

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Ohio ) Power Company for an Increase in ) Electric Distribution Rates. )	Case No. 20-585-EL-AIR
In the Matter of the Application of Ohio ) Power Company for Tariff Approval. )	Case No. 20-586-EL-ATA
In the Matter of the Application of Ohio ) Power Company for Approval to ) Change Accounting Methods. )	Case No. 20-587-EL-AAM

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**UNOPPOSED JOINT MOTION AND MEMORANDUM IN SUPPORT  
TO EXTEND THE PROCEDURAL SCHEDULE AND  
REQUEST FOR EXPEDITED TREATMENT**

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**November 25, 2020**

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Ohio Power Company for an Increase in Electric Distribution Rates.	)	Case No. 20-585-EL-AIR
In the Matter of the Application of Ohio Power Company for Tariff Approval.	)	Case No. 20-586-EL-ATA
In the Matter of the Application of Ohio Power Company for Approval to Change Accounting Methods.	)	Case No. 20-587-EL-AAM

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**UNOPPOSED JOINT MOTION TO EXTEND THE PROCEDURAL SCHEDULE  
AND REQUEST FOR EXPEDITED TREATMENT**

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Pursuant to Ohio Adm.Code 4901-1-12, 4901-1-13, and 4901-1-29, Ohio Power Company (“AEP Ohio”), Interstate Gas Supply, Inc., Ohio Energy Group, Ohio Manufacturers’ Association Energy Group, The Kroger Co., Industrial Energy Users-Ohio, Natural Resources Defense Council, Ohio Partners for Affordable Energy, Environmental Law and Policy Center, Walmart Inc., Direct Energy Business, LLC and Direct Energy Services, LLC, The Ohio Hospital Association, ChargePoint, Inc., Nationwide Energy Partners, LLC, Clean Fuels Ohio, the Ohio Environmental Council, and the Staff of the Public Utilities Commission of Ohio (“Commission”) (collectively, “Joint Movants”), respectfully request that the Commission extend the filing dates established in the November 23, 2020 Entry (“Procedural Entry”) by 30 days.<sup>1</sup> The extended time would allow parties time to engage in settlement discussions while also navigating the ever-

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<sup>1</sup> This motion does not address the deadline for discovery or dates established by statute.

changing landscape of the ongoing pandemic throughout the traditional holiday season of December. As proposed, the new procedural schedule will be as follows:

- (1) Testimony supporting objections to the Staff Report of Investigation (“Staff Report”) will be due January 18, 2021.
- (2) Motions to strike objections to the Staff Report will be due January 28, 2021.
- (3) Memorandum contra motions to intervene and memoranda contra motions to strike objections to the Staff Report will be due February 4, 2021.
- (4) Prehearing Conference will occur on February 11, 2021 at 10 a.m., through Webex.
- (5) Evidentiary Hearing will commence on March 4, at 10 a.m., through Webex.

Additionally, pursuant to Ohio Adm.Code 4901-1-12(C), Joint Movants requests that the Commission issue an immediate ruling on this motion. All parties currently involved in the above captioned cases have been contacted, and there is no opposition to the above proposed extension.

As expounded on below in the Memorandum in Support, Joint Movants respectfully request that the Commission grant this motion on an expedited basis and formally extend the filing dates established in the Procedural Entry, excluding the discovery deadline and those established by statute.

Respectfully submitted,

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**MEMORANDUM IN SUPPORT**

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To provide parties the opportunity to engage in settlement discussions, Joint Movants request an extension to certain filing dates established in the Procedural Entry by 30 days, excluding the discovery deadline and those established by statute, subject to the clarification provided below. Additionally, Joint Movants further certify that because no parties to this proceeding oppose the request to extend the procedural schedule or the request for expedited treatment of this motion, an immediate ruling on this motion can be made by the Commission. Accordingly, the Joint Movants respectfully requests that the Commission grant this motion on an expedited basis.

On November 23, 2020, the attorney examiner issued an entry that established filing deadlines and hearing dates in this proceeding. Under Ohio Adm.Code 4901-1-13(A), the Commission may grant an extension of time to file pleadings and continuances of hearings upon the motion of any party for good cause shown.

Joint Movants submit that good cause exists to extend the procedural schedule in these proceedings. A brief extension will allow parties to conduct multiple settlement

conferences in early January, ahead of the revised testimony deadline, in order to determine on a timely basis if there is traction for settlement. If the settlement discussions culminate in a stipulation and recommendation, then expert testimony in support of objections to the Staff Report and motions to strike these objections may not be necessary. More specifically, if a stipulation and recommendation is reached, parties will instead file testimony in support of the stipulation, and, if necessary, testimony opposing the stipulation. Joint Movants also note that the Commission has previously granted similar motions to provide time to engage in settlement discussions in other rate case proceedings.<sup>2</sup>

Further, Joint Movants request this extension be subject to the clarification that AEP Ohio reserves its right for a timely rate order under R.C. 4909.42.

Additionally, Joint Movants submit that counsel has been contacted for all of the parties to this proceeding, and no party opposes the request for an extension<sup>3</sup> in the due date for testimony in support of objections and the other deadlines listed above on page three, or the request for an expedited ruling on this joint motion. Accordingly, under Ohio Adm.Code 4901-1-12(C), the Commission may immediately rule on this motion.

For these reasons, the Joint Movants respectfully request that the Commission expeditiously grant this motion.

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<sup>2</sup> *In the Matter of the Application of Ohio Gas Company for an Increase in Gas Distribution Rates*, Case Nos. 17-1139-EL-AIR, et al., Entry at 2 (Dec. 14, 2017); *In the Matter of the Application of Duke Energy Ohio, Inc., for an Increase in its Electric Distribution Rates*, Case Nos. 17-32-EL-AIR, et al., Entry at 2 (Nov. 28, 2017). See also *In the Matter of the Application of Columbus Southern Power Company and Ohio Power Company, Individually and, if their Proposed Merger is Approved, as a Merged Company for an Increase in Electric Distribution Rates*, Case Nos. 11-351-EL-AIR, et al, Entry (Oct. 13, 2011) (granting a motion to extend the testimony deadline in AEP Ohio's previous distribution rate case).

<sup>3</sup> Although the Office of the Ohio Consumers' Counsel (OCC) is not a joint movant, counsel has authorized Joint Movants to represent that the OCC does not oppose the motion.



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## CERTIFICATE OF SERVICE

I certify that this *Unopposed Joint Motion and Memorandum in Support to Extend the Procedural Schedule and Request for Expedited Treatment* was filed electronically through the Docketing Information System of the Public Utilities Commission of Ohio on November 25, 2020. The Commission's e-filing system will electronically serve notice of the filing of this document on the parties subscribed to these proceedings. Additionally, notice was provided to the parties listed below.

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