

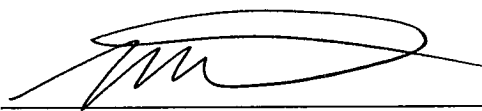
**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

Consolidated Duke Energy Ohio, Inc.,	)	Case Nos.	03-93-EL-ATA
Rate Stabilization Plan Remand and	)		03-2079-EL-AAM
Rider Adjustment Cases	)		03-2081-EL-AAM
	)		03-2080-EL-ATA
	)		05-724-EL-UNC
	)		05-725-EL-UNC
	)		06-1068-EL-UNC
	)		06-1069-EL-UNC
	)		06-1085-EL-UNC

**MOTION FOR EXTENSION OF TIME
TO RESPOND TO THE OFFICE OF THE CONSUMERS' COUNSEL'S
MEMORANDUM CONTRA MOTION TO EXTEND THE PROTECTIVE ORDER AND
SPECIFIC IDENTIFICATION OF PAGES TO REMAIN UNDER PROTECTIVE
ORDERS OF DUKE ENERGY OHIO, INC., CINERGY CORP.,
AND DUKE ENERGY RETAIL SALES, LLC**

Pursuant to Ohio Administrative Code §4901-1-13(A), Duke Energy Ohio, Inc., Cinergy Corp., and Duke Energy Retail Sales, LLC respectfully move the Public Utilities Commission of Ohio for an extension of an additional extension of nine (9) days, until and including December 30, 2010, in which to file a response to the Office of the Consumers' Counsel's Memorandum Contra Motion to Extend the Protective Order and Specific Identification of Pages to Remain under Protective Orders of Duke Energy Ohio, Inc., Cinergy Corp., and Duke Energy Retail, LLC. The reasons supporting this Motion are provided in the attached Memorandum in Support.

Respectfully Submitted,



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MEMORANDUM IN SUPPORT

On December 7, 2010, the Ohio Consumers' Counsel (OCC) electronically served a Memorandum Contra Motion to Extend the Protective Order and Specific Identification of Pages to Remain under Protective Orders of Duke Energy Ohio, Inc., Cinergy Corp., and Duke Energy Retail, LLC (Memorandum Contra). Due in part to the power shut down of building in which the office of the undersigned counsel is located, Duke Energy Ohio, Inc., Cinergy Corp., and Duke Energy Retail, LLC (collectively, Movants) previously requested that the Commission grant them an extension of time, until and including December 21, 2010, to file a response to the OCC's Memorandum Contra. Movants now respectfully request that the Commission grant them an additional extension of time to file a Reply to the OCC's Memorandum Contra of nine (9) days, until and including December 30, 2010, given the scope of work necessary to complete their Reply and the fact that the holiday season is upon us.

Movants have been diligently working to respond to OCC's Memorandum Contra. However, the issues OCC has raised in its Memorandum Contra have required Movants to review the entirety of the approximately 3,500 pages of documents filed with this Commission to assure accuracy of Movants' identification of pages that contain information which this Commission should continue to protect from public disclosure. In addition, counsel for Movants must travel to the Commission to review some of these documents in unredacted form to accomplish this task. Finally, Movants' internal review of their Reply is complicated by the fact that the holiday season has arrived and the fact that Movants have several other matters that are currently pending before the Commission. Movants anticipate that an additional nine days will be necessary to complete their review of the documents and to obtain internal review and approval of their response.

WHEREFORE, Movants respectfully request that the Commission grant them an additional extension of time to file a response to the OCC's Memorandum Contra of nine (9) days, until and including December 30, 2010.

Respectfully Submitted,



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CERTIFICATE OF SERVICE

I certify that a copy of the foregoing was served electronically upon parties, their counsel, and others through use of the following email addresses this December 21, 2010.

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Case No(s). 03-0093-EL-ATA

Summary: Motion Motion for Extension of Time to Respond to the Office of the Consumers' Counsel's Memorandum Contra Motion to Extend the Protective Order and Specific Identification of Pages to Remain under Protective Orders of Duke Energy Ohio, Inc., Cinergy Corp., and Duke Energy Retail Sales, LLC electronically filed by Mr. Michael D. Dortch on behalf of Duke Energy Ohio, Inc. and Duke Energy Retail Sales, LLC and Cinergy Corp.