

**BEFORE
THE OHIO POWER SITING BOARD**

In the Matter of the Application of Duke)
Energy Ohio, Inc., for a Certificate of)
Environmental Compatibility and Public) Case No. 20-1411-GA-BTX
Need for the Construction of the Bethel-)
Batavia Pipeline.)

**MOTION OF DUKE ENERGY OHIO, INC., FOR AN EXTENSION OF DEADLINES
AND REQUEST FOR EXPEDITED TREATMENT**

Comes now Duke Energy Ohio, Inc., (Duke Energy Ohio or Company) and, pursuant to O.A.C. 4901-1-12, hereby respectfully requests an order for an extension of the deadlines to file testimony in the above-captioned case. The Company has reached out to the Staff (Staff) of the Ohio Power Siting Board (Board) to discuss a proposed schedule that would allow for possible settlement discussions after the date of the public hearing in the case. The Company respectfully requests additional time, until June 18, 2021, to file its testimony and until June 21, 2021, for Staff to file its testimony.

In accordance with O.A.C. 4901-1-12(C), Duke Energy Ohio reached out to Staff via email dated June 2, 2021, inquiring whether it objects to expedited treatment of the Company's Motion. Staff does not object to expedited treatment or to the substance of this motion.

Duke Energy Ohio sets forth, in the attached Memorandum in Support, the reasons why such deadlines should be so extended, on an expedited basis.

Respectfully submitted,
DUKE ENERGY OHIO, INC.

/s/ Jeanne W. Kingery

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MEMORANDUM IN SUPPORT

On October 13, 2020, Duke Energy Ohio filed its preapplication notification letter, detailing its intention to file an Application for a Certificate of Environmental Compatibility and Public Need to Construct the Bethel-Batavia Pipeline in Clermont County, Ohio (Application).¹ On January 14-15, 2021,² the Company filed its Application for a certificate to construct the above-referenced pipeline.³ On March 15, 2021, Staff indicated that the Application was complete and that it was ready to begin its analysis of same.⁴ Subsequently, the administrative law judge issued an entry (Entry) on March 29, 2021, indicating, among other things, that Duke Energy Ohio should file its testimony by June 11, 2021, and that Staff should file its testimony by June 16, 2021.⁵

Following receipt of the Entry, the Company diligently worked to respond to data requests and to fulfill the requirements of a full application. Staff issued its report on May 19, 2021, which included 31 conditions.⁶ The Staff Report also indicated that the Staff recommended the preferred route for the Bethel to Batavia pipeline project.⁷ Duke Energy Ohio then reached out to Staff to discuss clarification of certain conditions and to seek direction as to timing for potential settlement discussions. Staff has indicated that any such discussions would not begin until after the public hearing.

Duke Energy Ohio respectfully submits that one day is insufficient to properly coordinate with Staff, obtain its feedback and then prepare and file the Company's testimony with the Board.

¹ Preapplication Notification Letter (October 13, 2020).

² The Application was filed on two days due to the size of attachments to the application.

³ *In the Matter of the Application of Duke Energy Ohio, Inc., for a Certificate of Environmental Compatibility and Public Need to Construct the Bethel-Batavia Pipeline in Clermont County, Ohio*, Case No. 20-1411-GA-BTX, Application (January 14-15, 2021).

⁴ Correspondence filed by Staff on March 15, 2021.

⁵ Administrative Law Judge Entry, p. 9 (March 29, 2021).

⁶ Staff Report of Investigation, pp. 47-53 (May 19, 2021).

⁷ *Id.*, p. 47.

Accordingly, Duke Energy Ohio respectfully requests an extension of time, until June 18, 2021, to effectively coordinate with Staff and file its testimony.

Therefore, Duke Energy Ohio respectfully requests that the Board extend the deadline for the Company's filing of its testimony until June 18, 2021, and for the filing of Staff's testimony until June 21, 2021. The Company also respectfully requests expedited treatment of this motion.

Respectfully submitted,
DUKE ENERGY OHIO, INC.

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CERTIFICATE OF SERVICE

In accordance with Rule 4901-1-05, Ohio Administrative Code, the Commission's e-filing system will electronically serve notice of the filing of this document upon the following parties. In addition, I hereby certify that a service copy of the foregoing *Motion of Duke Energy Ohio, Inc., for an Extension of Deadlines and Request for Expedited Treatment* was sent by, or on behalf of, the undersigned counsel to the following parties of record this 3rd day of June, 2021, via electronic transmission.

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