

FILE

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BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of  
Tara Steele

Complainant

v.

Duke Energy Ohio, Inc.

Respondent

Case No. 08-1059-GA-CSS

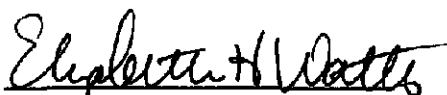
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**MOTION TO CONTINUE HEARING**

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Now comes Duke Energy Ohio, Inc. and moves for a continuance of the hearing of this matter which was scheduled for April 29<sup>th</sup>, 2009. The reasons for this motion are set forth in the Memorandum in Support.

Respectfully submitted,



Elizabeth H. Watts  
Counsel for Duke Energy Ohio, Inc.  
155 East Broad Street  
21<sup>st</sup> Floor  
Columbus, Ohio 43081  
Tel. (614) 221-7551  
Fax. (614) 221-7556

## MEMORANDUM IN SUPPORT

Complainant initiated this case on September 5, 2008 concerning her gas service at 1515 Carolina Avenue, Cincinnati, Ohio. Service for this customer began on August 2006 and ended August 2007. Complainant alleges that her bill was "too high".

DE-Ohio issued a subpoena to take Complainant's deposition on April 24, 2009. DE-Ohio contacted Complainant prior to the date to make sure it was acceptable and Complainant indicated that it was acceptable and that she would appear on April 24, 2009. Despite this representation and notwithstanding that counsel for DE-Ohio traveled to Cincinnati to take Complainant's deposition, Complainant did not appear but rather called at approximately 9:45 a.m. for the 10:00 a.m. deposition to say that she was unable to locate her babysitter. DE-Ohio delayed the deposition for one hour upon Complainant's representation that she might still be able to appear. However, Complainant was unable to appear at the deposition.

Respondent wishes to attempt to reschedule the deposition and to provide adequate opportunity for Complainant to obtain child care in order to accommodate scheduling. For this reason, DE-Ohio respectfully requests that the hearing in this matter be continued for thirty days in order to permit the scheduling and taking of a deposition.

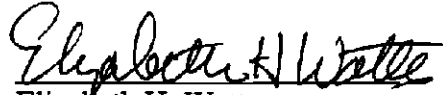
Respectfully Submitted,



Elizabeth H. Watts  
Counsel for Duke Energy Ohio, Inc  
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21<sup>st</sup> Floor  
Columbus, Ohio 43081  
Tel. (614) 221-7551  
Fax. (614) 221-7556

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing Motion to Continue Hearing, was served on the following by first class U.S. mail, postage prepaid, on this 27th day of April, 2009.

  
Elizabeth H. Watts

Tara Steele  
6305 Englewood  
Apt. 1  
Cincinnati, Ohio 45237-4916