

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Adoption of Chapter )  
4901:1-3, Ohio Administrative Code ) Case No. 13-579-AU-ORD  
Concerning Access to Poles, Ducts, Conduits, )  
and Rights-of-Way by Public Utilities. )

ENTRY

The attorney examiner finds:

- (1) On July 30, 2014, the Commission issued its Finding and Order in this proceeding adopting rules concerning access to poles, ducts, conduits, and rights-of-way by public utilities (Ohio Adm.Code 4901-1-3), as set forth in the appendix to the Finding and Order.
- (2) Applications for rehearing to the July 30, 2014 Finding and Order were filed on August 29, 2014, by the following entities:
  - (a) The Ohio Bell Telephone Company dba AT&T Ohio, AT&T Corp., Teleport Communications America, LLC, and New Cingular Wireless PCS, LLC dba AT&T Mobility (jointly, AT&T Entities);
  - (b) Ohio 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. (jointly Electric Utilities); and
  - (c) Fiber Technologies Networks, LLC (Fibertech).
- (3) Pursuant to Ohio Adm.Code 4901-1-35(B), parties have 10 days to file memoranda contra an application for rehearing.
- (4) On September 4, 2014, Ohio Cable Telecommunications Association (OCTA) filed a motion for extension of time to respond to the applications for hearing. Specifically, OCTA is requesting a two-day extension to file its memorandum contra. As part of its motion, OCTA requests an expedited ruling.

In support of its request, OCTA explains that the ten-day period to file the memorandum contra can be difficult due to

the availability of its board of directors. OCTA also notes that this difficulty was compounded by the Labor Day weekend. OCTA submits that no party will be harmed by the requested extension.

- (5) Pursuant to Ohio Adm.Code 4901-1-13, an extension of time to file to file pleadings or other papers may be granted upon motion of any party for good cause shown. Consistent with Ohio Adm.Code 4901-1-12(C), an immediate ruling may be issued if the requested extension is less than five days.
- (6) Based on the specific facts presented, the attorney examiner finds that the motion for a two-day extension of time is reasonable and should be granted. In reaching this determination, the attorney examiner determines that all interested entities that have previously participated in this proceeding shall have until September 10, 2014, to file their memoranda contra the applications for rehearing.

It is, therefore,

ORDERED, That the motion for an extension of time is granted in accordance with Finding (6). It is, further,

ORDERED, That all interested entities that have previously participated in this proceeding shall have until September 10, 2014, to file their memoranda contra the applications for rehearing. It is, further,

ORDERED, That a copy of this Entry be served upon all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/ Jay S. Agranoff

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By: Jay S. Agranoff  
Attorney Examiner

JRJ/dah

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**Commission of Ohio Docketing Information System on**

**9/4/2014 4:04:35 PM**

**in**

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

Summary: Attorney Examiner Entry that the motion for an extension of time is granted; electronically filed by Debra Hight on behalf of Jay S. Agranoff, Attorney Examiner.