

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Duke)
Energy Ohio, Inc., for Approval of its) Case No. 13-0431-EL-POR
Energy Efficiency and Peak Demand)
Reduction Portfolio of Programs.)

JOINT MOTION TO CONTINUE HEARING

Now come Duke Energy Ohio, Inc., (Duke Energy Ohio), Ohio Partners for Affordable Energy, Greater Cincinnati Energy Alliance, The Kroger Company, EMC Development Company, Inc., Ohio Environmental Counsel, The Ohio Energy Group, Environmental Law & Policy Center, The Sierra Club, and the Staff of the Public Utilities Commission of Ohio (collectively, Joint Movants)¹, in accordance with Rule 4901-1-13, Ohio Administrative Code (O.A.C.), and hereby submit to the Public Utilities Commission of Ohio (Commission) a Joint Motion to Continue the Hearing in the above-captioned case. Joint Movants further request an expedited ruling from the Commission on this issue. The procedural schedule in this proceeding directed the Intervenor to submit testimony on August 20, 2013, and scheduled an evidentiary hearing for September 4, 2013. The Joint Movants have been meeting to discuss settlement of the issues raised by the Company's Application. The Joint Movants require additional time for negotiation and preparation of a potential stipulation to resolve the issues. The Joint Movants have made substantial progress in settlement discussions to date and it is anticipated that a potential stipulation could significantly abbreviate the time required for a hearing. Accordingly, for the reasons set forth in the accompanying memorandum in support, Joint Movants request

¹ The Office of the Ohio Consumers' Counsel is not taking a position on the extension.

that the Commission continue the public hearing in this matter until April 29, 2013. Joint Movants further respectfully request that the Commission approve this motion in an expedited fashion.

Respectfully submitted on behalf of the Joint Movants,

DUKE ENERGY OHIO, INC.

A handwritten signature in black ink, appearing to read "Amy B. Spiller", written over a horizontal line.

Amy B. Spiller (0047277)

Deputy General Counsel

Associate General Counsel

Elizabeth Watts (0031092)

Associate General Counsel

Duke Energy Business Services, LLC
139 East Fourth Street
1303-Main
Cincinnati, Ohio 45202
(Telephone) 513-287-4359
(Facsimile) 513-287-438

**MEMORANDUM IN SUPPORT OF JOINT MOVANTS'
MOTION TO CONTINUE TESTIMONY AND HEARING DATE**

Pursuant to an Entry dated June 13, 2013, an procedural schedule was ordered in the above-captioned case. After meeting to work to resolve issues raised in the proceeding Joint Movants respectfully request that the date for testimony and the hearing in this proceeding be rescheduled to one week later, so that testimony would be due on August 27, 2013 and a hearing on the matter would be held on August 11, 2013. The Joint Movants believe that this one week extension of time will provide Joint Movants with valuable additional opportunity to reach a settlement to offer to the Commission for its adoption and approval. Joint Movants respectfully request that the Commission approve the attached Motion to Continue on an expedited basis, as permitted by Rule 4901-1-12(C), O.A.C.

Respectfully submitted on behalf of the Joint
Movants,

DUKE ENERGY OHIO, INC.



Amy B. Spiller (0047277)

Deputy General Counsel

Associate General Counsel

Elizabeth Watts (0031092)

Associate General Counsel

Duke Energy Business Services, LLC
139 East Fourth Street
1303-Main
Cincinnati, Ohio 45202
(Telephone) 513-287-4359
(Facsimile) 513-287-4385

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and accurate copy of the foregoing document was served this 16th day of August, 2013, by U.S. mail, postage prepaid, or by electronic mail upon the persons listed below.


Elizabeth H. Watts

Greater Cincinnati Energy Alliance

J. Thomas Hodges
708 Walnut Street, Suite 600
Cincinnati, Ohio 45202
tom@jthlaw.com

Ohio Partners for Affordable Energy

Colleen L. Mooney
231 West Lima Street
Findlay, Ohio 45840
cmooney@ohiopartners.com

EMC Development Company, Inc.

Rebecca L. Hussey
Joel E. Sechler
Carpenter, Lipps & Leland LLP
280 North High Street
Suite 1300
Columbus, Ohio 43215
hussey@carpenterlipps.com
sechler@carpenterlipps.com

Ohio Environmental Council

Trent A. Dougherty
Cathryn N. Loucas
1207 Grandview Avenue, Suite 201
Columbus, Ohio 43212
TDougherty@theOEC.org
CLoucas@theOEC.org

The Ohio Energy Group

David F. Boehm

Michael L. Kurtz
Jody Kyler Cohn
Boehm, Kurtz & Lowry
36 East Seventh Street
Suite 1510
Cincinnati, Ohio 45202
Boehm@bkllaw.com
Kurtz@bkllaw.com
Kyler@bkllaw.com

Office of the Ohio Consumers' Counsel

Michael J. Schuler
Kyle Kern
10 West Broad Street
Suite 1800
Columbus, Ohio 43215
Schuler@occ.state.oh.us
Kern@occ.state.oh.us

The Kroger Company

Kimberly W. Bojko
Mallory M. Mohler
Carpenter, Lipps & Leland LLP
280 North High Street
Suite 1300
Columbus, Ohio 43215
Bojko@carpenterlipps.com
Mohler@carpenterlipps.com

Environmental Law & Policy Center

Nicholas McDaniel
1207 Grandview Avenue, Suite 201
Columbus, Ohio 43212
NMcDaniel@elpc.org

The Sierra Club

Christopher J. Allwein
Williams, Allwein and Moser, LLC
1500 West Third Avenue, Suite 330
Columbus, Ohio 43212
callwein@wamenergylaw.com-

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

8/16/2013 3:36:15 PM

in

Case No(s). 13-0431-EL-POR

Summary: Motion Joint Motion to Continue Hearing electronically filed by Carys Cochern on behalf of Watts, Elizabeth H. Ms.