDULE
AND
REQUEST FOR EXPEDITED RULING
BY
OFFICE OF THE OHIO CONSUMERS' COUNSEL
AND
THE CITY OF MARION**

The Office of the Ohio Consumers' Counsel ("OCC") and the City of Marion ("Marion") move¹ the PUCO for a two-day extension of the prehearing/settlement conference, which is currently set for December 19, 2016. The requested extension would move the prehearing/settlement conference to December 21, 2016, enabling the parties the opportunity to review testimony and objections filed on December 19, 2016, prior to beginning negotiations.

The reasons for this request are set forth more fully in the accompanying memorandum in support. In addition, because the prehearing conference is currently scheduled for December 19 2016, OCC/Marion requests an expedited ruling on this Motion, under Ohio Adm. Code 4901-1-12(C).

¹ Under O.A.C. 4901-1-13.

Respectfully submitted,

BRUCE WESTON (0016973)
OHIO CONSUMERS' COUNSEL

/s/ Kevin F. Moore

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/s/ Mark D. Russell

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MEMORANDUM IN SUPPORT

I. CASE HISTORY

On April 28, 2016, Aqua Ohio, Inc., (“Aqua”) filed a notice of intent to file an application for an increase in rates for its Lake Erie and Masury Divisions and the customers that were formerly served by the Ohio American Water Company, Mohawk, and Tomahawk Companies. On May 31, 2016, Aqua filed its full application for an increase in rates. On June 1, 2016, OCC intervened on behalf of the residential consumers of Aqua. On August, 24, 2016, Marion intervened on behalf of the City of Marion. The PUCO Staff completed and filed their Staff Report of Investigation (“Staff Report”) on November 17, 2016. The Attorney Examiner issued an Entry on December 1, 2016, requiring that all objections to the Staff Report and testimony supporting those objections be filed by December 19, 2016. The Entry also scheduled a prehearing and settlement conference for 10:00AM, December 19, 2016, and an evidentiary hearing to begin January 19, 2017.

II. RECOMMENDATION

OCC/Marion is only proposing an extension of the prehearing/settlement conference by two days – from December 19 to December 21. This modest two-day

extension would ensure that any settlement discussions that occur at the prehearing conference are as productive as possible.

Currently, testimony and objections to the Staff Report are due on the same day (December 19) as the prehearing/settlement conference. Setting the prehearing conference after December 19 will allow the parties a chance to review the testimony and objections to the Staff Report. This will allow for a better understanding of the litigation positions of all the parties, before entering settlement negotiations. And, a greater understanding of the parties various litigation positions should result in more productive settlement negotiations.

OCC/Marion has contacted counsel for PUCO Staff and Aqua and neither party is opposed to this motion. Therefore, OCC/Marion certifies that no party objects to this motion.²

III. CONCLUSION

For all the reasons discussed above, OCC/Marion respectfully request that the PUCO grant the Unopposed Motion to Extend the Procedural Schedule by moving the prehearing/settlement conference from December 19, 2016 to December 21, 2016. This will allow parties time to file and review testimony and objections to the Staff Report before attending any settlement conferences.

² Ohio Admin. Code 4901-1-12(C).

Respectfully submitted,

BRUCE WESTON (0016973)
OHIO CONSUMERS' COUNSEL

/s/ Kevin F. Moore

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/s/ Mark D. Russell

Mark D. Russell
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CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing has been served upon the following parties via electronic transmission this 12th day of December, 2016.

/s/ Kevin F. Moore
Kevin F. Moore
Assistant Consumers' Counsel

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Case No(s). 16-0907-WW-AIR

Summary: Motion Unopposed Joint Motion to Extend Procedural Schedule and Request Expedited Ruling by The Office of the Ohio Consumers' Counsel and The City of Marion electronically filed by Ms. Jamie Williams on behalf of Moore, Kevin F. Mr.