

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

| | | |
|---------------------------------------|---|-------------------------|
| In the Matter of the Complaint of |) | |
| Manchester Realty, LLC, |) | |
| |) | |
| Complainant, |) | |
| |) | |
| v. |) | Case No. 12-1161-HT-CSS |
| |) | |
| Cleveland Thermal Steam Distribution, |) | |
| LLC, |) | |
| |) | |
| Respondent. |) | |

ENTRY

The attorney examiner finds:

- (1) On April 4, 2012, Manchester Realty, LLC (Manchester), filed a complaint against Cleveland Thermal Steam Distribution, LLC (Cleveland Thermal), alleging violation of statutory and contractual duties relating to the provision of steam energy services. On April 16, 2012, Cleveland Thermal filed its answer denying the material allegations of the complaint. By entry issued on August 29, 2012, the attorney examiner scheduled the matter for a settlement conference to be held on October 11, 2012.
- (2) On September 17, 2012, Cleveland Thermal filed a motion to dismiss Manchester's complaint on the basis that it does not state reasonable grounds for complaint. Thereafter, on September 26, 2012, Manchester filed a motion for an 8-day extension of time to respond to Cleveland Thermal's motion to dismiss as well as a request for expedited ruling. Manchester states that good cause exists for extension of time to respond because Manchester's counsel will be out of town until October 5, 2012, and, additionally, because settlement discussions are ongoing between the parties. Further, Manchester represents that it has conferred with counsel for Cleveland Thermal and that counsel for Cleveland Thermal does not oppose extending the time for response up to October 10, 2012.

- (3) The attorney examiner finds that Manchester's unopposed request for an extension of time to respond to Cleveland Thermal's September 17, 2012, motion to dismiss is reasonable and should be granted. Therefore, Manchester shall file its response to Cleveland Thermal's motion to dismiss by October 10, 2012.

It is, therefore,

ORDERED, That Manchester shall file its response to Cleveland Thermal's September 17, 2012, motion to dismiss by October 10, 2012. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/Mandy Willey Chiles

By: Mandy Willey Chiles
Attorney Examiner

JRJ/sc

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in

Case No(s). 12-1161-HT-CSS

Summary: Attorney Examiner Entry granting Complainant an 8-day extension to respond to Respondent's motion to dismiss the complaint. - electronically filed by Sandra Coffey on behalf of Mandy Willey Chiles, Attorney Examiner, Public Utilities Commission of Ohio