

4. On April 19, 2010, the Commission issued its *Order Granting the Parties Request for Extension of Time to File Procedural Schedule*, giving the parties until April 30, 2010 to file their proposed procedural schedule. The parties continue to discuss possible settlement of this matter.

5. The Active Parties to this case request the Commission accept this late filed proposed procedural schedule.

6. Settlement negotiations were extended and when it became apparent a procedural schedule may be necessary, the parties proceeded to prepare the above proposal.

7. No one will be prejudiced by the Commission granting this request.

WHEREFORE on behalf of the Active Parties to this case, Staff moves the Commission to permit the Parties to late file the attached Proposed Procedural Schedule.

Respectfully submitted,

/s/ Lera L. Shemwell

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, hand-delivered, or transmitted by facsimile or electronic mail to all counsel of record this 4th day of May, 2010.