

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Vectren)	
Energy Delivery of Ohio, Inc. for Approval)	
to Continue Demand Side Management)	Case No. 19-2084-GA-UNC
Program for its Residential, Commercial, and)	
Industrial Customers)	

**JOINT MOTION TO FURTHER ESTABLISH A PROCEDURAL
SCHEDULE AND MEMORANDUM IN SUPPORT OF
VECTREN ENERGY DELIVERY OF OHIO, INC., THE OFFICE OF THE OHIO
CONSUMERS' COUNSEL, AND OHIO PARTNERS FOR AFFORDABLE ENERGY**

Pursuant to Ohio Adm.Code 4901-1-12(A), Vectren Energy Delivery of Ohio, Inc. (VEDO or the Company), the Office of the Ohio Consumers' Counsel (OCC), and Ohio Partners for Affordable Energy (OPAE), jointly as Movants, request that the Attorney Examiner use the discretion afforded under Ohio Adm.Code 4901-1-14 and Ohio Adm.Code 4901-1-27 to issue an entry further establishing a procedural schedule that would allow for the efficient resolution of the Stipulation and Recommendation filed in this proceeding on June 26, 2020 (Stipulation). The Movants' proposed schedule is included herein. Pursuant to Ohio Admin.Code 4901-1-12(C), Movants also request an expedited ruling on their motion. No party to this proceeding objects to the Movants' proposals or an expedited ruling.

On November 22, 2019, VEDO filed its Application in this proceeding requesting that the Commission approve a three-year Gas demand side management (DSM) Program Plan for calendar years 2021 through 2023 (the Plan). In an Entry dated January 10, 2020, the Attorney Examiner established a procedural schedule that set forth deadlines for motions to intervene (February 3, 2020), initial comments (March 6, 2020), and reply comments (April 3, 2020). In an Entry dated April 28, 2020, the Attorney Examiner allowed for the filing of sur-reply comments by May 12, 2020 limited to Recommendations 3, 4, and 5 in OCC's reply comments.

After the comment period and settlement negotiations amongst all the parties, certain parties agreed to and filed the Stipulation. The Signatories to the Stipulation are VEDO, Commission Staff, OPAE, and ELPC. Interstate Gas Supply, Inc. (IGS) did not oppose, but did not sign, the Stipulation. The Retail Energy Supply Association (RESA) took no position on the Stipulation. OCC opposes the Stipulation.

In consideration of the Governor's Executive Order 2020-01D declaring a state of emergency in Ohio in response to COVID-19 and the passage of Am. Sub. H.B. 197, the Movants propose the following procedural schedule for consideration of the Stipulation:

- Testimony of signatory parties in support of the Stipulation¹ – July 21
- Testimony of parties in opposition to the Stipulation – August 11
- Deadline to submit discovery² (7-day turnaround) on testimony – August 12
- Filing of discovery responses to be included in the record – August 20
- Paper Hearing³ – August 21
- Initial Briefs – September 3
- Reply Briefs – September 17

In addition, all parties to this proceeding have agreed to waive cross examination of witnesses who submit prefiled testimony, to waive objections to the admissibility of any prefiled testimony or prefiled discovery responses, the Stipulation, and the exhibits identified in Paragraph 11 of the

¹ Testimony by non-signatory parties not opposing the Stipulation would also be due by this date.

² The Movants propose that, if parties have a discovery dispute, they will ask for a discovery conference with the Attorney Examiner and resolve the issue through oral motions.

³ The Movants do not object to a hearing using remote access technology for the purpose of the Attorney Examiner admitting the evidence into the record, if the Attorney Examiner deems it necessary. If the Attorney Examiner does not consider such a hearing necessary, Movants propose that prefiled testimony and discovery responses be deemed admitted into the record in this case upon filing, such that parties are entitled to rely on such for purposes of initial and reply briefs.

Stipulation, and to waive written and oral motions to strike prefiled testimony, prefiled discovery responses, the Stipulation, and the exhibits identified in Paragraph 11 of the Stipulation.⁴ The Movants believe that their proposed procedural schedule and framework will provide for due process for all the parties during the state of emergency in Ohio, while allowing this case to proceed forward without the need for an in-person hearing, and allowing the Commission to enter an order in this proceeding in 2020.

For these reasons, the Movants respectfully request that the Attorney Examiner issue an Entry that further establishes a procedural schedule in this proceeding consistent with the Movants' proposals herein.

Dated: July 15, 2020

Respectfully submitted,

s/ Christopher T. Kennedy

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⁴ These waivers are not intended to limit in any way the Attorney Examiner's authority to review and formally rule on the admissibility of evidence before moving it into the record.

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CERTIFICATE OF SERVICE

I hereby certify that a courtesy copy of the foregoing pleading was served by electronic mail on this 15th day of July, 2020, to the following:

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/s/ Christopher T. Kennedy
One of the Attorneys for Vectren Energy Delivery
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Case No(s). 19-2084-GA-UNC

Summary: Motion Joint Motion to Further Establish a Procedural Schedule and Memorandum in Support of Vectren Energy Delivery of Ohio, Inc., The Office of the Ohio Consumers' Counsel, and Ohio Partners for Affordable Energy electronically filed by Christopher T Kennedy on behalf of Vectren Energy Delivery of Ohio, Inc.