

**BEFORE  
THE OHIO POWER SITING BOARD**

In the Matter of the Construction Notice       )  
Regarding the Duke Energy Ohio Fairfield       ) Case No. 13-1843-EL-BNR  
F-3886 Line.                                               )

---

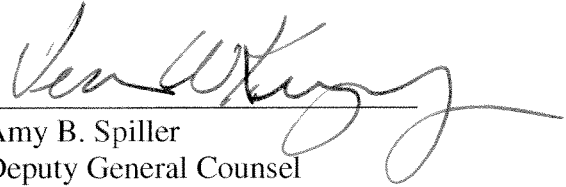
**MOTION OF DUKE ENERGY OHIO FOR WAIVER OF EXPEDITED TIME PERIOD  
AND  
REQUEST FOR EXPEDITED TREATMENT**

---

Comes now Duke Energy Ohio, Inc., (Duke Energy Ohio) and hereby moves the Ohio Power Siting Board (Board) for an order waiving the time period for expedited processing of the construction notice filed, together herewith, in the above-referenced docket. More specifically, Duke Energy Ohio respectfully requests that the Board waive the expedited processing time period set forth in O.A.C. 4906-5-02(B)(1), so as to allow construction to begin on the project on September 5, 2013. Duke Energy Ohio further seeks an expedited ruling on its motion, pursuant to O.A.C. 4906-7-12(B)((2)(C).

Duke Energy Ohio submits the following memorandum in support of its motion and request.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jeanne W. Kingery", written over a horizontal line.

Amy B. Spiller  
Deputy General Counsel  
Jeanne W. Kingery (Counsel of Record)  
Associate General Counsel  
Duke Energy Business Services LLC  
139 East Fourth Street  
1303-Main  
Cincinnati, OH 45202  
(513) 287-4359 (telephone)  
(513) 287-4385 (facsimile)  
[Jeanne.Kingery@duke-energy.com](mailto:Jeanne.Kingery@duke-energy.com)

*Attorney for Duke Energy Ohio, Inc.*

## **MEMORANDUM IN SUPPORT**

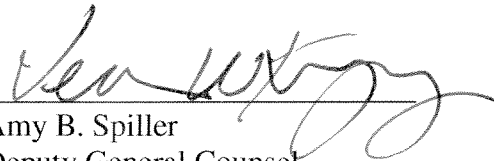
Duke Energy Ohio is currently proposing, through the construction notice filed in this proceeding, the rerouting of certain transmission lines (the Project). The Project is a preparatory portion of a ring bus that is expected to be constructed in 2014 at the Duke Energy Fairfield Substation. It was previously anticipated that the Project would be addressed together with that ring bus. However, in planning system-wide forecasted outages, Duke Energy Ohio has determined that this Project should be expedited in order to ensure that Duke Energy Ohio can continue to meet its commitments to PJM Interconnection, L.L.C. Duke Energy Ohio's forecasting reflects that the September outage window, with construction starting by September 5, 2013, would be the most advantageous time period for completion of the Project.

O.A.C. 4906-5-02(B)(1) requires a construction notice to be submitted to the Board, not less than 42 days before the planned commencement of construction. Even under the expedited, 21-day timeline allowed by that rule, it would be impossible to complete the Project during the proposed outage window. That same rule also states that, for good cause shown, the 42- and 21-day time periods may be waived by the Board, its Executive Director, or an Administrative Law Judge.

Duke Energy Ohio seeks expedited treatment of this motion, pursuant to O.A.C. 4906-7-12(B)((2)(C). That rule allows any motion to request an expedited ruling, together with the grounds therefor. In this situation, without an expedited ruling the waiver of the time period would be of no avail. Furthermore, as there are no other parties in this proceeding, no such party will be prejudiced by the expedited treatment of this motion. Duke Energy Ohio has not contacted any other party regarding potential objections, as there are no other such parties.

For the reasons stated herein, Duke Energy Ohio respectfully requests that the Board, its Executive Director, or an Administrative Law Judge issue an order waiving the time periods set forth in O.A.C. 4906-05(2)(B)(1) such that construction of the Project may begin on September 5, 2013. Furthermore, Duke Energy Ohio requests that this motion be granted on an expedited basis.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Jeanne W. Kingery', is written over a horizontal line.

Amy B. Spiller  
Deputy General Counsel  
Jeanne W. Kingery (Counsel of Record)  
Associate General Counsel  
Duke Energy Business Services LLC  
139 East Fourth Street  
1303-Main  
Cincinnati, OH 45202  
(513) 287-4359 (telephone)  
(513) 287-4385 (facsimile)  
[Jeanne.Kingery@duke-energy.com](mailto:Jeanne.Kingery@duke-energy.com)

*Attorneys for Duke Energy Ohio, Inc.*

**This foregoing document was electronically filed with the Public Utilities**

**Commission of Ohio Docketing Information System on**

**8/26/2013 5:21:14 PM**

**in**

**Case No(s). 13-1843-EL-BNR**

Summary: Motion for Waiver electronically filed by Jeanne W Kingery on behalf of Duke Energy Ohio