

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Duke :
Energy Ohio, Inc., for Authority to : Case No. 17-1263-EL-SSO
Establish a Standard Service Offer :
Pursuant to Section 4928.143, Revised :
Code, in the Form of an Electric Security :
Plan, Accounting Modifications and :
Tariffs for Generation Service. :

In the Matter of the Application of Duke :
Energy Ohio, Inc., for Authority to : Case No. 17-1264-EL-ATA
Amend its Certified Supplier Tariff, :
P.U.C.O. No. 20. :

In the Matter of the Application of Duke :
Energy Ohio, Inc., for Authority to Defer : Case No. 17-1265-EL-AAM
Vegetation Management Costs. :

**UNOPPOSED MOTION FOR THE EXTENSION OF THE PROCEDURAL
SCHEDULE AND
REQUEST FOR EXPEDITED TREATMENT
SUBMITTED ON BEHALF OF THE STAFF OF
THE PUBLIC UTILITIES COMMISSION OF OHIO**

The Staff of the Public Utilities Commission of Ohio (“Staff”), pursuant to Rules 4901-1-12 and 4901-1-13 of the Ohio Administrative Code (O.A.C.), respectfully requests an extension of the procedural schedule reflected in the November 28, 2017 Attorney Examiner Entry. Staff also requests that the Commission grant its motion on an expedited basis pursuant to O.A.C. 4901-1-12(C) and certifies that no party objects to the issuance of an immediate ruling or to the requested extension. The reasons for this motion are set forth more fully in the attached memorandum.

Respectfully submitted,

Mike DeWine
Attorney General

William L. Wright
Section Chief

/s/ Steven L. Beeler

Steven L. Beeler
Assistant Attorney General
Public Utilities Section
30 East Broad Street, 16th Floor
Columbus, OH 43215
(614) 466-4397
FAX: (614) 644-8764
steven.beeler@ohioattorneygeneral.gov

MEMORANDUM IN SUPPORT

On June 1, 2017, Duke submitted an application for approval of a proposed electric security plan for its standard service offer of electric generation supply, in the above-captioned proceeding. By entry dated November 28, 2017, the Commission adopted a new procedural schedule for the filing of testimony and an evidentiary hearing as follows:

1. Testimony on behalf of intervenors is to be filed by December 20, 2017.
2. Testimony on behalf of Staff is to be filed by December 27, 2017.
3. The evidentiary hearing is to begin on January 3, 2018 at 10:00 a.m.

For the reasons set forth below, Staff requests an extension of the current procedural schedule which would amend the procedural schedule as follows:

1. Testimony on behalf of intervenors is to be filed by January 5, 2018.
2. Testimony on behalf of Staff is to be filed by January 10, 2018.
3. The evidentiary hearing is to begin on January 16, 2018 at 10:00 a.m.

All of the parties have met to discuss settlement. Staff respectfully requests an extension as described above in order to facilitate continuing settlement discussions and further explore whether a partial or complete settlement may be reached. If a partial or complete Stipulation and Recommendation (“Stipulation”) is filed by two or more parties before January 16, 2018, then Staff requests that the Attorney Examiner further modify

the above procedural schedule at that time in order to accommodate the preparation of testimony in support of the Stipulation, possible preparation of testimony in opposition to the Stipulation, and the parties' preparation for hearing. If for some reason no Stipulation is filed prior to the rescheduled hearing date, the evidentiary hearing will commence with the first witness on January 16, 2018.

O.A.C. 4901-1-12(C) allows a party to request that the Commission consider a motion on an expedited basis. No party opposes the motion for extension and request for immediate ruling. Accordingly, Staff respectfully requests an expedited ruling for the extension of the procedural schedule.

Respectfully submitted,

Mike DeWine
Attorney General

William L. Wright
Section Chief

/s/ Steven L. Beeler _____

Steven L. Beeler
Assistant Attorney General
Public Utilities Section
30 East Broad Street, 16th Floor
Columbus, OH 43215
(614) 466-4397
FAX: (614) 644-8764
steven.beeler@ohioattorneygeneral.gov

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the Motion for Extension has been served upon the below-named counsel via electronic mail, this 18th day of December, 2017.

/s/ Steven L. Beeler

Steven L. Beeler

Parties of Record:

Amy B. Spiller

(Counsel of Record)

Deputy General Counsel

Jeanne W. Kingery

Elizabeth H. Watts

Rocco D'Ascenzo

Associate General Counsel

139 East Fourth Street, 1303-Main

PO Box 961

Cincinnati, OH 45201-0960

Amy.spiller@duke-energy.com

Jeanne.kingery@duke-energy.com

Elizabeth.watts@duke-energy.com

Rocco.d'ascenzo@duke-energy.com

**COUNSEL FOR DUKE ENERGY
OHIO, INC.**

Frank P. Darr

(Counsel of Record)

Matthew R. Pritchard

MCNEES WALLACE & NURICK
LLC

21 East State Street, 17TH Floor

Columbus, OH 43215

Telephone: (614) 469-8000

Telecopier: (614) 469-4653

fdarr@mwncmh.com

mpritchard@mwncmh.com

**COUNSEL FOR INDUSTRIAL
ENERGY USERS-OHIO**

Michael L. Kurtz

Jody Kyler Cohn

Boehm, Kurtz & Lowry

36 East Seventh Street, Suite 1510

Cincinnati, OH 45202

mkurtz@BKLawfirm.com

jkylercohn@BKLawfirm.com

**COUNSEL FOR THE OHIO
ENERGY GROUP**

William J. Michael

(Counsel of Record)

Kevin Moore

Assistant Consumers' Counsel

Office of the Ohio Consumers' Counsel

10 West Broad Street, Suite 1800

Columbus, OH 43215-3485

William.michael@occ.ohio.gov

Kevin.moore@occ.ohio.gov

Dane Stinson

Bricker & Eckler LLP

100 South Third Street

Columbus, OH 43215

dstinson@bricker.com

**COUNSEL FOR THE OFFICE OF
THE OHIO CONSUMERS'
COUNSEL**

Kimberly W. Bojko (Reg. No. 0069402)

(Counsel of Record)

James D. Perko, Jr. (Reg. No. 0093312)

Carpenter Lipps & Leland LLP

280 Plaza, Suite 1300

280 North High Street

Columbus, OH 43215

Bojko@carpenterlipps.com

Perko@carpenterlipps.com

**COUNSEL FOR THE OHIO
MANUFACTURERS'
ASSOCIATION ENERGY GROUP**

Colleen L. Mooney

Ohio Partners for Affordable Energy

P.O. Box 12451

Columbus, OH 43212-2451

cmooney@ohiopartners.org

**COUNSEL FOR THE OHIO
PARTNERS FOR
AFFORDABLE ENERGY**

Madeline Fleisher

Environmental Law & Policy Center

21 W. Broad St., Suite 500

Columbus, OH 43215

mfleisher@elpc.org

**COUNSEL FOR
ENVIRONMENTAL LAW &
POLICY CENTER**

Carrie M. Harris

Spilman Thomas & Battle, PLLC

110 Oakwood Drive, Suite 500

Winston-Salem, NC 27130

charris@spilmanlaw.com

Derrick Price Williamson

Spilman Thomas & Battle, PLLC

1100 Bent Creek Blvd., Suite 101

Mechanicsburg, PA 17050

dwilliamson@spilmanlaw.com

Lara R. Brandfass

Spilman Thomas & Battle, PLLC

300 Kanawha Boulevard, East

P.O. Box 273

Charleston, WV 25321-0273

lbrandfass@spilmanlaw.com

**COUNSEL FOR WAL-MART
STORES EAST, LP AND
SAM'S EAST, INC.**

Angela Paul Whitfield

Carpenter Lipps & Leland LLP

280 North High Street, Suite 1300

Columbus, OH 43215

paul@carpenterlipps.com

**COUNSEL FOR THE KROGER
CO.**

Richard L. Sites

Regulatory Counsel

Ohio Hospital Association

155 East Broad Street, 3rd Floor

Columbus, OH 43215-3620

Rick.sites@ohiohospitals.org

Dylan F. Borchers

Devin D. Parram

Bricker & Eckler LLP

100 South Third Street

Columbus, OH 43215-4291

dborchers@bricker.com

dparram@bricker.com

**COUNSEL FOR THE OHIO
HOSPITAL ASSOCIATION**

Elyse Akhbari
(Counsel of Record)
Bricker & Eckler LLP
100 South Third Street
Columbus, OH 43215-4291
eakhbari@bricker.com

**COUNSEL FOR PEOPLE
WORKING COOPERATIVELY,
INC.**

Trent Dougherty
(Counsel of Record)
Miranda Leppa
1145 Chesapeake Avenue, Suite I
Columbus, OH 43212-3449
tdougherty@theOEC.org
mleppa@theOEC.org

**COUNSEL FOR THE OHIO
ENVIRONMENTAL COUNCIL
AND ENVIRONMENTAL
DEFENSE FUND**

Joseph Olikier
(Counsel of Record)
Michael Nugent
IGS Energy
6100 Emerald Parkway
Dublin, OH 43016
joliker@igsenergy.com
mnugent@igsenergy.com

COUNSEL FOR IGS ENERGY

Steven D. Lesser
James F. Lang
N. Trevor Alexander
Mark T. Keaney
Calfee, Halter & Griswold LLP
41 South High Street, 1200 Huntington
Center
Columbus, OH 43215
slesser@calfee.com
jlang@calfee.com
talexander@calfee.com
mkeaney@calfee.com

**COUNSEL FOR THE CITY OF
CINCINNATI**

Michael D. Dortch
Richard R. Parsons
Justin M. Dortch
Kravitz, Brown & Dortch, LLC
65 East State Street, Suite 200
Columbus, OH 43215
mdortch@kravitzllc.com
rparsons@kravitzllc.com
jdortch@kravitzllc.com

**COUNSEL FOR CALPINE
ENERGY SOLUTIONS, LLC**

Mark A. Whitt
Andrew J. Campbell
Rebekah J. Glover
Whitt Sturtevant LLP
The KeyBank Building, Suite 1590
88 East Broad Street
Columbus, OH 43215
whitt@whitt-sturtevant.com
campbell@whitt-sturtevant.com
glover@whitt-sturtevant.com

**COUNSEL FOR RETAIL ENERGY
SUPPLY ASSOCIATION &
DIRECT ENERGY SERVICES,
LLC, DIRECT ENERGY
BUSINESS, LLC AND DIRECT
ENERGY BUSINESS
MARKETING, LLC=**

Michael J. Settineri

Special Assistant Attorney General
Vorys, Sater, Seymour and Pease LLP
52 East Gay Street
PO Box 1008
Columbus, OH 43216-1008
mjsettineri@vorys.com

**ON BEHALF OF MIAMI
UNIVERSITY AND THE
UNIVERSITY OF CINCINNATI**

Michael J. Settineri

(Counsel of Record)

Gretchen L. Petrucci

Vorys, Sater, Seymour and Pease LLP
52 East Gay Street
PO Box 1008
Columbus, OH 43216-1008
mjsettineri@vorys.com
glpetrucci@vorys.com

**ON BEHALF OF
CONSTELLATION NEWENERGY,
INC. AND EXELON GENERATION
COMPANY, LLC**

Richard C. Sahli

Tony Mendoza

Richard Sahli Law Office, LLC
981 Pinewood Lane
Columbus, Ohio 43230-3662
rsahli@columbus.rr.com
Tony.mendoza@sierraclub.org

**ON BEHALF OF THE SIERRA
CLUB**

Nicholas Walstra

Stacie Cathcart

Legal Department
Public Utilities Commission of Ohio
180 East Broad Street, 12th Floor
Columbus, OH 43215
Stacie.Cathcart@puco.ohio.gov
Nicholas.Walstra@puco.ohio.gov

ATTORNEY EXAMINERS

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

12/18/2017 10:30:51 AM

in

Case No(s). 17-1263-EL-SSO, 17-1264-EL-ATA, 17-1265-EL-AAM

Summary: Motion Unopposed Motion for the Extension of the Procedural Schedule and Request for Expedited Treatment electronically filed by Mrs. Tonnetta Y Scott on behalf of PUCO