

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Duke : Case No. 16-576-EL-POR
Energy Ohio, Inc. for Approval of its :
Energy Efficiency and Peak Demand :
Reduction Portfolio of Programs :

**MOTION FOR EXTENSION TO FILE STAFF TESTIMONY
AND REQUEST FOR EXPEDITED RULING**
SUBMITTED ON BEHALF OF THE STAFF OF
THE PUBLIC UTILITIES COMMISSION OF OHIO

In accordance with Ohio Adm. Code 4901-1-13(A), the Staff of the Public Utilities Commission of Ohio (“Staff”) respectfully requests an extension of its January 18, 2017, deadline to file Staff testimony opposing the Stipulation that was filed in this docket on December 22, 2016. Staff’s extension request is limited to Staff only. Staff requests expedited treatment pursuant to Ohio Adm. Code 4901-1-12(C). A memorandum in support showing good cause for granting Staff’s motion is attached.

Respectfully submitted,

Michael DeWine
Ohio Attorney General

William L. Wright
Section Chief

/s/ Natalia V. Messenger

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MEMORANDUM IN SUPPORT

By entry dated December 27, 2016, the Commission adopted a procedural schedule in this case setting dates for the filing of testimony and an evidentiary hearing as follows:

- a) **January 4, 2017** – Deadline for testimony supporting the stipulation
- b) **January 18, 2017** – Deadline for testimony opposing the stipulation
- c) **February 21, 2017** – Evidentiary hearing

For the reasons set forth below, Staff requests that the Commission extend the deadline for Staff testimony opposing the stipulation to **January 30, 2017**.

Staff requests this extension because it did not receive a timely and/or sufficient response from the Company to a Staff Data Request (“Staff DR No. 1”) it issued to Duke Energy Ohio, Inc. (“Duke”) on December 23, 2016. Finally, at 4:26 p.m. yesterday, Duke provided Staff a supplemental response to Staff DR No. 1. The response is necessary for Staff to perform an analysis required to complete its testimony. An extension of the testimony deadline should give Staff time to confirm that the supplemental response is complete from Duke and sufficient time to analyze the data provided, and if supplemental questions are necessary. Because the evidentiary hearing is not until February 21, 2017, this extension of time will still give all parties sufficient time to review the testimony ahead of the hearing.

Due to the proximity of the upcoming filing deadline, Staff requests expedited treatment of this motion. Counsel consulted with all parties in this proceeding by email on the afternoon of January 13, 2017. Duke responded that it opposes Staff's motion. Staff has not yet received a response from the other parties.

Respectfully submitted,

Michael DeWine
Ohio Attorney General

William L. Wright
Section Chief

/s/ Natalia V. Messenger

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PROOF OF SERVICE

I hereby certify that a true copy of the foregoing **Motion for Extension to File Staff Testimony and Request for Expedited Ruling**, submitted on behalf of the Staff of the Public Utilities Commission of Ohio, was served by regular U.S. mail, postage pre-paid, or hand-delivered, upon the following Parties of Record, this 17th day of January 2017.

/s/ Natalia V. Messenger

Natalia V. Messenger
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Case No(s). 16-0576-EL-POR

Summary: Motion for Extension of Time to File Staff Testimony and Request for Expedited Ruling submitted by Assistant Attorney General Natalia Messenger on behalf of the Staff of the Public Utilities Commission of Ohio. electronically filed by Kimberly L Keeton on behalf of Public Utilities Commission of Ohio