

BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

KAWS, INC. dba RB Tool & Mfg. Co.)	
2680 Civic Ctr. Drive)	
Cincinnati, OH 45231)	
Complainant,)	Case No. 13-0336-EL-CSS
)	
v.)	
)	
Duke Energy Ohio, Inc.)	
)	
Respondent.)	

AGREED MOTION TO CONTINUE SETTLEMENT CONFERENCE

On behalf of both parties, who are in agreement to this motion, Respondent Duke Energy Ohio, Inc. respectfully moves the Commission to continue the settlement conference currently scheduled for April 16, 2013, at 2:00 p.m. A memorandum in support of this motion is attached.

Respectfully Submitted,

/s/ Robert A. McMahon
Robert A. McMahon (0064319)
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Attorney for Respondent,
Duke Energy Ohio, Inc.

MEMORANDUM IN SUPPORT

This matter is scheduled for a settlement conference on April 16th at 2:00 p.m. Complainant and Respondent already initiated informal settlement talks and met with counsel at Complainant's facility on March 13th. Representatives of the parties subsequently met again at the Complainant's facility to discuss the relevant issues in more detail. Complainant and Respondent jointly request a continuance to allow the parties time to continue trying to resolve the issues without the need for traveling to and attending a formal settlement conference at the Commission. The request to continue the settlement conference is not being filed for purposes of delay but, instead, to facilitate a discussion and potential resolution between the parties. Depending on the Commission's schedule, Complainant and Respondent suggest that the October 16th settlement conference be continued until June 2013 on a date convenient for all parties and the Commission.

WHEREFORE, Respondent Duke Energy Ohio, Inc. requests that the Commission vacate the settlement conference scheduled for April 16, 2013, and set this matter for settlement conference in June 2013.

Respectfully Submitted,

/s/ Robert A. McMahon
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Attorney for Respondent,
Duke Energy Ohio, Inc.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served via email on this 11th day of April, 2013, upon the following counsel of record:

Paul E. Balash, Esq.
13 E. Court Street, 2d Floor
Cincinnati, OH 45202
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/s/ Robert A. McMahon

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

4/11/2013 10:20:59 AM

in

Case No(s). 13-0336-EL-CSS

Summary: Motion Agreed Motion to Continue Settlement Conference electronically filed by Mr. Robert A. McMahon on behalf of Duke Energy Ohio, Inc.