

In the Matter of the Application of )  
Columbus Southern Power Company ) Case No. 09-1860-EL-REN  
For Certification As an Eligible Ohio )  
Renewable Energy Resource Generating )  
Facility. )

The Office of the Ohio Consumers' Counsel ("OCC"), on behalf of the residential utility consumers of the Columbus Southern Power Company ("CSP" or "Company"), moves the Public Utilities Commission of Ohio ("PUCO" or "Commission") for a one-day extension of time for the filing of a Reply, pursuant to Ohio Adm. Code 4901-1-12 and 4901-1-13(A). A one-day extension would extend the filing deadline to Wednesday, January 20, 2010.

Furthermore, OCC seeks an expedited ruling, which the PUCO may issue immediately, under the special provision in Ohio Adm. Code 4901-1-12(C) for extensions of five days or less. The reasons supporting this request, along with an explanation of the need to determine the filing deadline on an expedited basis, are set forth in the attached Memorandum in Support.

Respectfully submitted,

Janine L. Migden-Ostrander  
Consumers' Counsel

/s/ Ann M. Hotz

Ann M. Hotz, Counsel of Record  
Chris Allwein  
Assistant Consumers' Counsel

**Office of the Ohio Consumers' Counsel**

10 West Broad Street, Suite 1800

Columbus, Ohio 43215-3485

614-466-8574 (Telephone)

[hotz@occ.state.oh.us](mailto:hotz@occ.state.oh.us)

[allwein@occ.state.oh.us](mailto:allwein@occ.state.oh.us)

In the Matter of the Application of )  
Columbus Southern Power Company ) Case No. 09-1860-EL-REN  
For Certification As an Eligible Ohio )  
Renewable Energy Resource Generating )  
Facility. )

## I. INTRODUCTION

This case affects the rates paid by the approximately 665,000 residential customers of CSP. The Company filed its application on October 26, 2009. OCC filed a motion to intervene and comments on December 30, 2009. CSP filed a response to OCC on January 12, 2010. To the extent CSP's filing is considered a memorandum contra, OCC was planning to file a reply today (7 days after AEP's response). In this regard, OCC is now asking for a one-day extension.

## II. APPLICABLE PROCEDURAL RULES

Ohio Adm. Code 4901-1-13(A) permits parties to move for extensions of time to file pleadings. That rule provides for the granting of such motions for “good cause shown.”

Ohio Adm. Code 4901-1-12(C) allows parties to request an expedited ruling on their motions. If the motion requests an extension of time to file pleadings or other papers of five

days or less, then the Commission or the Attorney Examiner may issue an immediate ruling without awaiting the filing of a memorandum contra.<sup>1</sup>

### **III. ARGUMENT**

OCC seeks a one-day extension of time for good cause shown under Ohio Adm. Code 4901-1-13(A). Due to the press of activity and OCC's wish to provide the Commission with a well developed Reply, OCC requests this one-day extension.

The extension of time would change the deadline for filing of the Reply from January 19, 2010 to January 20, 2010. Granting this brief extension would allow OCC the needed time to provide a meaningful Reply. Moreover, counsel for the Company is agreeable to a one-day extension (which OCC appreciates). For these reasons, the Commission should grant OCC's Motion for an Extension of Time to File Comments.

Furthermore, OCC requests a ruling on this Motion on an expedited basis because the Comments are due today and without an expedited ruling today there will be no relief.

### **IV. CONCLUSION**

For the reasons stated above, the Commission should grant OCC's Motion based upon the OCC's showing of good cause. The Commission should grant this Motion on an expedited basis.

---

<sup>1</sup> See Ohio Adm. Code 4901-1-12(C).

Respectfully submitted,

Janine L. Migden-Ostrander  
Consumers' Counsel

/s/ Ann M. Hotz

---

Ann M. Hotz, Counsel of Record  
Chris Allwein  
Assistant Consumers' Counsel

**Office of the Ohio Consumers' Counsel**

10 West Broad Street, Suite 1800

Columbus, Ohio 43215-3485

614-466-8574 (Telephone)

[hotz@occ.state.oh.us](mailto:hotz@occ.state.oh.us)

[allwein@occ.state.oh.us](mailto:allwein@occ.state.oh.us)

### **CERTIFICATE OF SERVICE**

It is hereby certified that a true copy of the foregoing *Motion for a One-Day Extension of Time to file a Reply and Request for Expedited Ruling by the Office of the Ohio Consumers' Counsel*, was served by Regular U.S. Mail Service, postage prepaid, to all parties this 19th day of January, 2010.

/s/ Ann M. Hotz  
Ann M. Hotz  
Assistant Consumers' Counsel

### **SERVICE**

Duane W. Luckey  
Assistant Attorney General  
Public Utilities Commission of Ohio  
180 E. Broad St., 6<sup>th</sup> Floor  
Columbus, Ohio 43215

Steven T. Nourse  
American Electric Power Service Corp.  
1 Riverside Plaza 29<sup>th</sup> Floor  
Columbus, Ohio 43215

Nolan M. Moser  
The Ohio Environmental Council  
1207 Grandview Avenue  
Columbus, Ohio 43212

Selwyn J. R. Dias  
Columbus Southern Power Company  
88 East Broad Street, Suite 800  
Columbus, Ohio 43215

**This foregoing document was electronically filed with the Public Utilities**

**Commission of Ohio Docketing Information System on**

**1/19/2010 4:51:35 PM**

**in**

**Case No(s). 09-1860-EL-REN**

Summary: Motion Motion For A One-Day Extension Of Time To File A Reply And Request For Expedited Ruling By The Office Of The Ohio Consumers' Counsel electronically filed by Mrs. Mary V. Edwards on behalf of Hotz, Ann M. Ms. and Office of the Ohio Consumers' Counsel