

**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

**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 May 3, 2023, in the above-captioned proceedings. Specifically, the Company requests that the evidentiary hearing date currently scheduled for June 26, 2023, be rescheduled to a date convenient for the Attorney Examiners but in any event no earlier than August 21, 2023.

Counsel for the Company contacted all parties to notify them of the requested continuance of the evidentiary hearing and the request for an expedited ruling. Duke Energy, The Ohio Consumers' Council, Interstate Gas Supply, Inc, and Spire Marketing Inc. are all available for hearing on the dates August 21-23 and August 28-30, 2023. As of the date of this Motion Duke Energy has not received a response from the Retail Energy Supply Association or Staff and as such

cannot certify whether any party objects to the issuance of such a ruling without the filing of memoranda pursuant to O.A.C. 4901-1-12(C).

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 Company also requests that the Public Utilities Commission of Ohio (Commission) grant this Motion on an expedited basis pursuant to O.A.C. 4901-1-12(C). The reasons for this Motion are set forth more fully in the attached Memorandum in Support.

Respectfully submitted,

/s/ Rocco O. D'Ascenzo

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DUKE ENERGY OHIO, INC.

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**MEMORANDUM IN SUPPORT OF 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. On November 30, 2022, the Company filed an unopposed motion for continuance of the evidentiary hearing and request for expedited ruling. Since the Company had already begun publishing notice of the evidentiary hearing date in newspapers of general circulation, the Company's unopposed motion asked the Commission to call the hearing, as scheduled, on December 7, 2022, and then immediately continue the hearing to February 21, 2023. On December 2, 2022, the Attorney Examiner issued an entry granting the unopposed motion and continued the evidentiary hearing to February 21, 2023. Since then, the parties have actively pursued and participated in all-party and individual settlement discussions.

Good cause exists to grant a continuance of the evidentiary hearing from June 26, 2023, to a date convenient for the Attorney Examiners but in any event no earlier than August 21, 2023.

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, the Company requests that the evidentiary hearing date currently scheduled for June 26, 2023, be rescheduled to a date convenient for the Attorney Examiners but in any event no earlier than August 21, 2023. Granting this Motion for Continuance of the Evidentiary Hearing and Request for Expedited Ruling (Motion) will reasonably accommodate and allow the parties to further pursue settlement discussions. Prior to filing this Motion, the Company contacted counsel for all parties to this proceeding. Duke Energy, The Ohio Consumers' Council, Interstate Gas Supply, Inc, and Spire Marketing Inc. are all available for hearing on the dates August 21-23 and August 28-30, 2023. As of the date of this Motion Duke Energy has not received a response from the Retail Energy Supply Association or Staff and as such cannot certify whether any party objects to the issuance of such a ruling without the filing of memoranda pursuant to O.A.C. 4901-1-12(C).

Respectfully submitted,

/s/ Rocco O. D'Ascenzo

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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 16th day of June, 2023. The PUCO's e-filing system will electronically serve notice of the filing of this document on counsel for all parties.

/s/ N. Trevor Alexander
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**

6/16/2023 5:24:00 PM

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 Mr. N. Trevor Alexander on behalf of Duke Energy Ohio, Inc..