

FILE

FILE

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

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(3)

Evelyn and John Keller,

Complainants,

v.

Ohio Power Company,

Respondent.

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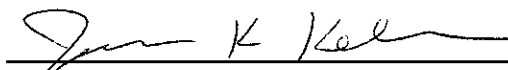
Case No. 12-2177-EL-CSS

**MOTION FOR EXTENSION TO FILE MEMORANDUM IN OPPOSITION
TO RESPONDENT'S MOTION TO DISMISS**

Pursuant to OAC 4901-1-13, Complainants respectfully move for an extension of time to file their Memorandum in Opposition to Respondent's Motion to Dismiss until a reasonable time following completion of discovery in this action. The underlying basis for Complainants' complaint is negligent action by Respondent in connection with its vegetation control policies which caused damage to Complainants. The vast majority of the information necessary to prove (or disprove) negligence is under the control of Respondent. Complainants have served an initial discovery request and Respondent has indicated it expects to be able to respond to most if not all of these requests before September 11, 2012.

Respondent will not be prejudiced by the requested delay.

Respectfully submitted,



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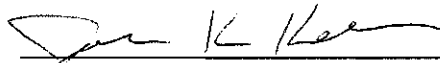
Attorneys for Complainant

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CERTIFICATE OF SERVICE

I certify that a copy of the foregoing document was served by electronic mail and regular U.S. mail on the following persons this 4 day of September 2012:

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John K. Keller

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	:	
Ohio Power Company,	:	
	:	
Respondent.	:	

ORDER

For good cause shown, Complainants' Motion for Extension is granted.

Complainants' date to respond to Respondent's Motion to Dismiss will be determined at the conference scheduled for September 11, 2012.

Jonathan J. Tauber, Attorney Examiner