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BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

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In the Matter of the Application of Duke)
 Energy Ohio, Inc. for approval of a Market)
 Rate Offer to Conduct a Competitive Bidding)
 Process for Standard Service Offer Electric)
 Generation Supply, Accounting)
 Modifications, and Tariffs for Generation)
 Service.)

Case No. 10-2586-EL-SSO

**MOTION OF DUKE ENERGY OHIO, INC.
 FOR CONTINUANCE OF HEARING DATE
 AND
 REQUEST FOR EXPEDITED TREATMENT**

Pursuant to Ohio Administrative Code (O.A.C.) 4901-1-13(A), Duke Energy Ohio, Inc. (Duke Energy Ohio) respectfully requests that this Commission grant this motion for a one-week continuance of the date on which the hearing in this matter will occur and, pursuant to O.A.C. 4901-1-12(C), to so grant Duke Energy Ohio's motion on an expedited basis.

The reasons for this motion are set forth more fully in the attached memorandum.

Respectfully submitted,

DUKE ENERGY OHIO, INC.



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MEMORANDUM IN SUPPORT

On November 15, 2010, Duke Energy Ohio, Inc. (Duke Energy Ohio) submitted an application for approval of a market rate offer for its standard service offer electric generation supply, in the above-captioned proceeding. On November 16, 2010, the attorney examiner assigned to this proceeding issued an entry that, *inter alia*, set the hearing to commence on Tuesday, January 4, 2011.

Duke Energy Ohio and other intervening parties have begun discussing possible settlement of issues stemming from the application. In order to allow the parties a brief opportunity to focus on those discussions, Duke Energy Ohio respectfully suggests that the start of the hearing be delayed until Tuesday, January 11, 2011.

O.A.C. 4901-1-12(C) allows a party to request that the Commission consider a motion on an expedited basis if the party sets forth the grounds for the request and first contacts all other parties to determine whether they object to issuance of a ruling without the filing of memoranda.

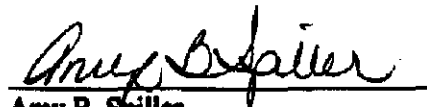
R.C. 4928.142 requires the Commission to rule on applications for market rate offers within 90 days after filing. Therefore, the Commission established an aggressive schedule for this proceeding, necessitating quick responses and tight timetables. In order to allow the Commission to rule on this motion and provide adequate notice to parties, an expedited ruling is essential. Duke Energy Ohio has contacted all parties to this proceeding and hereby certifies that no party with whom Duke Energy Ohio has spoken expressed an objection to the issuance of an expedited ruling on this motion. Further, all parties were invited to participate in an informal, telephonic conference with the attorney examiners to discuss the proposed extension and no party present at that conference expressed any disagreement with the extension.

Duke Energy Ohio also recognizes that a one-week extension of the hearing date reduces, by one week, the amount of time during which the Commission can consider the issues inherent in the application and reach a decision. Therefore, if this motion for a one-week continuance is granted, Duke Energy Ohio will not be averse to a one-week extension of the 90 days allowed, by statute, for the Commission to issue a decision on the application.

Therefore, Duke Energy Ohio respectfully requests an expedited ruling that the hearing date in this proceeding be continued until January 11, 2011. No further revisions to the procedural schedule are being requested.

Respectfully submitted,


DUKE ENERGY OHIO, INC.



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CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a copy of the foregoing was served on the following parties of record by electronic mail delivery or first class mail delivery, postage prepaid, this 22nd day of December 2010.


Amy B. Spiller

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