

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Review of)	
Duke Energy Ohio, Inc.'s)	Case No. 20-1205-EL-RDR
Distribution Capital Investment Rider.)	

**UNOPPOSED MOTION TO MODIFY THE PROCEDURAL SCHEDULE
AND REQUEST FOR EXPEDITED RULING**

I. INTRODUCTION

Now comes Duke Energy Ohio, Inc. (Duke Energy Ohio or Company), by and through counsel, and hereby moves the Public Utilities Commission of Ohio (Commission), in accordance with Rule 4901-1-12(C), Ohio Administrative Code (O.A.C.), for an extension of the stipulation deadline in the existing procedural schedule to allow additional settlement discussions. As the current procedural schedule contemplates the filing of a stipulation by today, December 21, 2021, the Company requests expedited treatment of this motion. The Company has discussed this extension request with the parties and it is unopposed by all parties.

For the reasons more fully set forth in the attached memorandum in support, Duke Energy Ohio respectfully requests that the Commission grant this motion on an expedited basis, pursuant to O.A.C. Rule 4901-1-12(C).

Respectfully submitted,
DUKE ENERGY OHIO, INC.

/s/ Larisa M. Vaysman
Rocco O. D'Ascenzo (0077651)
Deputy General Counsel
Jeanne W. Kingery (0012172)
Associate General Counsel
Larisa M. Vaysman (0090290)
Senior Counsel
Duke Energy Business Services LLC
139 East Fourth Street, 1303-Main
Cincinnati, Ohio 45202
(513) 287-4320 (telephone)
(513) 287-4385 (fax)
Rocco.dascenzo@duke-energy.com
Jeanne.kingery@duke-energy.com
Larisa.vaysman@duke-energy.com
Willing to accept service via email

Attorneys for Duke Energy Ohio, Inc.

MEMORANDUM IN SUPPORT

By Entry dated September 21, 2021, the Public Utilities Commission of Ohio (Commission) established a procedural schedule in this proceeding as follows:

- Proposed Stipulations should be filed by November 10, 2021;
- If no stipulation is submitted, Duke Energy Ohio testimony will be due by November 17, 2021;
- testimony on behalf of Staff and intervenors will be due by November 23, 2021; and
- an evidentiary hearing scheduled for December 2, 2021.¹

By Entry dated November 10, 2021, the PUCO granted Duke Energy Ohio's Unopposed Motion to Modify Procedural Schedule filed November 9, 2021 and extended the deadline for filing the Stipulation to November 17, 2021.² Then, by Entry dated November 16, 2021, the PUCO granted Duke Energy Ohio's Unopposed Motion to Modify Procedural Schedule filed November 10, 2021, and extended the deadline for filing the Stipulation to December 8, 2021.³ Then, by Entry dated December 8, 2021, the PUCO granted Duke Energy Ohio's Unopposed Motion to Modify Procedural Schedule filed December 7, 2021, and extended the deadline for filing the Stipulation to December 21, 2021.⁴

The parties to this proceeding have since continued to engage in active settlement discussions and are nearing a settlement that may resolve all issues raised in this proceeding. Despite diligent efforts, the parties have not yet been able to finalize and sign a stipulation by the current deadline of December 21, 2021. The Company respectfully submits that this additional

¹ *In the Matter of the Review of Duke Energy Ohio, Inc.'s Distribution Capital Investment Rider*, Case No. 20-1205-EL-RDR, Entry pg. 3, (September 21, 2021).

² *Id.*, November 10, 2021

³ *Id.*, November 16, 2021.

⁴ *Id.*, December 8, 2021.

time is necessary, reasonable, and in the best interests of all stakeholders, as it may result in the efficient resolution of all substantial issues in this case. Accordingly, Duke Energy Ohio requests that the Commission amend the procedural schedule such that a final stipulation shall be filed by January 14, 2022. The Company is also requesting that the remaining deadlines on the procedural schedule be adjusted accordingly.

Expedited treatment is necessary for this motion as the deadline for the filing of a final stipulation is currently set for today, December 21, 2021. Despite best efforts, the parties have not been able to finalize a stipulation in the current timeline. Under the current procedural schedule, absent a brief extension, the parties would have to litigate the entire proceeding, having been unable to file a stipulation. As the parties are close to obtaining a settlement that would resolve all or nearly all of the issues in this case a brief extension is reasonable. None of the parties to the proceeding oppose this request for the additional time and the expedited treatment requested herein. The Company certifies that this request is unopposed.

WHEREFORE, for the reasons stated herein, the Company requests that the Commission grant this motion, allow until January 14, 2022, to file a final stipulation, and establish a revised procedural schedule with deadlines for testimony and hearing postponed accordingly.

Respectfully submitted,
DUKE ENERGY OHIO, INC.

/s/ Larisa M. Vaysman
Rocco O. D'Ascenzo (0077651)
Deputy General Counsel
Jeanne W. Kingery (0012172)
Associate General Counsel
Larisa M. Vaysman (0090290)
Senior Counsel
Duke Energy Business Services LLC
139 East Fourth Street, 1303-Main
Cincinnati, Ohio 45202
(513) 287-4320 (telephone)
(513) 287-4385 (fax)
Rocco.dascenzo@duke-energy.com
Jeanne.kingery@duke-energy.com
Larisa.vaysman@duke-energy.com
Willing to accept service via email

Attorneys for Duke Energy Ohio, Inc.

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing Unopposed Motion to Modify the Procedural Schedule and Request for Expedited Ruling was served via electronic mail or ordinary mail on the following this 21st day of December 2021.

/s/ Larisa M. Vaysman
Larisa M. Vaysman

Kyle.kern@OhioAGO.gov

Amy.botschner-obrien@occ.ohio.gov

**This foregoing document was electronically filed with the Public Utilities
Commission of Ohio Docketing Information System on**

12/21/2021 2:50:21 PM

in

Case No(s). 20-1205-EL-RDR

Summary: Motion Duke Energy Ohio Unopposed Motion to Modify Procedural
Schedule (3) electronically filed by Mrs. Debbie L. Gates on behalf of Duke Energy
Ohio Inc. and D'Ascenzo, Rocco O. Mr. and Vaysman, Larisa and Kingery, Jeanne
W