

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of Application of Duke)
Energy Ohio, Inc. for Authority to)
Establish a Standard Service Offer)
Pursuant to Section 4928.143, Revised) Case No. 11-3549-EL-SSO
Code, in the Form of an Electric Security)
Plan, Accounting Modifications, and)
Tariffs for Generation Service.)

In the Matter of Application of Duke)
Energy Ohio, Inc. for Authority to)
Amend its Certified Supplier Tariff,) Case No. 11-3550-EL-ATA
P.U.C.O. No. 20.)

In the Matter of Application of Duke)
Energy Ohio, Inc. for Authority to) Case No. 11-3551-EL-UNC
Amend its Corporate Separation Plan.)

ENTRY

The attorney examiner finds:

- (1) On June 20, 2011, Duke Energy Ohio, Inc. (Duke) filed an application for a standard service offer (SSO) pursuant to Section 4928.141, Revised Code. This application is for an electric security plan (ESP) in accordance with Section 4928.143, Revised Code.
- (2) By entry issued August 26, 2011, the attorney examiner, *inter alia*, granted the motion filed by the parties for an extension of the procedural schedule and established the following deadlines:
 - (a) Testimony on behalf of intervenors should be filed by October 5, 2011.
 - (b) Discovery requests, except for notices of deposition, should be served by October 7, 2011.
 - (c) Testimony on behalf of the Commission Staff should be filed by October 13, 2011.
 - (d) The evidentiary hearing shall commence on October 20, 2011.

- (3) On October 3, 2011, the parties to these cases requested the following extension of the procedural schedule:
- (a) Testimony on behalf of intervenors should be filed by October 19, 2011.
 - (b) Testimony on behalf of the Commission Staff should be filed by October 27, 2011.
 - (c) The evidentiary hearing shall commence on November 3, 2011.

The parties state that they are not seeking an extension of the discovery deadline. In support of their request, the parties explain that they have been engaged in productive settlement negotiations for several weeks, and believe they may be close to a stipulation. Accordingly, the parties request the continuance of the procedural schedule in order to continue settlement discussion and efficiently present a potential settlement and supporting testimony. In addition, the parties request expedited consideration of their motion.

- (4) Upon consideration of the parties' request, the attorney examiner finds that it is reasonable and should be granted. Accordingly, the parties should observe the following procedural schedule:
- (a) Testimony on behalf of intervenors should be filed by October 19, 2011.
 - (b) Testimony on behalf of the Commission Staff should be filed by October 27, 2011.
 - (c) The evidentiary hearing shall commence on November 3, 2011, at 10:00 a.m., at the offices of the Commission, 180 East Broad Street, Hearing Room 11-A, Columbus, Ohio.

It is, therefore,

ORDERED, That the parties' request for an extension of the procedural schedule be granted. It is, further,

ORDERED, That the procedural schedule for this proceeding be adopted as set forth in Finding (4). It is, further,

ORDERED, That a copy of this entry be served upon all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

Katie L. Stenman
By: Katie L. Stenman
Attorney Examiner

gef/dah

Entered in the Journal

OCT 05 2011

Betty McCauley
Betty McCauley
Secretary