

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Duke)
Energy Ohio, Inc. for Authority to Adjust its) Case No. 19-1750-EL-UNC
Power Forward Rider.)

In the Matter of the Application of Duke)
Energy Ohio, Inc. for Approval to Change its) Case No. 19-1751-GE-AAM
Accounting Methods.)

**MOTION FOR LEAVE TO FILE COMMENTS OUT-OF-TIME
AND REQUEST FOR EXPEDITED RULING**

Pursuant to Ohio Adm. Code 4901-1-12 and 4901-1-13(A), the Ohio Manufacturers' Association Energy Group (OMAEG) respectfully requests leave to file comments on Duke Energy Ohio, Inc.'s (Duke) Application to adjust its Power Forward Rider (Rider PF) in the above-captioned proceeding one day out-of-time for good cause shown. Further, OMAEG requests that the Motion be granted on an expedited basis pursuant to Ohio Adm. Code 4901-1-12(C) so the Comments are part of the record as the case proceeds forward. OMAEG cannot certify that no party to this proceeding objects to an expedited ruling. The reasons for granting OMAEG's Motion are set forth in the attached Memorandum in Support.

Respectfully submitted,

/s/ Kimberly W. Bojko

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April 16, 2020

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**MEMORANDUM IN SUPPORT OF MOTION FOR LEAVE TO FILE
COMMENTS OUT-OF-TIME AND REQUEST FOR EXPEDITED RULING**

OMAEG respectfully requests leave to file its Comments on Duke's Application to adjust Rider PF one day out-of-time. Pursuant to the Entry issued on March 11, 2020,¹ OMAEG's Comments on Duke's Application to adjust Rider PF were due to be filed on April 15, 2020. Due to COVID-19 and remote working requirements, a remote server connection error occurred that delayed the processing of the filing by a few minutes, causing the Comments to not be uploaded to the Commission's electronic docketing system until 5:35 p.m. on April 15, 2020. Because the filing was completed five minutes after the 5:30 p.m. deadline, OMAEG's Comments were deemed to be filed one day out-of-time.

Given the brief delay in the filing due to the remote server connection error, no parties to this proceeding will be prejudiced as a result of the late filing. Indeed, OMAEG served its Comments on all the parties on the due date of April 15, 2020. As such, there will not be any undue delay to this proceeding and allowing OMAEG to file its Comments one day out-of-time will not result in any

¹ Entry at ¶4.

harm or burden to the parties to this proceeding. Motions for out-of-time filings are routinely granted by the Commission for good cause shown absent a showing of prejudice.²

Therefore, for the reasons provided herein, OMAEG respectfully requests the Motion for Leave to file its Comments on Duke's Rider PF be granted on an expedited basis under Ohio Adm. Code 4901-1-12(C) and that the Commission accept OMAEG's Comments as filed in the Commission's electronic docketing system on April 16, 2020 so as to allow the Comments to be part of the record as the case proceeds forward. OMAEG cannot certify that no party to this proceeding objects to an expedited ruling.

Respectfully submitted,

/s/ Kimberly W. Bojko

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² Rule 4901-1-13(A), Ohio Administrative Code, states that "[e]xcept as otherwise provided by law, and notwithstanding any other provision in this chapter, continuances of public hearings and extensions of time to file pleadings or other papers may be granted upon motion of any party for good cause shown, or upon motion of the commission, the legal director, the deputy legal director, or an attorney examiner."

CERTIFICATE OF SERVICE

The Public Utilities Commission of Ohio's e-filing system will electronically serve notice of the filing of this document on the parties referenced on the service list of the docket card who have electronically subscribed to the case. In addition, the undersigned hereby certifies that a copy of the foregoing document also is being served via electronic mail on April 16, 2020 upon the parties listed below.

/s/ Kimberly W. Bojko
Kimberly W. Bojko

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Case No(s). 19-1750-EL-UNC, 19-1751-GE-AAM

Summary: Motion Motion For Leave To File Comments Out-Of-Time And Request For Expedited Ruling electronically filed by Ms. Cheryl A Smith on behalf of The Ohio Manufacturers' Association Energy Group