

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Duke)	
Energy Ohio, Inc., for Approval of a)	Case No. 21-903-GA-EXM
General Exemption of Certain Natural)	
Gas Commodity Sales Services or)	
Ancillary Services)	
)	
In the Matter of the Application of Duke)	
Energy Ohio, Inc., for Tariff Approval.)	Case No. 21-904-GA-ATA
)	
In the Matter of the Application of Duke)	
Energy Ohio, Inc., for Approval to)	
Change Accounting Methods.)	Case No. 21-905-GA-AAM

**UNOPPOSED MOTION FOR CONTINUANCE OF THE EVIDENTIARY HEARING
AND REQUEST FOR EXPEDITED RULING**

Pursuant to Section 4901-1-13(A) of the Ohio Administrative Code (“O.A.C.”), Duke Energy Ohio, Inc. (“Duke Energy Ohio or Company”) respectfully requests an extension of the evidentiary hearing date established in the Entry dated August 2, 2022, in the above-captioned proceeding. Specifically, the Company requests that the evidentiary hearing date currently scheduled for September 27, 2022, be rescheduled to begin on November 9, 2022.

As demonstrated in the attached Memorandum in Support, good cause exists for granting this extension, namely (i) to facilitate settlement discussions and (ii) to accommodate witness availability issues caused by a medical issue. The Company also requests that the Public Utilities Commission of Ohio (“Commission”) grant this Unopposed Motion for Continuance of the Evidentiary Hearing and Request for an Expedited Ruling (“Motion”) on an expedited basis pursuant to O.A.C. 4901-1-12(C). The Motion is unopposed. The Company has discussed this

Motion and the proposed new date with all parties and all parties are available on the proposed date. The reasons for this Motion are set forth more fully in the attached Memorandum in Support.

Respectfully submitted,

/s/ Rocco O. D'Ascenzo

Rocco O. D'Ascenzo (0077651)
(Counsel of Record)
Deputy General Counsel
Jeanne W. Kingery (0012172)
Associate General Counsel
Larisa M. Vaysman (0090290)
Senior Counsel
Elyse H. Akhbari (0090701)
Senior Counsel
Duke Energy Business Services LLC
139 East Fourth Street
1303-Main
Cincinnati, OH 45202
Telephone: 513.287.4359
Facsimile: 514.287.4385
Rocco.d'ascenzo@duke-energy.com
Jeanne.kingery@duke-energy.com
Larisa.vaysman@duke-energy.com
Elyse.akhbari@duke-energy.com

/s/ N. Trevor Alexander

N. Trevor Alexander (0080713)
Mark T. Keaney (0095318)
BENESCH, FRIEDLANDER, COPLAN
& ARONOFF LLP
41 South High Street, Suite 2600
Columbus, OH 43215-6164
Telephone: 614.233.9300
Facsimile: 614.223.9330
Email: talexander@beneschlaw.com
mkeaney@beneschlaw.com
(will accept service via email)

Attorneys for
DUKE ENERGY OHIO, INC.

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**MEMORANDUM IN SUPPORT OF UNOPPOSED MOTION FOR CONTINUANCE
OF THE EVIDENTIARY HEARING AND REQUEST FOR EXPEDITED RULING**

By Entry dated June 16, 2022, the Commission adopted a procedural schedule setting dates for intervention, discovery, the filing of testimony, and the evidentiary hearing in the above-captioned case. Pertinent here, the Entry dated June 16, 2022, established September 20, 2022, as the evidentiary hearing date. Subsequently, by Entry dated August 2, 2022, the Commission granted the Company's request for a one-week extension of the evidentiary hearing date to September 27, 2022.

Good cause exists to grant an extension of the evidentiary hearing from September 27, 2022, to November 9, 2022. First, the parties have recently started to explore opportunities to reach consensus by way of settlement, which, if successful, could potentially dispense with the need for an evidentiary hearing. In the interest of expediting a resolution to the disputed issues in this case, the parties require more time to pursue settlement negotiations. Second, one of the Company's witnesses is unavailable due to a medical issue until September 27, 2022. That

unavailability would prevent the deposition of that witness prior to hearing for reasons outside the parties' control.

Finally, in accordance with the Entry dated August 29, 2022, the Commission ordered Duke Energy Ohio to publish legal notice of (i) the Company's Application in this case, and (ii) the evidentiary hearing date in a newspaper of general circulation once a week for two consecutive weeks prior to the current hearing date of September 27, 2022. In compliance with that Entry, beginning on September 14 and 15, 2022, the Company began publishing notice of its Application and the hearing in newspapers of general circulation with the intention of publishing second notices between September 21-25, 2022 (depending on the newspaper). As the public has already been notified, if the Commission grants the relief requested in this Motion, the Company respectfully requests the Commission call the hearing in accordance with the public notice and then immediately continue the case to the rescheduled date of November 9, 2022.

WHEREFORE, the Company requests that the evidentiary hearing date currently scheduled for September 27, 2022, be rescheduled to begin on November 9, 2022. Granting this Motion will reasonably accommodate settlement discussions and witness availability. Prior to filing this Motion, the Company contacted counsel for all parties to this proceeding, and the Company can certify that no party indicated its opposition to the continuance proposed herein or to the request for an expedited ruling. Accordingly, no party would be prejudiced by granting this Motion.

Respectfully submitted,

/s/ Rocco O. D'Ascenzo

Rocco O. D'Ascenzo (0077651)

(Counsel of Record)

Deputy General Counsel

Jeanne W. Kingery (0012172)

Associate General Counsel

Larisa M. Vaysman (0090290)

Senior Counsel

Elyse H. Akhbari (0090701)

Senior Counsel

Duke Energy Business Services LLC

139 East Fourth Street

1303-Main

Cincinnati, OH 45202

Telephone: 513-287-4359

Facsimile: 514-287-4385

Rocco.d'ascenzo@duke-energy.com

Jeanne.kingery@duke-energy.com

Larisa.vaysman@duke-energy.com

Elyse.akhbari@duke-energy.com

/s/ N. Trevor Alexander

N. Trevor Alexander (0080713)

Mark T. Keaney (0095318)

BENESCH, FRIEDLANDER, COPLAN
& ARONOFF LLP

41 South High Street, Suite 2600

Columbus, OH 43215-6164

Telephone: 614.233.9300

Facsimile: 614.223.9330

Email: talexander@beneschlaw.com

mkeaney@beneschlaw.com

(will accept service via email)

Attorneys for

DUKE ENERGY OHIO, INC.

CERTIFICATE OF SERVICE

I certify that the foregoing was filed electronically through the Docketing Information System of the Public Utilities Commission of Ohio on this 15th day of September, 2022. The PUCO's e-filing system will electronically serve notice of the filing of this document on counsel for all parties.

/s/ Mark T. Keaney
One of the Attorneys for Duke Energy Ohio,
Inc.

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

9/15/2022 4:41:21 PM

in

Case No(s). 21-0903-GA-EXM, 21-0904-GA-ATA, 21-0905-GA-AAM

Summary: Motion Unopposed Motion for Continuance of the Evidentiary Hearing
and Request for Expedited Ruling electronically filed by Mark T. Keaney on behalf
of Duke Energy Ohio, Inc.