BEFORE

THE OHIO POWER SITING BOARD

In the Matter of the Application of Duke Energy Ohio, Inc., for a Certificate of Environmental Compatibility and Public Need for the C314V Central Corridor Pipeline Extension Project.	)))))	Case No. 16-253-GA-BTX

MOTION FOR WAIVER
BY
DUKE ENERGY OHIO, INC.
AND
REQUEST FOR EXPEDITED TREATMENT

Now comes Duke Energy Ohio, Inc., (Duke Energy Ohio or the Company) and moves for a waiver of a requirement set forth in Ohio Administrative Code (O.A.C.) Rule 4906-3-09(A)(2).

For the reasons more fully set forth in the attached memorandum in support, Duke Energy Ohio respectfully requests that the Ohio Power Siting Board (Board) grant this motion for waiver on an expedited basis, pursuant to O.A.C. Rule 4906-2-27(C).

Respectfully submitted,

DUKE ENERGY OHIO, INC.

/s/ *Jeanne W. Kingery*
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MEMORANDUM IN SUPPORT

O.A.C. Rule 4906-3-09 sets forth the requirements that an applicant for a Certificate of Environmental Compatibility and Public Need must follow with regard to notifying the public of accepted complete applications. Paragraph (A) of that rule sets forth the manner in which the applicant must provide two notices of the proposed utility facility. The first notice, as described under subparagraph (1), is to be provided within fifteen days after the effective filing date of the application. The second notice, described under subparagraph (2), is to be provided "at least seven days but no more than twenty-one days before the public hearing." The second notice must be (a) published in relevant newspaper(s), (b) mailed to chief executive officers and heads of identified agencies in each municipal corporation, county, or township in which any portion of the facility is proposed to be located, and (c) mailed to the owners of each property crossed by or adjacent to the preferred and alternate routes.

Duke Energy Ohio provided the first notice in a timely fashion, as required by O.A.C. Rule 4906-3-09(A)(1). With regard to the second notice, Duke Energy Ohio published the required notice in the Cincinnati Enquirer on Thursday, June 8, 2017, seven days prior to the public hearing on June 15, 2017. Also on that date, Duke Energy Ohio sent the second notice to the identified public officials. However, due to inadvertent error, the mailing of the second notice to affected property owners was delayed.

To compensate for the delay and ensure that the second notice would provide adequate notice of the public hearing to affected property owners, the Company is taking the following additional steps: (1) The notices, once in envelopes, will be driven to Cincinnati on Monday, June 12, 2017. (2) Such notices will be mailed in Cincinnati, on Monday, June 12, 2017, through the United States Postal Service, by Priority Mail, such that delivery is scheduled to occur on Tuesday, June 13, 2017.

Duke Energy Ohio respectfully requests that the Board waive specific compliance with subparagraph (A)(2) of O.A.C. Rule 4906-3-09 and conclude that the steps being taken for delivery of the second notice to affected landowners constitutes substantial compliance with the requirements of said rule. The Company respectfully requests an expedited ruling, pursuant to the provisions of O.A.C. Rule 4906-2-27.

Respectfully submitted,

DUKE ENERGY OHIO, INC.

/s/ *Jeanne W. Kingery*
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CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing *Motion for Waiver by Duke Energy Ohio, Inc. and Request for Expedited Treatment* was delivered by U.S. mail (postage prepaid), personal, or electronic mail, on this 12th day of June, 2017, to the parties listed below.

/s/ *Jeanne W. Kingery*
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Summary: Motion Motion for Waiver - Second Notice electronically filed by Ms. Emily Olive on behalf of Duke Energy Ohio and Spiller, Amy B. Ms. and Kingery, Jeanne W. Ms.