**BEFORE**

**THE PUBLIC UTILITIES COMMISSION OF OHIO**

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| In the Matter of the Application of the East Ohio Gas Company d/b/a Dominion Energy Ohio for Authority to Adjust Its Capital Expenditure Program Rider Charges. | ))))) | Case No. 21-619-GA-RDR |

**MOTION TO EXTEND PROCEDURAL SCHEDULE**

**AND**

**REQUEST FOR EXPEDITED TREATMENT**

**BY**

**OFFICE OF THE OHIO CONSUMERS' COUNSEL**

The Office of the Ohio Consumers’ Counsel (“OCC”) respectfully requests that the Attorney Examiner modify the procedural schedule so that OCC can file testimony on September 14, 2021 instead of the current deadline of September 10, 2021.[[1]](#footnote-2) All other dates would remain the same.[[2]](#footnote-3) This modification will allow OCC (the only party opposing the settlement filed September 7, 2021) to receive, analyze, and respond to testimony filed on September 10, 2021 in support of the settlement. It would not unreasonably delay or prolong this proceeding, as all other dates would remain the same.

OCC contacted all parties to this case and certifies that no party opposes OCC’s requested procedural schedule modification or an expedited ruling on this Motion. Accordingly, OCC requests that the PUCO grant this Motion under Ohio Adm. Code 4901-1-12(C) on an expedited basis for the reasons set forth above and in the attached memorandum in support.

Respectfully submitted,

 Bruce Weston (0016973)

 Ohio Consumers’ Counsel

 */s/* *William J. Michael*

William J. Michael (0070921)

Counsel of Record

 Ambrosia E. Wilson (0096598)

 Assistant Consumers’ Counsel

 **Office of the Ohio Consumers’ Counsel**

 65 East State Street, 7th Floor

 Columbus, Ohio 43215-4213

Telephone [Michael]: (614) 466-1291
 Telephone [Wilson]: (614) 466-1292

 william.michael@occ.ohio.gov
 ambrosia.wilson@occ.ohio.gov

 (willing to accept service by email)

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**MEMORANDUM IN SUPPORT**

In a September 1, 2021 Entry the Attorney Examiner set a procedural schedule for this case. Under it, all testimony is due September 10, 2021 and a hearing is September 17, 2021.[[3]](#footnote-4) Then on September 7, 2021, the other parties filed a settlement in the case.[[4]](#footnote-5) OCC will be the only party opposing the settlement.[[5]](#footnote-6)

To allow OCC to receive, analyze, and respond to testimony filed in support of the settlement, OCC asked the parties if they would oppose modifying the procedural schedule. OCC and the parties ultimately agreed that there would be no opposition to OCC filing testimony opposing the settlement on September 14, 2021. This modification will not unreasonably delay or prolong the proceedings, as all other dates will remain the same, but will permit due process.

For the reasons stated above, OCC requests that the Attorney Examiner grant this Motion on an expedited basis and modify the procedural schedule such that OCC may file testimony opposing the settlement on September 14, 2021.

Respectfully submitted,

 Bruce Weston (0016973)

 Ohio Consumers’ Counsel

 */s/* *William J. Michael*

William J. Michael (0070921)

Counsel of Record

 Ambrosia E. Wilson (0096598)

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**CERTIFICATE OF SERVICE**

 I hereby certify that a copy of this Motion was served on the persons stated below via electronic transmission, this 8th day of September 2021.

 */s/ William J. Michael*

 William J. Michael

 Assistant Consumers’ Counsel

The PUCO’s e-filing system will electronically serve notice of the filing of this document on the following parties:

**SERVICE LIST**

|  |  |
| --- | --- |
| werner.margard@OhioAGO.govkyle.kern@OhioAGO.govAttorney Examiner:sarah.parrot@puco.ohio.govJacqueline.St.John@puco.ohio.gov  | kennedy@whitt-sturtevant.comfykes@whitt-sturtevant.comwhitt@whitt-sturtevant.comandrew.j.campbell@dominionenergy.commichael.nugent@igs.com |
|  |  |

1. *See* Entry (September 1, 2021) at 4. [↑](#footnote-ref-2)
2. Testimony supporting the settlement filed September 7, 2021 will still be filed September 10, 2021 and the hearing will still go forward on September 17, 2021. [↑](#footnote-ref-3)
3. *See* Entry (September 1, 2021) at 4. [↑](#footnote-ref-4)
4. Stipulation and Recommendation (September 7, 2021). [↑](#footnote-ref-5)
5. *See id.* [↑](#footnote-ref-6)