

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Individual	)	Case Nos. 17-2126-EL-CSS
Complaints of Joseph Grossi, Fu	)	17-2170-EL-CSS
Wong and Peony Lo, Bob	)	17-2172-EL-CSS
Schmeling, Melissa and Peter	)	17-2173-EL-CSS
Broome, Melisa Kuhne, Robert	)	17-2176-EL-CSS
Schmeling, Jim and Laura Haid,	)	17-2180-EL-CSS
Olga Staios, Shana Berge, Gregory	)	17-2181-EL-CSS
Hoeting, Richard and Carol	)	17-2182-EL-CSS
Tenenholtz, Tammy and Karl Ross,	)	17-2183-EL-CSS
R. Allen Pancoast, Paul E. Smith,	)	17-2184-EL-CSS
Jason Dimaculangan, John Gump,	)	17-2185-EL-CSS
Chris Hendriksen, Melissa and Brian	)	17-2186-EL-CSS
Weiss, Steve Kahn, Evelyn and Tim	)	17-2187-EL-CSS
King, Anne Wymore, John and Sally	)	17-2188-EL-CSS
Riester, Philip Griggs, David E.	)	17-2191-EL-CSS
Shewmon, David and Beverly	)	17-2192-EL-CSS
Fenton, Brett Leonard, Timothy H.	)	17-2195-EL-CSS
Jones, Sharon M. Felman, Anita	)	17-2196-EL-CSS
Deye, Clifford W. Fauber, Nicole	)	17-2197-EL-CSS
Menkaus, Eric Oswald, Jeremy and	)	17-2201-EL-CSS
Carina Henry, James Wulker,	)	17-2203-EL-CSS
Timothy Wilson, Sandra Nunn,	)	17-2205-EL-CSS
Melanie Maughlin, Amber and Chris	)	17-2206-EL-CSS
Francosky, Sean and Emily Hunt,	)	17-2207-EL-CSS
Nicholas Calo, Sanford and Barbara	)	17-2208-EL-CSS
Casper, Mark and Carissa	)	17-2209-EL-CSS
Thompson, Mary and Michael Meno,	)	17-2210-EL-CSS
Michael Preissler, Patricia McGill,	)	17-2211-EL-CSS
Dana and Joy Steller, Marc	)	17-2213-EL-CSS
Wahlquist, Gary Pauly, Emmanuel	)	17-2214-EL-CSS
Black, Elizabeth Vorholt, David and	)	17-2219-EL-CSS
Patricia McLean, Jack C. Daugherty,	)	17-2220-EL-CSS
Steve and Nancy Schmidt, Kathleen	)	17-2221-EL-CSS
Danner, Mr. and Mrs. Jeffrey R.	)	17-2222-EL-CSS
Sims, Julia M. Guy and David A.	)	17-2223-EL-CSS
Guy	)	17-2224-EL-CSS
	)	17-2225-EL-CSS
	)	17-2262-EL-CSS
	)	17-2263-EL-CSS
	)	17-2267-EL-CSS
	)	17-2268-EL-CSS
	)	17-2269-EL-CSS
	)	17-2270-EL-CSS

	)	17-2302-EL-CSS
	)	17-2314-EL-CSS
	)	17-2315-EL-CSS
	)	17-2316-EL-CSS
	)	17-2320-EL-CSS
	)	17-2322-EL-CSS
	)	17-2323-EL-CSS
	)	17-2324-EL-CSS
	)	17-2330-EL-CSS
	)	17-2335-EL-CSS
	)	17-2338-EL-CSS
	)	17-2343-EL-CSS
	)	17-2369-EL-CSS
	)	
In the Matter of the Complaint of Kim	)	
Wiethorn, Karen Dabdoub, Jeff and	)	
Linda Sims, Fred Vonderhaar, Donald	)	17-2344-EL-CSS
and Nancy Jacob, James Johnson, Majid	)	
Qureshi, Keith Donovan, Julie	)	
Reynolds, John Lu, Robert Schneider,	)	
Amanda Sachs, John Hasselbeck,	)	
Lawrence Hug, Dennis Mitman, Nicole	)	
Hiciu, Jason Mayhall, James and Shelley	)	
Hoyer, Theresa Reis, Gary Balser,	)	
David Siff, and the Symmes Township	)	
Trustees	)	

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**MOTION FOR EXPEDITED PREHEARING CONFERENCES**

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Pursuant to Rules 4901-1-12(A) and 4901-1-12(C), Ohio Administrative Code (O.A.C.), Duke Energy Ohio, Inc., (Duke Energy Ohio or Company) respectfully requests that the Public Utilities Commission of Ohio (Commission) grant its Motion for expedited pre-hearing conferences for the reasons set forth in the attached Memorandum in Support, which are incorporated herein by reference. As the Company is presently being denied its lawful right to engage in vegetation management activities and of the lawful use of its real property interests, a

prompt resolution of this proceeding is necessary. Duke Energy Ohio's further supports its request with the accompanying memorandum.

Respectfully submitted,  
DUKE ENERGY OHIO, INC.

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## MEMORANDUM IN SUPPORT

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Duke Energy Ohio possesses long-established grants of easement on various parcels of real property located in its southwest Ohio service territory. Such easements allow for, *inter alia*, the construction and maintenance of utility infrastructure and the removal of that vegetation that may threaten the safe operation of same. Specific to these proceedings, Duke Energy Ohio has a lawful grant of easement for a high-voltage, overhead transmission line and, consistent with its approved Program for Inspection, Maintenance, Repair and Replacement of Distribution and Transmission Lines, is exercising its lawful right to remove vegetation within its easement. Complainants allege, in part, that the Company is without authority to engage in such activities and has obtained, or is otherwise requesting, an order from the Commission barring the Company from actively maintaining the safety of its high-voltage transmission system. Notwithstanding the Company's objection to such a request, Duke Energy Ohio respectfully seeks an expedited processing of these complaints so that it may resume its proper and lawful vegetation management activities in a manner that mitigates against compromise to the safety of its system and customers and against unnecessary costs associated with demobilizing and remobilizing resources.

Toward that end, Duke Energy Ohio requests the issuance of a scheduling order that would allow for expedited resolution of these proceedings. In that regard, Duke Energy Ohio further states that the Complainants have failed to set forth reasonable grounds for a complaint and, as such, no hearing is required. Duke Energy Ohio cannot certify whether opposition to this request may exist, however the urgency of obtaining an expedited ruling such that the Company may adhere to its accepted and approved standards is significant. In recognition of the need to

maintain safe and reliable service to its customers, the Company requests that the Commission facilitate a speedy and fair resolution of these matters.

Respectfully submitted,

/s/ Elizabeth H. Watts

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## **CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing has been served upon the following by regular U.S. Mail or via electronic mail on this 21<sup>st</sup> day of November, 2017:

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**Case No(s). 17-2126-EL-CSS, 17-2170-EL-CSS, 17-2172-EL-CSS, 17-2173-EL-CSS, 17-2176-EL-CSS,**

Summary: Motion for Expedited Prehearing Conferences electronically filed by Ms. Emily Olive on behalf of Duke Energy Ohio and Spiller, Amy B. Ms. and Watts, Elizabeth H. Ms. and McMahon, Robert A. Mr.