

THE PUBLIC UTILITIES COMMISSION OF OHIO

ENTRY

- (1) Pursuant to its Entry of May 15, 2013, the Commission stated that it is considering a new chapter of rules, in Chapter 4901:1-3, Ohio Administrative (O.A.C.), specifically dedicated to access to poles, ducts, conduits, and rights-of-way provided by public utilities. As part of its consideration, the Commission attached a copy of proposed rules. The Commission invited interested persons to comment on the proposed rules and to assist in the business impact analysis required by Executive Order 2011-01K. Initial comments are to be filed on or before June 14, 2013, and reply comments are to be filed by July 1, 2013.
- (2) On May 30, 2013, Ohio Power Company, Columbus Southern Power Company, Ohio Edison Company, The Cleveland Electric Illuminating Company, The Toledo Edison Company, The Dayton Power and Light Company, and Duke Energy Ohio, Inc. (collectively joint movants) filed a joint motion requesting an extension of time to file comments and a request for expedited treatment. In support of their motion, joint movants represent that the proposed rules represent a significant departure from the existing reliance on tariffs, joint use agreements, and joint ownership agreements. Given the broad scope of the proposed rules, joint movants submit that substantial analysis and input from subject matter experts will be required. Therefore, joint movants request that the Commission grant a 30-day extension for the filing of initial and reply comments respectively. During the additional requested time, joint movants state they will explore the possibility of filing joint comments in order to avoid the potential of duplicative filings.

- (3) Joint movants' motion for an extension of time and the request for expedited treatment are both reasonable and should be granted. In reaching this decision, the attorney examiner determines that the additional requested time will provide all interested persons with the ability to prepare meaningful comments for the Commission's consideration, as well as the possibility of joint movants drafting joint comments. In accordance with the granting of the motion for an extension of time, all interested person shall be granted until July 12, 2013, for the purpose of filing initial comments on the proposed rules and business impact analysis and until July 30, 2013, for the purpose of filing reply comments. In granting the request for an expedited ruling, the attorney examiner notes that, consistent with Rule 4901-1-12(C), O.A.C., no entity has filed for intervention in this proceeding.

It is, therefore,

ORDERED, That the request for an expedited ruling and the motion for an extension of time are granted in accordance with Finding (3). It is, further,

ORDERED, That a copy of this Entry be served upon all investor-owned electric utilities in the state of Ohio, all certified local exchange carriers in the state of Ohio, the Electric-Energy and Telephone industry list-serve, and any other interested person of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/ Jay S. Agranoff

By: Jay S, Agranoff
Attorney Examiner

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Case No(s). 13-0579-AU-ORD

Summary: Attorney Examiner Entry granting the joint motion for extension of time and the request for an expedited ruling. Pursuant to the entry, initial comments will now be due on or before July 12, 2013, and reply comments will be due on or before July 30, 2013; electronically filed by Vesta R Miller on behalf of Jay S. Agranoff, Attorney Examiner, Public Utilities Commission of Ohio