

**FILE**

**BEFORE THE  
PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Commission's )  
Investigation into the Value of )  
Continued Participation in Regional ) Case No. 09-90-EL-COI  
Transmission Organizations )

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**JOINT MOTION FOR EXTENSION OF TIME  
TO FILE REPLY COMMENTS**

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FirstEnergy Service Company,<sup>1</sup> AEP Ohio,<sup>2</sup> The Dayton Power and Light Company,<sup>3</sup> and Duke Energy Ohio, Inc.<sup>4</sup> respectfully move the Commission to grant a thirty-day extension of time, from June 24, 2008 to July 24, 2008, to file reply comments in this proceeding. Rule 1901-1-13(A) provides that extensions of filing deadlines may be granted for good cause shown.<sup>5</sup> The attached Memorandum in Support demonstrates that there is good cause for grant of the relief requested herein. Accordingly, the Commission should order that the time for filing reply comments in this proceeding be extended to July 24, 2009.

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<sup>1</sup> FirstEnergy Service Company filed initial comments in this proceeding on May 26, 2009 on behalf of the following FirstEnergy Corp. operating subsidiaries: Ohio Edison Company; The Cleveland Electric Illuminating Company; The Toledo Edison Company; Pennsylvania Power Company; American Transmission Systems, Inc.; FirstEnergy Solutions Corp.; Pennsylvania Electric Company; Metropolitan Edison Company, and Jersey Central Power & Light Company.

<sup>2</sup> Columbus Southern Power Company and Ohio Power Company (collectively, AEP Ohio) filed initial comments in this proceeding on May 26, 2009.

<sup>3</sup> The Dayton Power and Light Company filed initial comments in this proceeding on May 26, 2009.

<sup>4</sup> Duke Energy Ohio, Inc. filed initial comments in this proceeding on May 26, 2009.

<sup>5</sup> O.A.C. § 1901-1-13(A).

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**MEMORANDUM IN SUPPORT OF  
JOINT MOTION FOR EXTENSION OF TIME  
TO FILE REPLY COMMENTS**

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FirstEnergy Service Company, AEP Ohio, The Dayton Power and Light Company, and Duke Energy Ohio, Inc. respectfully submit that good cause exists to grant extension of the time for filing reply comments in this proceeding to July 24, 2009.

Extension of time is warranted so that Ohio's electric utilities can perform careful analysis of all sets of initial comments, and so that the utilities can draft and file reply comments that will be of use to the Commission and Staff in this matter. This proceeding is intended to develop a record regarding whether continued participation of Ohio's electric utilities in regional transmission organizations is in the interest of Ohio's retail electric service consumers.<sup>6</sup> In its March 4, 2009 entry in this proceeding, the Commission identified sixteen separate factual inquiries that relate to existing RTO structures, and three separate factual inquiries about RTO alternatives. On May 26, 2009, thirteen separate entities filed extensive sets of initial comments on these factual inquiries. Moreover, two additional entities filed interventions with reservations of right to file reply comments. This robust response to the Commission's entry

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<sup>6</sup> O.R.C. § 4928.24; Case No. 09-90-EL-COI, *supra*, Entry dated March 4, 2009.

demonstrates that this proceeding involves complex issues that require careful analysis on the part of all affected stakeholders. Extension of the deadline to file reply comments – from June 24, 2009 to July 24, 2009 – will enable the electric utilities to review carefully all of facts and arguments provided in the initial comments in this proceeding, and to draft and file reply comments that will assist the Commission and Staff in this proceeding.

Grant of the extension should not inconvenience the Commission or any other party in this proceeding. This proceeding is convened pursuant to statutory mandate. However, the statute does not establish strict procedural timelines, which means that the Commission has reasonable discretion for scheduling in this case. Moreover, the Commission likely shares the electric utilities' interest in affording enough time for interested parties to perform thorough analysis and present comments that will be of use to the Commission and Staff. Accordingly, grant of the extension should not inconvenience the Commission. Moreover, grant of the extension should not inconvenience any other party because all of the other parties who submitted comments or who intervened in this proceeding would enjoy the benefit of an additional thirty days to prepare responsive comments.

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## CONCLUSION

WHEREFORE, for the reasons described herein, FirstEnergy Service Company, AEP Ohio, The Dayton Power and Light Company, and Duke Energy Ohio, Inc. hereby move the Commission to grant a thirty-day extension of time, from June 24, 2008 to July 24, 2008, to file reply comments in this proceeding.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing *Joint Motion for Extension of Time to File Reply Comments* was served upon the parties on the attached Service List this 9<sup>th</sup> day of June, 2009 by first class mail, postage prepaid.

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