

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Duke)
Energy Ohio, Inc., for an Increase in its) Case No. 12-1685-GA-AIR
Natural Gas Distribution Rates.)

In the Matter of the Application of Duke) Case No. 12-1686-GA-ATA
Energy Ohio, Inc., for Tariff Approval.)

In the Matter of the Application of Duke)
Energy Ohio, Inc. for Approval of an) Case No. 12-1687-GA-ALT
Alternative Rate Plan for Gas)
Distribution Service.)

In the Matter of the Application of Duke)
Energy Ohio, Inc., for Approval to) Case No. 12-1688-GA-AAM
Change Accounting Methods.)

**DUKE ENERGY OHIO, INC.'S MOTION TO FILE
MEMORANDUM CONTRA INSTANTER**

Now comes Duke Energy Ohio, Inc., and hereby respectfully moves for leave to file its Memorandum Contra Motion to Consolidate of Ohio Power Company, Instanter.

Reasons for this motion are set forth more fully below.

Respectfully submitted,
DUKE ENERGY OHIO, INC.



Amy B. Spiller (0047277)
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Elizabeth H. Watts (0031092)
Associate General Counsel
Duke Energy Business Services LLC
139 East Fourth Street
Cincinnati, Ohio 45202
513-287-4359 (telephone)
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MEMORANDUM IN SUPPORT

Duke Energy Ohio, Inc., (Duke Energy Ohio) respectfully requests that it be permitted to file a Memorandum Contra the Joint Application for Rehearing by The Office of the Ohio Consumers' Counsel, The Kroger Company, The Ohio Manufacturers' Association and Ohio Partners for Affordable Energy. Due to inadvertent error, Duke Energy Ohio mistakenly neglected to file within the time set forth in Rule 4901-1-35. Duke Energy Ohio respectfully states that good cause exists for the Commission to consider this Memorandum Contra as timely filed.

Permitting the late filing of this Memorandum will not prejudice any of the Parties to this proceeding or cause undue delay. Accordingly, Duke Energy Ohio respectfully submits that the Commission should grant its Motion to File Memorandum Contra Instanter.

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Respectfully submitted,



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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing Duke Energy Ohio's Motion to File Memorandum Contra Instante has been served, via electronic service, to the parties of Record this 2nd day of April, 2014.



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