

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Duke)
Energy Ohio, Inc. for Tariff Approval) Case No. 14-2209-EL-ATA
Regarding Customer Energy Usage Data.)

**MOTION FOR CONTINUANCE AND EXTENSION OF TIME
BY**

**THE OFFICE OF THE OHIO CONSUMERS' COUNSEL, DUKE ENERGY
OHIO, INC., THE STAFF OF THE PUBLIC UTILITIES COMMISSION OF
OHIO, IGS ENERGY, INC., OHIO PARTNERS FOR AFFORDABLE ENERGY,
THE ENVIRONMENTAL DEFENSE FUND, DIRECT ENERGY, AND THE
RETAIL ENERGY SUPPLY ASSOCIATION**

The Office of the Ohio Consumers' Counsel ("OCC"), Duke Energy Ohio, Inc., ("Duke") the Staff of the Public Utilities Commission, IGS Energy, Inc., Ohio Partners for Affordable Energy, the Environmental Defense Fund, Direct Energy, and the Retail Energy Supply Association ("Parties") move the Public Utilities Commission of Ohio ("PUCO"), the legal director, the deputy legal director, or the Attorney Examiner for a continuance of the hearing currently set for September 20, 2016.¹ The Parties request a continuance, whereby the hearing will commence on November 1, 2016, instead of September 20, 2016. Additionally, consistent with the request to continue the hearing, the Parties request that testimony filing dates be extended accordingly, and Duke's testimony be filed, on or before October 4, 2016 and intervenor testimony be filed on or before October 14, 2016.

¹ This motion is made pursuant to Ohio Adm. Code 4901-1-12 and 4901-1-13.

The Parties' motion should be granted for good cause shown, as fully explained in the following memorandum.

Respectfully submitted,

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/s/ Jodi Bair

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MEMORANDUM IN SUPPORT

Under the PUCO’s rules continuances and extensions of time may be granted upon motion of any party “for good cause shown.”² The Parties Motion and Memorandum meet this standard as explained below.

In its Entry dated July 26, 2016, the Attorney Examiner issued an Entry establishing a procedural schedule that included a date for Duke’s pre-filed testimony (September 6, 2016), a date for intervenor testimony (September 13, 2016) and a date for an evidentiary hearing (September 20, 2016).

Unfortunately, the procedural schedule directly conflicts with the availability of some of the Parties’ witnesses and a later hearing date will provide more time to adequately prepare for the hearing, and to accommodate witness availability. All Parties are in agreement that November 1, 2106 would be a better date to begin the hearing and suggest that the PUCO adopt the procedural schedule set forth in this Motion.

Ohio Admin Code 4901-1-13(A) provides for extensions upon a showing of good cause, and the circumstances of this motion show good cause. To provide a procedural schedule accommodating all witnesses and also assure adequate preparation for the

² Ohio Adm. Code 4901-1-13(A); see also Ohio Admin. Code 4901-1-12(A) generally permitting motions to be filed, accompanied by memorandum in support.

hearing, a continuance is needed, with a suggested Duke testimony filing date of October 4, 2016, October 14, 2016 for intervenor testimony, and a hearing date of November 1, 2016.

Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing pleading has been served upon the below-named persons via electronic transmission this 8th day of August, 2016.

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This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

8/8/2016 10:51:58 AM

in

Case No(s). 14-2209-EL-ATA

Summary: Motion Motion for Continuance and Extension of Time by the Office of the Ohio Consumers' Counsel, Duke Energy Ohio, Inc., the Staff of the Public Utilities Commission of Ohio, IGS Energy, Inc., Ohio Partners for Affordable Energy, the Environmental Defense Fund, Direct Energy, and the Retail Energy Supply Association electronically filed by Ms. Deb J. Bingham on behalf of Bair, Jodi Ms.