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**BEFORE**  
**THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Duke )  
Energy Ohio to Adjust and Set Its Gas and )  
Electric Recovery Rate for SmartGrid ) Case No. 09-543-GE-UNC  
Deployment Under Riders AU and Rider DR- )  
IM. )

In the Matter of the Application of Duke ) Case No. 09-544-GE-ATA  
Energy Ohio for Tariff Approval. )

In the Matter of the Application of Duke )  
Energy Ohio to Change its Accounting ) Case No. 09-545-GE-AAM  
Methods. )

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**MOTION FOR AN EXTENSION OF TIME**  
**AND**  
**REQUEST FOR AN EXPEDITED RULING**  
**ON BEHALF OF**  
**DUKE ENERGY OHIO, INC.**

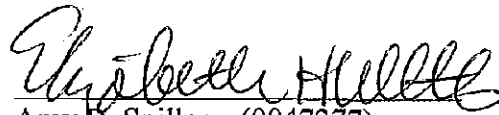
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Pursuant to the provisions of Rules 4901-1-12 and 4901-1-13, Ohio Administrative Code (O.A.C.), Duke Energy Ohio, Inc., (Duke Energy Ohio) hereby moves this honorable Commission for an extension of time to file its supplemental testimony in these matters. As ordered in the attorney examiner entry issued October 29, 2009, Duke Energy Ohio is currently required to file its supplemental testimony on November 9, 2009. Duke Energy Ohio requests that such date be extended, on an expedited basis, to November 11, 2009. The attached memorandum in support sets forth good cause for this requested extension.

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Respectfully submitted,



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### MEMORANDUM IN SUPPORT

Duke Energy Ohio respectfully requests that the Public Utilities Commission of Ohio, ("Commission") grant its motion for an extension of time and request for an expedited ruling.

Duke Energy Ohio filed its application in these cases on June 30, 2009, together with its initial testimony. On August 19, 2009, the attorney examiner issued an entry that established the procedural schedule for these matters. That schedule called for the filing of supplemental testimony by Duke Energy Ohio, if a hearing was necessary, no later than November 5, 2009.

On October 27, 2009, Duke Energy Ohio moved for an extension of the procedural schedule such that its supplemental testimony would be due on November 9, 2009, on the ground that negotiation among the parties was underway. That motion was granted by an attorney examiner entry, issued on October 29, 2009.

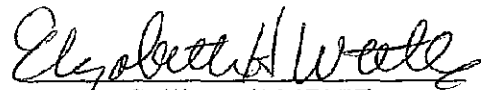
Since the filing of its last motion for an extension, Duke Energy Ohio and the other parties in these proceedings have continued their negotiations. The parties hope to finalize those negotiations imminently. Therefore, Duke Energy Ohio requests an additional extension of the deadline for filing its supplemental testimony, pursuant to the provisions of paragraph (A) of

Rule 4901-1-13, O.A.C. In addition, Duke Energy Ohio would note that no other party has similar documents due on the same day.

Pursuant to paragraph (C) of Rule 4901-1-12, O.A.C., Duke Energy Ohio also specifically requests an expedited ruling on its motion. As this motion requests an extension of only two days, an immediate ruling may be issued without the filing of memoranda, according to that paragraph. However, Duke Energy Ohio would also certify, although such certification is not required by the rule, that no party to these proceedings objects to the issuance of an expedited ruling or to the underlying motion for a two-day extension.

WHEREFORE, Duke Energy Ohio respectfully requests that the Commission grant its motion for an extension of time and its request for an expedited ruling.

Respectfully submitted,



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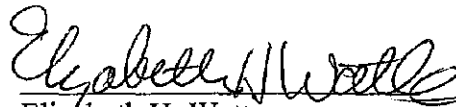
# CERTIFICATE OF SERVICE

I hereby certify that, on this 6<sup>th</sup> day of November, 2009, the foregoing motion of Duke Energy Ohio, Inc., together with the accompanying memorandum in support, has been served via first class mail, postage prepaid, to the following persons:

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