

FILE

BEFORE THE  
PUBLIC UTILITIES COMMISSION OF OHIO

MANCHESTER REALTY, LLC,

Complainant,

v.

CLEVELAND THERMAL STEAM  
DISTRIBUTION, LLC,

Respondent.

CASE NO. 12-1161-HT-CSS

PUCO

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**UNOPPOSED MOTION FOR AN 8-DAY EXTENSION OF TIME TO RESPOND TO  
THE RESPONDENT'S MOTION TO DISMISS, AND REQUEST FOR EXPEDITED  
RULING ON THE UNOPPOSED MOTION**

Complainant Manchester Realty, LLC ("**Manchester Realty**"), by and through its undersigned counsel and pursuant to Section 4901-1-13 of the Ohio Administrative Code, respectfully requests an 8-day extension of time to respond to the *Motion to Dismiss and Memorandum in Support* filed by respondent Cleveland Thermal Steam Distribution, LLC ("**Cleveland Thermal**"). In accordance with Section 4901-1-12(c) of the Ohio Administrative Code, Manchester Realty requests an expedited ruling on this motion on the basis that Cleveland Thermal does not oppose the extension of time. An expedited ruling is requested in order to secure the extension prior to the current response deadline.

Good cause exists for the requested extension of the response deadline. Cleveland Thermal's motion was served on the undersigned counsel on September 17, 2012. In accordance with Section 4901-1-12 of the Ohio Administrative Code, the response of Manchester Realty is due on or before Tuesday October 2, 2012, fifteen (15) days from the date of service of Cleveland Thermal's motion. Lead litigation counsel for Manchester Realty will be out of the

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town during the week of October 1 – 5, 2012. Accordingly, counsel requests a brief extension of time to prepare and submit a response to the motion of Cleveland Thermal. Moreover, Manchester Realty submits that a brief extension of time is appropriate in view of ongoing settlement discussions between the parties. The brief extension of time will permit those continued discussions toward a possible resolution without unnecessary expense.

Counsel for Manchester Realty has conferred with counsel for Cleveland Thermal regarding the requested extension of time in view of the conflicting schedule of the undersigned counsel, and counsel for Cleveland Thermal has indicated that the respondent does not oppose extending Manchester Realty's response deadline up to and including October 10, 2012. Accordingly, and as required by Section 4901-1-12(c) of the Ohio Administrative Code, undersigned counsel hereby *certifies* that no party objects to the issuance of a ruling granting the requested extension of time.

Finally, this request is not made for purposes of delay, but in order for Manchester Realty to have an opportunity to fully brief the matters before the Commission. The short extension will not affect any case deadlines, as deadlines have not yet been set for this matter and the initial settlement conference is scheduled to take place on October 11, 2012.

For these reasons, Manchester Realty respectfully requests that the deadline for the filing of its response to Cleveland Thermal's *Motion to Dismiss and Memorandum in Support* be extended by eight (8) days from October 2, 2012, to and including October 10, 2012, and that the Commission provide an expedited ruling on this unopposed motion.

Respectfully Submitted,



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*Attorneys for Complainant*

**CERTIFICATE OF SERVICE**

I hereby certify that on September 26, 2012, a copy of the foregoing UNOPPOSED MOTION FOR AN 8-DAY EXTENSION OF TIME TO RESPOND TO THE RESPONDENT'S MOTION TO DISMISS, AND REQUEST FOR EXPEDITED RULING ON THE UNOPPOSED MOTION was served electronically (by email) and by U.S. mail on the following attorneys of record:

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