

Street, 11th Floor, Hearing Room 11-E, Columbus, Ohio.

- (c) Testimony on behalf of intervenors should be filed by January 12, 2009.
 - (d) Testimony on behalf of the Commission staff should be filed by January 20, 2009.
 - (e) Discovery requests, except for notices of deposition, should be served by January 16, 2009.
 - (f) The evidentiary hearing shall commence on January 26, 2009, at 10:00 a.m., at the offices of the Commission, Hearing Room 11-C, 180 E. Broad St., Columbus, Ohio 43215.
- (4) Local public hearings will be scheduled, and publication of notice required, by subsequent entry.
- (5) In light of the time frame for preparation for the hearing in this matter, the examiner requires that, in the event that any motion is made in this proceeding, any memoranda contra shall be required to be filed within five business days after the service of such motion, and any reply memorandum within three business days after the service of a memorandum contra. Paragraph (B) of Rule 4901-1-07, O.A.C., which permits three additional days to take action if service is made by mail, will not apply. Parties are encouraged to take advantage of paragraph (C) of Rule 4901-1-05, O.A.C., which provides that service of pleadings may occur by facsimile transmission or electronic message. In addition, response time for discovery should be shortened to 10 days. Discovery requests and replies shall be served by hand delivery, e-mail or facsimile (unless otherwise agreed by the parties). An attorney serving a discovery request shall attempt to contact the attorney upon whom the discovery request will be served in advance to advise him/her that a request will be forthcoming (unless otherwise agreed by the parties). To the extent that a party has difficulty responding to a particular discovery request within the 10-day period, counsel for the parties should discuss the problem and work out a mutually satisfactory solution.

It is, therefore,

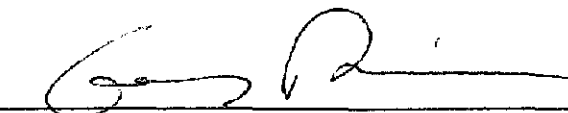
ORDERED, That the procedural schedule for this proceeding be adopted as set forth in Finding (3). It is, further,

ORDERED, That a technical conference will be held on December 15, 2008, at 10:00 a.m., at the offices of the Commission, 180 East Broad Street, 11th Floor, Hearing Room 11-E, Columbus, Ohio. It is, further,

ORDERED, That the evidentiary hearing in this proceeding commence on January 26, 2009, at 10:00 a.m., at the offices of the Commission, Hearing Room 11-C, 180 E. Broad St., Columbus, Ohio 43215. It is, further,

ORDERED, That a copy of this entry be served upon all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

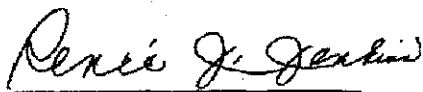


By: Gregory A. Price
Attorney Examiner

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Entered in the Journal

NOV 26 2008



Renee J. Jenkins
Secretary