

**BEFORE THE  
PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of )  
Duke Energy Ohio, Inc., to Adjust )  
Rider DR-IM and Rider AU for ) Case No. 10-2326-GE-RDR  
2010 SmartGrid Costs and Mid- )  
Deployment Review. )

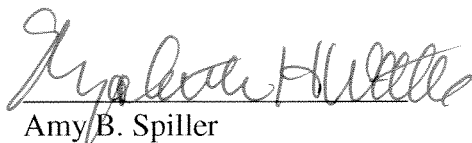
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**JOINT MOTION TO EXTEND PROCEDURAL SCHEDULE  
AND REQUEST FOR EXPEDITED RULING**

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Now comes Duke Energy Ohio, Inc., together with other intervenors in the proceeding, including the Office of the Ohio Consumers' Counsel, Ohio Partners for Affordable Energy, Direct Energy Services, LLC., and Direct Energy Business, LLC., to move the Public Utilities Commission of Ohio for an extension of the procedural schedule for this matter. Reasons for the request are set forth more fully in the accompanying memorandum in support.

Respectfully submitted,



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## MEMORANDUM IN SUPPORT

On June 30, 2011, Duke Energy Ohio, Inc., (Duke Energy Ohio or Company) submitted an annual Application (Application) to adjust Riders DR-IM and Rider AU to permit recovery of 2010 costs incurred in deployment of SmartGrid. On September 8, 2011, the Commission granted the intervention of the Ohio Partners for Affordable Energy (OPAE) and the Office of the Ohio Consumers' Counsel (OCC), and set forth a procedural schedule for this proceeding. Thereafter, Direct Energy Services, LLC and Direct Energy Business, LLC also moved to intervene.

On November 4, 2011, OPAE, OCC and the Staff of the Public Utilities Commission of Ohio (Staff) submitted comments on the Company's Application (all intervenors and the Staff hereinafter, the Parties). Intervenor testimony was due on November 28, 2011 and a hearing was set for December 13, 2011. On November 21, 2011, the Parties submitted a joint motion requesting an extension of the procedural schedule to allow sufficient time to discuss resolution of the issues and a possible stipulation. That motion was granted and a new procedural schedule was ordered to include the filing of Staff and intervenor testimony on January 4, 2012 and Company supplemental testimony on January 11, 2012. The hearing was ordered to commence on January 18, 2012.

Again, in the past weeks, the Parties have met to discuss the issues raised in the comments and related matters. The Parties continue to believe that progress toward settlement of the issues raised in the Company's application is possible and would like additional time to work toward such a settlement. As a result, the Parties collectively request that the Commission set a new procedural schedule that allows for additional discussion and possible resolution prior to the

filing of any testimony and the commencement of a hearing. It is requested that the current schedule for testimony and hearing be set back by at least three weeks due to the press of other matters and the interruption caused by the holidays.

WHEREFORE, the Parties respectfully requests that the Commission, pursuant to O.A.C. 4901-1-24(D), grant its Motion to Extend Procedural Schedule and provide a new procedural schedule that allows time for the Parties to continue seeking an amicable resolution of the issues.


Respectfully submitted on behalf of all of the Intervening Parties,



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#### Certificate of Service

I hereby certify that a true and accurate copy of the foregoing has been served upon the following parties via electronic mail, regular mail or by hand delivery this 21st day of December, 2011.



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