

FILE

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BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

2009 MAR 19 PM 4:11

In the Matter of the Five-Year Review of)
Natural Gas Company Uncollectible) Case No. 08-1229-GA-COI
Riders.)

PUCO

**MOTION TO FILE COMMENTS OUT-OF-TIME AND MOTION FOR
EXTENSION OF DEADLINE FOR REPLY COMMENTS
AND
REQUEST FOR EXPEDITED RULING
BY
THE OFFICE OF THE OHIO CONSUMERS' COUNSEL**

The Office of the Ohio Consumers' Counsel ("OCC"), the representative of residential consumers, moves the Public Utilities Commission of Ohio ("Commission" or "PUCO"), pursuant to Ohio Adm. Code 4901-1-12 and 4901-1-13, for permission to file comments out-of-time and for an extension of time for all interested persons to file reply comments in this proceeding. Specifically, OCC requests that it be granted until March 23, 2009, to file comments and that OCC and all other interested persons have until April 2, 2009, to file reply comments. In the PUCO's Entry of February 25, 2009, comments were due by March 16, 2009, and reply comments are due by March 26, 2009.

The Commission's rules provide for extensions of time to file pleadings or other papers for good cause shown. *See* Ohio Adm. Code 4901-1-13(A). Unfortunately and as a result of an internal administrative processing matter for which OCC relays regret for any inconvenience to the Commission or interested persons, OCC was not positioned to file the initial comments by March 16. For this reason, the Commission should grant OCC permission to file comments by March 23, 2009, with an extension of time until

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April 2, 2009, for any interested person to file reply comments in this proceeding.

Ohio Adm. Code 4901-1-12 allows for the PUCO to rule on an expedited basis.

The current timing of the case warrants a ruling on an expedited basis. OCC cannot certify that no party objects to such an expedited ruling, but OCC has requested that the extension for reply comments be applicable for all persons and the approach of OCC filing comments is more fair to other interested persons who will have a reply opportunity instead of the lack of a reply were OCC to merely file reply comments. OCC appreciates the PUCO's consideration of these motions.

Respectfully submitted,

JANINE L. MIGDEN-OSTRANDER
CONSUMERS' COUNSEL



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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing Motion has been served upon the below-named persons via regular U.S. Mail Service, postage prepaid, this 19th day of March, 2009.



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