

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF
OHIO**

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

**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.), Staff of the Public Utilities Commission of Ohio (Staff) respectfully requests that the evidentiary hearing date currently set for February 21, 2023 be rescheduled to a date convenient for the Attorney Examiners, but in any event, no earlier than March 14, 2023.

Counsel for Staff contacted all parties to notify them of the requested continuance of the evidentiary hearing. No party indicated any opposition to this Motion.

As demonstrated in the attached Memorandum in Support, good cause exists for granting this requested continuance, namely, to further facilitate settlement discussions

among the parties. The reasons for this Motion are set forth more fully in the attached Memorandum in Support.

Respectfully submitted,

Dave Yost
Ohio Attorney General

John H. Jones
Section Chief

/s/ Robert Eubanks

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Public Utilities Commission of Ohio*

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**MEMORANDUM IN SUPPORT OF MOTION FOR CONTINUANCE
OF THE EVIDENTIARY HEARING**

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. On September 16, 2022, the Attorney Examiner issued an entry granting the unopposed motion and continued the evidentiary hearing to November 9, 2022. On November 2, 2022, the Attorney Examiner granted an unopposed motion to move the hearing to December 7, 2022. On December 2, 2022, the Attorney Examiner granted an unopposed motion to move the hearing and rescheduled the hearing to February 21, 2023. Since then, the parties have continued to actively pursue and participate in all-party and individual settlement discussions.

Good cause exists to grant a continuance of the evidentiary hearing from February 21, 2023, to a date convenient for the Attorney Examiners but in any event no earlier than March 14, 2023. Due to the complexity of the issues, parties need additional time. The parties have engaged in a number of productive settlement discussions, which, if successful, could potentially dispense with the need for an evidentiary hearing in the above-captioned proceedings. In the interest of expediting a resolution to the disputed issues in this case, the parties require more time to further pursue those settlement negotiations.

WHEREFORE, Staff requests that the evidentiary hearing date currently scheduled for February 21, 2023 be rescheduled to a date convenient for the Attorney Examiners but in any event no earlier than March 14, 2023. Granting this Motion for Continuance of the Evidentiary Hearing (Motion) will reasonably accommodate and allow the parties to further pursue settlement discussions. Prior to filing this Motion, Staff contacted counsel for all parties to this proceeding. Staff can certify that no party objects to this Motion.

Respectfully submitted,

Dave Yost
Ohio Attorney General

John H. Jones
Section Chief

/s/ Robert Eubanks

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*Counsel for the Staff of the
Public Utilities Commission of Ohio*

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing **Motion for Continuance**, submitted on behalf of the Staff of the Public Utilities Commission of Ohio, was served by electronic mail, upon the following parties of record, this 2nd day of February 2023.

/s/ Robert Eubanks

Robert Eubanks

Assistant Attorney General

Parties of Record:

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Commission of Ohio Docketing Information System on**

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in

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

Summary: Motion for Continuance of the Evidentiary Hearing and Request for Expedited Ruling electronically filed by Mrs. Kimberly M. Naeder on behalf of PUCO