

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Joint Application of Vadata,)
Inc. and Ohio Power Company for Approval of a) Case No. 17-1827-EL-AEC
Unique Economic Development Arrangement for)
Ohio Data Center Campuses.)

**MOTION FOR LEAVE TO REFILE PUBLIC COMMENTS OUT OF TIME
BY
THE OFFICE OF THE OHIO CONSUMERS' COUNSEL**

The Office of the Ohio Consumers' Counsel ("OCC") hereby moves the Public Utilities Commission ("PUCO" or "Commission") to seek leave to refile its public Comments one day out of time, after OCC timely filed its redacted public Comments at the PUCO. In its original filing, the attachment to OCC's public comments had 4 of the 11 pages inadvertently filed upside down, resulting in PUCO docketing rejecting the electronic filing.

Under Ohio Admin. Code 4901-1-12 and 4901-1-13, the PUCO rules provide for an extension of time to file pleadings for good cause shown. There is good cause to grant OCC leave to refile the public version of its Comments one-day late. And no party will be prejudiced by OCC's refiling one-day late, as all parties were served with OCC's redacted, timely filed public Comments.

The grounds for this Motion are more fully described in the accompanying Memorandum in Support.

Respectfully submitted,

BRUCE WESTON
OHIO CONSUMERS' COUNSEL

/s/ Maureen R. Willis

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MEMORANDUM IN SUPPORT

OCC seeks the PUCO's permission to refile, out of time, the public version of its Comments that were timely filed yesterday with the PUCO. The Comments that OCC originally filed had an 11-page attachment. However, four pages in the attachment were filed upside down, and as a result rejected from electronic filing by PUCO docketing. OCC is merely refileing its public Comments with all pages of the pleading and its attachment properly oriented within the refileing.

The problem in the original filing of the public version of OCC's Comments occurred during the scanning process. OCC scanned its pleading and the attachment to create a single PDF for filing with the PUCO. During the scanning process, the copier went through the document and looked for text. It then used this text to determine the orientation of the document, and to make the PDF searchable. Because the attachment to OCC's public Comments had quality issues, the copier flipped some of the pages in an attempt to make the document searchable. The rearrangement of the orientation of four pages in the attachment was not detected prior to the original filing.

The PUCO should grant OCC leave to refile these public comments for all the reasons stated above. The PUCO should find good cause and accept the refiled public version of OCC's Comments one-day late. No party will be prejudiced by OCC's late

refiling. All parties were timely served with OCC's filed public comments, and these comments are being refiled exactly as filed originally, but for the attachment pages that were upside down, are now all refiled properly oriented.

Respectfully submitted,

BRUCE WESTON
OHIO CONSUMERS' COUNSEL

/s/ Maureen R. Willis

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion for Leave to Refile Public Comments Out of Time by the Office of the Ohio Consumers' Counsel has been served electronically upon those persons listed below this 22nd day of September, 2017.

/s/ Maureen R. Willis
Maureen R. Willis
Assistant Consumers' Counsel

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Case No(s). 17-1827-EL-AEC

Summary: Motion Motion for Leave to Refile Public Comments Out of Time by The Office of The Ohio Consumers' Counsel electronically filed by Ms. Jamie Williams on behalf of Willis, Maureen Mrs.