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BEFORE THE
PUBLIC UTILITIES COMMISSION OF OHIO

MANCHESTER REALTY, LLC,

Complainant,

v.

CASE NO. 12-1161-HT-CSS

CLEVELAND THERMAL STEAM
DISTRIBUTION, LLC,

Respondent.

**UNOPPOSED MOTION FOR AN INDEFINITE EXTENSION OF TIME TO RESPOND
TO THE RESPONDENT'S MOTION TO DISMISS AND TO STAY THE OCTOBER 11,
2012 SETTLEMENT CONFERENCE, 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 indefinite extension of time to respond to the *Motion to Dismiss and Memorandum in Support* filed by respondent Cleveland Thermal Steam Distribution, LLC ("Cleveland Thermal"), and a stay of the October 11, 2012 settlement conference. 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. The parties have agreed on the key terms of a settlement of this matter, but they need some time to document the agreement and would like to save the time and expense of further proceedings in this matter.

Counsel for Manchester Realty has conferred with counsel for Cleveland Thermal regarding the requested extension of time in view of the settlement and counsel for Cleveland Thermal has indicated that the respondent does not oppose this request. 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 the parties to save the time and expense of traveling to and attending the settlement conference, and drafting a response to the motion to dismiss when neither will likely be necessary. In the event that the parties are unsuccessful at finalizing the settlement agreement, the undersigned counsel will contact the Commission immediately so that new dates may be set.

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* and the October 11, 2012 settlement conference be stayed indefinitely, 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 October 10, 2012, a copy of the foregoing UNOPPOSED MOTION FOR AN INDEFINITE EXTENSION OF TIME TO RESPOND TO THE RESPONDENT'S MOTION TO DISMISS AND TO STAY THE OCTOBER 11, 2012 SETTLEMENT CONFERENCE, 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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