

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of The                   )  
East Ohio Gas Company d/b/a Dominion                )  
East Ohio for Approval of an Alternative              )  
Form of Regulation.    )

Case No. 20-1634-GA-ALT

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**MOTION FOR ONE-WEEK EXTENSION FOR FILING TESTIMONY OPPOSING  
THE SETTLEMENT, SEVEN-DAY EXPEDITED DISCOVERY, ONE DAY  
EXTENSION ON HEARING DATE  
AND  
REQUEST FOR EXPEDITED RULING  
BY  
OFFICE OF THE OHIO CONSUMERS' COUNSEL**

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The Office of the Ohio Consumers' Counsel ("OCC") respectfully moves that the PUCO grant an extension of one week to the current deadline of October 18, 2021, for testimony in opposition to the Stipulation and Recommendation.<sup>1</sup> The testimony would then be due on or before October 25, 2021 at 1 pm EST. OCC further moves for a seven-day expedited discovery response period, and a one-day extension on the hearing date, from November 1, 2021 to November 2, 2021. Given the short time frame involved, OCC requests an expedited ruling on these requests. Counsel for the other parties<sup>2</sup> have been contacted, and do not oppose this motion.

Good cause exists for this request, under Ohio Adm. Code 4901-1-13(A). Parties have been actively involved in Settlement. A Settlement between Dominion, PUCO Staff, IEU-Ohio and OP&E, along with supporting testimony, was filed October 12, 2021. OCC is opposed to the Settlement. OCC needs additional time under the current schedule to file testimony in opposition to the Settlement, including an expedited seven-day round of discovery on the Settlement and its

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<sup>1</sup> Case No. 20-1634-GA-ALT, Stipulation and Recommendation (Oct. 12, 2021) (the "Settlement").

<sup>2</sup> Counsel for other parties contacted in this proceeding include Dominion, PUCO Staff, IEU-Ohio, and OP&E.

supporting testimony. A brief one-week extension would allow OCC a reasonable opportunity to complete testimony in opposition to the Settlement and the seven-day turn around for discovery allows for discovery on the Settlement. In order for the parties to be given time to review OCC's filed testimony, the hearing schedule is requested to be moved by a day. This brief extension of testimony filing date and one-day hearing extension would not prejudice other parties.

Further, under Ohio Adm. Code 4901-1-12(C), OCC asks that the PUCO issue an expedited ruling because the testimony is currently due in just one business day. OCC certifies that no party opposes the request for expedited treatment.

For these reasons, as explained more fully in the attached Memorandum in Support, OCC respectfully requests that the PUCO modify the current procedural schedule for the limited purpose of allowing testimony in opposition to the Settlement to be filed on or before October 25, 2021 at 1 pm EST; establishing a seven-day expedited round of discovery; and moving the hearing one day to November 2, 2021.

Respectfully submitted,

Bruce Weston (0016973)  
Ohio Consumers' Counsel

/s/ Amy Botschner O'Brien  
Amy Botschner O'Brien (0074423)  
Counsel of Record  
Ambrosia Wilson (0096598)  
Assistant Consumers' Counsel

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**MEMORANDUM IN SUPPORT**

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Under the current procedural schedule, October 12, 2021 was the date for “the filing of supplemental testimony on behalf of Dominion” and October 18, 2021 was the date for “the filing of testimony by Staff and intervenors.”<sup>3</sup> The evidentiary hearing was scheduled for November 1, 2021.<sup>4</sup> Additionally, according to the Attorney Examiner’s Entry, Dominion was to “file any applicable stipulation by October 29, 2021.”<sup>5</sup> The parties have been actively involved in Settlement negotiations. Dominion, PUCO Staff, IEU-Ohio and OP&E signed and filed a Settlement and testimony in support of the Settlement on October 12, 2021. OCC did not sign the Settlement. OCC needs additional time to file testimony in opposition to the Settlement and to serve an expedited round of discovery on the Settlement. OCC respectfully requests an additional week from when Staff and intervenor testimony on Dominion’s “supplemental testimony” would have been due (October 18, 2021), making OCC’s new filing date on or before October 25, 2021 at 1 pm EST.

Good cause exists for OCC’s request for this one-week extension, under Ohio Adm. Code 4901-1-13(A). Once the Settlement was filed, OCC needs additional time to conduct discovery and file testimony in opposition to the Settlement. OCC is no longer responding to

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<sup>3</sup> Case No. 20-1634-GA-ALT, Entry (Sept. 9, 2021).

<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

“supplemental testimony” as under the original procedural schedule; but is filing testimony in opposition to a Settlement. OCC needs more time to be able to adequately represent consumers regarding this Settlement and prepare opposing testimony.

Further, a brief one-week extension would not prejudice other parties. All parties have been contacted and do not oppose this proposed schedule. OCC’s request for an expedited round of discovery is also unopposed. The other parties do request, however, that they be given a full week to review OCC’s opposing testimony. Thus, the parties request that the hearing date be moved one day from November 1, 2021 to November 2, 2021.

Finally, because OCC’s testimony (in response to Dominion’s supplemental testimony) is currently due October 18, 2021 under the procedural schedule, which is just one business day away, there is good cause to grant this motion on an expedited basis under Ohio Adm. Code 4901-1-12(C). OCC certifies that no party opposes the request for expedited treatment.

For the reasons set forth herein, OCC respectfully requests that the PUCO grant this unopposed motion on an expedited basis; setting forth the filing date for OCC’s testimony in opposition to the Settlement on or before October 25, 2021 at 1 pm EST; establishing a seven-day expedited round of discovery; and moving the hearing date to November 2, 2021.

Respectfully submitted,

Bruce Weston (0016973)  
Ohio Consumers' Counsel

*/s/ Amy Botschner O'Brien*  
Amy Botschner O'Brien (0074423)  
Counsel of Record  
Ambrosia Wilson (0096598)  
Assistant Consumers' Counsel

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(willing to accept service by e-mail)

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of this Motion was served on the persons stated below via electronic transmission this 15th day of October 2021.

*/s/ Amy Botschner O'Brien* \_\_\_\_\_  
Amy Botschner O'Brien  
Assistant Consumers' Counsel

The PUCO's e-filing system will electronically serve notice of the filing of this document on the following parties:

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Summary: Motion Motion for One-Week Extension for Filing Testimony Opposing the Settlement, Seven-Day Expedited Discovery, One-Day Extension on Hearing Date and Request for Expedited Ruling by Office of the Ohio Consumers' Counsel electronically filed by Ms. Deb J. Bingham on behalf of Botschner-O'Brien, Amy