

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Duke)
Energy Ohio, Inc. to Adjust Rider AU for) Case No. 18-0837-GA-RDR
2017 Grid Modernization Costs.)

**MOTION FOR A CONTINUANCE OF THE PROCEDURAL SCHEDULE
AND
REQUEST FOR EXPEDITED RULING
BY
THE OFFICE OF THE OHIO CONSUMERS' COUNSEL**

On March 6, 2019, the Public Utilities Commission of Ohio (“PUCO”) established a procedural schedule for this case involving the amount consumers will be charged for natural gas service to their homes.¹ The PUCO established March 19, 2019 for Duke Energy Ohio, Inc. (“Duke”) to file supplemental testimony, March 25, 2019 for filing any stipulation, and March 26, 2019 for the hearing in this case.² Because of scheduling conflicts during the week of March 25, 2019, the Office of the Ohio Consumers’ Counsel (“OCC”) respectfully requests that the PUCO grant a continuance of the procedural schedule. OCC asks the PUCO to continue the hearing to May 2, 2019. Duke’s supplemental testimony would be due April 23, 2019 and parties would have until 9:00 a.m. May 1, 2019 to file any stipulation in this case. OCC also requests that the PUCO issue an expedited ruling. OCC has contacted the other parties to this case and no party objects to this Motion.

¹ Entry (March 6, 2019).

² *Id.*, ¶16.

The reasons the PUCO should grant OCC's Motion are further set forth in the attached Memorandum in Support.

Respectfully submitted,

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Ohio Consumers' Counsel

/s/ Terry L. Etter

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MEMORANDUM IN SUPPORT

On July 3, 2018, the PUCO issued an Entry establishing a procedural schedule for this case. The schedule included a deadline for filing motions to intervene, a comment and reply comment process, a deadline for the PUCO Staff and intervenors to file testimony, a deadline for Duke to file supplemental testimony, and a hearing on the application. Per the procedural schedule, after comments and reply comments were filed, OCC docketed the testimony of James D. Williams on November 23, 2018. On November 28, 2018, Duke filed a motion to strike Mr. Williams's testimony and a motion to continue the procedural schedule. The motion for continuance was granted by an Entry issued on December 11, 2018.

On March 6, 2019, the PUCO issued an Entry denying Duke's motion to strike Mr. Williams's testimony. The Entry also set a new procedural schedule for this case.³ The PUCO established March 19, 2019 for Duke to file supplemental testimony, March 25, 2019 for filing any stipulation, and March 26, 2019 for the hearing in this case.⁴ But the new procedural schedule creates scheduling conflicts for OCC. Therefore, OCC

³ Entry (March 6, 2019).

⁴ *Id.*, ¶16.

respectfully requests a continuance of the new procedural schedule set forth in the March 6, 2019 Entry.

OCC has discussed a continuance with counsel for the other parties in this case.

To avoid other scheduling conflicts, OCC suggests the following procedural schedule:

- The deadline for Duke to file supplemental testimony –
April 23, 2019;
- The deadline for parties to file any stipulation in this case –
May 1, 2019 at 9:00 a.m.;
- The hearing to commence – May 2, 2019.

OCC requests an expedited ruling on this Motion. OCC has discussed this schedule with counsel for the other parties and no party objects to the proposed schedule or an expedited ruling.

Good cause exists for granting this Motion because of scheduling conflicts.⁵

Accordingly, OCC requests that the PUCO establish the requested procedural schedule.

⁵ See, e.g., *In the Matter of the Regulation of the Purchased Gas Adjustment Clause Contained within the Rate Schedules of Duke Energy Ohio, Inc. and Related Matters*, Case No. 18-218-GA-GCR, Entry (February 19, 2019); *In the Matter of the Application of Cobra Pipeline Company, Ltd for an Increase in Its Rates and Charges*, Case No. 16-1725-PL-AIR, Entry (August 24, 2018); *In the Matter of the Application of Duke Energy Ohio, Inc. for Tariff Approval Regarding Customer Energy Usage Data*, Case No. 14-2209-EL-ATA, Entry (January 21, 2016); *In the Matter of the Regulation of the Purchased Gas Adjustment Clause Contained Within the Rate Schedules of The East Ohio Gas Company d.b.a. Dominion East Ohio and Related Matters*, Case No. 05-219-GA-GCR, Entry (August 22, 2006); *In the Matter of the Application of the Valley Utility Company for an Increase in the Rates and Charges for Water Service in Perry and Sharon Townships, Franklin County, Ohio, and to Amend the Tariffs*, Case No. 92-581-WW-AIR, Entry (December 28, 1992).

Respectfully submitted,

Bruce Weston (0016973)
Ohio Consumers' Counsel

/s/ Terry L. Etter

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CERTIFICATE OF SERVICE

I hereby certify that a copy of this Motion was served on the persons stated below
via electric transmission this 11th day of March 2019.

/s/ Terry L. Etter
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Summary: Motion Motion for a Continuance of the Procedural Schedule and Request for Expedited Ruling by the Office of the Ohio Consumers' Counsel electronically filed by Ms. Deb J. Bingham on behalf of Etter, Terry L.