

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Commission's)	
Investigation into PALMco Power OH, LLC)	
d/b/a Indra Energy and PALMco Energy OH,)	Case No. 19-2153-GE-COI
LLC d/b/a Indra Energy's Compliance with the)	
Ohio Administrative Code and Potential)	
Remedial Actions for Non-compliance)	

**MOTION OF PALMCO POWER OH, LLC AND PALMCO ENERGY OH, LLC
FOR AN EXTENSION OF THE DEADLINE TO RESPOND TO THE OHIO
CONSUMERS' COUNSEL'S THIRD MOTION TO COMPEL DISCOVERY
AND REQUEST FOR EXPEDITED RULING**

Pursuant to Ohio Adm.Code 4901-1-12(C) and 4901-1-13(B), PALMco Power OH, LLC d/b/a Indra Energy and PALMco Energy OH, LLC d/b/a Indra Energy (together, "PALMco") respectfully submit this motion for a fourteen-day extension of the deadline to respond to Ohio Consumers' Counsel's ("OCC") Third Motion to Compel Discovery and Renewed Motion for Sanctions, filed October 28, 2020, pending settlement discussions. A memorandum in support of this motion is attached. PALMco requests an expedited ruling on its motion.

Respectfully submitted,

/s/ Eric B. Gallon

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MEMORANDUM IN SUPPORT

PALMco respectfully requests an extension of fourteen days in which to respond to OCC's Third Motion to Compel Discovery and Renewed Motion for Sanctions, filed October 28, 2020. PALMco has proactively engaged with OCC and Staff in an effort to reach a meaningful resolution to this investigation that would benefit Ohio consumers without wasting the resources of the Commission and the parties. Fourteen days should provide sufficient time for PALMco and the parties to investigate the settlement discussions' likelihood of success.

The requested extension would also provide PALMco additional time to respond to OCC's detailed and lengthy filing should those discussions prove unfruitful. As the attachments to OCC's motion show, PALMco has answered the majority of OCC's discovery requests in full. It answered one interrogatory in part, subject to objections. And it has already agreed to answer an additional 5 interrogatories and 1 request for production, either in full or in part, and to supplement its prior responses, once the Commission rules on PALMco's July 31, 2020 Motion for Waiver of Rules Governing Disclosure of Customer Information (which it has not yet done, *contra* OCC's assertion). PALMco believes the objections set forth in its Supplemental Responses and Objections to OCC's discovery requests (OCC Motion to Compel Exhibit B) and explained further in the correspondence attached to OCC's motion (*see id.*, Affidavit Exhibit 3) are justified and reasonable and would warrant denial of OCC's motion to compel and for sanctions. But PALMco believes the interests of the Commission and all parties would be best served by allowing PALMco to conserve its resources at this time, and respond in full to OCC's motion only if the ongoing settlement negotiations are unsuccessful.

Counsel for PALMco contacted counsel for OCC on Tuesday, November 10, 2020, to request a stipulation to this request for a 14-day extension for the reasons identified herein, but did not receive unconditional agreement. Therefore, PALMco has not identified this Motion as stipulated or uncontested.

For the foregoing reasons, good cause exists for this limited, 14-day extension. PALMco respectfully requests an expedited ruling on its motion.

Respectfully submitted,

/s/ Eric B. Gallon

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CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing Motion for an Extension of the Deadline to Respond to the Ohio Consumers' Counsel's Third Motion to Compel Discovery and Request for Expedited Ruling was served by electronic mail on this 12th day of November, 2020, upon the following:

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/s/ Eric B. Gallon

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Case No(s). 19-2153-GE-COI

Summary: Motion for an Extension of the Deadline to Respond to the Ohio Consumers' Counsel's Third Motion to Compel Discovery and Request for Expedited Ruling electronically filed by Mr. Eric B. Gallon on behalf of PALMco Power OH, LLC d/b/a Indra Energy and PALMco Energy OH, LLC d/b/a Indra Energy