***OCC EXHIBIT\_\_\_\_\_\_\_***

**BEFORE**

**THE PUBLIC UTILITIES COMMISSION OF OHIO**

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| In the Matter of the Application of Duke Energy of Ohio, Inc., for Approval of a Grid Modernization Opt-Out Tariff and for a Change in Accounting Procedures Including a Cost Recovery Mechanism. | )  )  )  )  ) | Case No. 14-1160-EL-UNC  Case No. 14-1161-EL-AAM |

**TESTIMONY**

**OF**

**JAMES D. WILLIAMS**

**On Behalf of**

**The Office of the Ohio Consumers' Counsel**

*10 West Broad Street, Suite 1800*

*Columbus, Ohio 43215-3485*

***September 18, 2015***

**TABLE OF CONTENTS**

**Page**

[I. INTRODUCTION 1](#_Toc430357075)

[II. PURPOSE OF MY TESTIMONY 3](#_Toc430357076)

[III. GENERAL DESCRIPTION OF THE APPLICATION 3](#_Toc430357077)

[IV. OBJECTIONS TO DUKE’S ADVANCED METER OPT-OUT TARIFF 4](#_Toc430357078)

[V. RECOMMENDATIONS 20](#_Toc430357079)

[vI. CONCLUSION 21](#_Toc430357080)

ATTACHMENTS

JDW-1 List of Previous Testimony Filed at the PUCO by James Williams

JDW-2 Duke response to OCC-INT-03-041

JDW-3 Fact Sheet from Duke’s website *Reading Your Meter*

JDW-4 Duke response to OCC-INT-02-035

JDW-5 Duke response to OCC-INT-02-034

JDW-6 Duke response to Staff-DR-01-002

JDW-7 Duke response to OCC-INT-02-021

JDW-8 Duke response to OCC-INT-02-022

JDW-9 Duke response to Staff-DR-01-008

JDW-10 Duke response to OCC-INT-02-025

JDW-11 Duke response to OCC-INT-02-026

JDW-12 Duke response to OCC-INT-02-036

JDW-13 Duke response to Staff-DR-03-009

JDW-14 Duke response to OCC-INT-01-009

JDW-15 Duke response to Staff-DR-03-008

JDW-16 Duke response to Staff-DR-03-010

JDW-17 Duke response to OCC-INT-01-003

JDW-18 Duke response to OCC-INT-02-030

# I. INTRODUCTION

***Q1. PLEASE STATE YOUR NAME, BUSINESS ADDRESS, AND POSITION.***

***A1*.** My name is James D. Williams. My business address is 10 West Broad Street, 18th Floor, Columbus, Ohio 43215-3485. I am employed by the Office of the Ohio Consumers’ Counsel (“OCC”) as a Senior Utility Consumer Policy Analyst.

***Q2. PLEASE BRIEFLY SUMMARIZE YOUR EDUCATION AND PROFESSIONAL EXPERIENCE***

***A2.*** I am a 1994 graduate of Webster University, in St. Louis, Missouri, with a Master of Business Administration, and a 1978 graduate of Franklin University, in Columbus, Ohio, with a Bachelor of Science, Engineering Technology. My professional experience includes a career in the United States Air Force and over 19 years of utility regulatory experience with the OCC.

Initially, I served as a compliance specialist with the OCC and my duties included the development of compliance programs for electric, natural gas, and water industries. Later, I was designated to manage all of the agency’s specialists who were developing compliance programs in each of the utility industries. My role evolved into the management of the OCC consumer hotline, the direct service provided to consumers to resolve complaints and inquiries that involved Ohio utilities. More recently, following a stint as a Consumer Protection Research Analyst, I was promoted to a Senior Utility Consumer Policy Analyst. In this role, I am responsible for developing and recommending policy positions on utility issues that affect residential consumers.

I have been directly involved in the development of comments in various rulemaking proceedings at the Public Utilities Commission of Ohio (“PUCO”) and the Ohio Development Services Agency. Those comments included advocacy for consumer protections, affordability of utility rates, and the provision of reasonable access to essential utility services for residential consumers. Additionally, I helped formulate OCC’s comments in the Electric Service and Safety Standards rules,[[1]](#footnote-1) set forth in Ohio Administrative Code 4901:1-10. I also was involved in preparing OCC’s Initial Objections that were filed in this case on August 27, 2014.

***Q3. HAVE YOU PREVIOUSLY SUBMITTED TESTIMONY OR TESTIFIED BEFORE THE PUCO?***

***A3*.** Yes. The cases in which I have submitted testimony and/or have testified before the PUCO can be found in Attachment JDW-1.

# II. PURPOSE OF MY TESTIMONY

***Q4*. *WHAT IS THE PURPOSE OF YOUR TESTIMONY IN THIS PROCEEDING?***

***A4****.* The purpose of my testimony is to make recommendations to the PUCO that are fair for consumers in response to Duke’s application to establish a tariff for consumers who want to maintain a traditional (not advanced) meter in their homes.[[2]](#footnote-2)

# III. GENERAL DESCRIPTION OF THE APPLICATION

***Q5. CAN YOU BRIEFLY DESCRIBE DUKE’S ADVANCED METER OPT-OUT APPLICATION?***

***A5.*** Yes. Duke has proposed a one-time charge that would apply to residential customers who do not want their traditional meter replaced with an advanced meter as part of Duke’s Smart Grid program.[[3]](#footnote-3) In addition, the charge would apply to any customer who in the future requests to have an advanced meter replaced with a non-advanced meter.[[4]](#footnote-4) Duke proposes to charge residential customers a one-time fee of $1,037.10 to opt out of having an advanced meter at their homes and instead to have their electricity usage metered with a non-advanced meter. Duke proposes to lower the one-time charge to $126.70 if the PUCO authorizes deferral of the alleged implementation costs (meaning Duke could attempt to someday charge all customers), which Duke claims to total $777,957.50.[[5]](#footnote-5) Duke also claims that it would incur $353,468.68 in “ongoing annual costs.”[[6]](#footnote-6) Because of these alleged costs, Duke proposes to charge each customer who opts-out of having an advanced meter $40.63 each month to perform a manual meter read of the non-advanced meter.

# IV. OBJECTIONS TO DUKE’S ADVANCED METER OPT-OUT TARIFF

***Q6. PLEASE PROVIDE A BRIEF SUMMARY OF OCC’s OBJECTIONS TO THE DUKE ADVANCED METER OPT-OUT APPLICATION?***

***A6.*** Duke’s Application does not result in charges (for its customers to pay) that are just and reasonable. As shown later in this testimony, Duke’s estimate of the costs involved to implement and maintain the advanced meter opt-out program appear to be overstated and unsupported. Authorization for utility cost recovery from customers should only occur in an appropriate regulatory proceeding where all expenses and revenues of the utility are examined to ensure that the rates charged to customers are just and reasonable.[[7]](#footnote-7) The PUCO’s rules permit an electric utility to establish charges for customers opting-out of an advanced meter.[[8]](#footnote-8) But the rules also contemplate special tariff provisions related to circumstances that are not addressed by rules.[[9]](#footnote-9) Because Duke’s advanced meter deployment is just now reaching completion, there has not been an opportunity for a full evaluation of the impact that the advanced meter deployment had on reducing Duke’s operating costs. Without such an evaluation, there is no reason to believe that Duke is not already sufficiently recovering its costs through existing rates to provide customers with the ability to not have an advanced meter. In fact, Duke is continuing to perform meter reads for customers who have requested to not have an advanced meter[[10]](#footnote-10) and to provide the option for customers to provide meter reads to the utility.[[11]](#footnote-11)

***Q7.* *IS THERE AN UPCOMING CASE WHERE THE MATTER OF DUKE’S COSTS AND PROPOSED CHARGES TO CUSTOMERS TO IMPLEMENT THE ADVANCED METER OPT-OUT IS MORE APPROPRIATELY EXAMINED?***

***A7.*** Yes. Duke is required to file an electric distribution rate case in the first year after completing its SmartGrid deployment.[[12]](#footnote-12) My understanding is that the deployment was to be completed by the middle of 2015.[[13]](#footnote-13) Based on recent information provided by Duke, the large-scale deployment of SmartGrid was substantially complete as of December 2014.[[14]](#footnote-14) The test year to be used in the base rate application should reflect the reduced operating expenses that are attributable to the SmartGrid. These reductions in the operating expenses can be evaluated concurrent with the revenues Duke is collecting from customers to enable a more reasonable assessment of the overall costs involved in providing the advanced meter opt out. While the exact timing of the future rate case is currently uncertain, the PUCO should consider this to be a special circumstance[[15]](#footnote-15) where separate charges on customers to opt-out of the advanced meter should not be allowed at this time.

***Q8.* *ARE THERE OTHER REASONS WHY THE PUCO SHOULD PROTECT CUSTOMERS FROM PAYING ADVANCED METER OPT-OUT CHARGES AT THIS TIME?***

***A8.*** Yes. As explained later in this testimony, Duke’s cost estimates for serving customers who wish to opt-out appear to be inflated because they include new rates for services that Duke currently provides to customers without separate charges. In addition, Duke’s estimate of the initial number of customers who might choose not to have an advanced meter appears to be inaccurate. And the actual number of customers who would be subject to the advanced meter opt-out tariff will likely decrease over time if Duke provides other alternatives to help address customer-specific concerns with advanced meters. Finally, the magnitude of the advanced meter opt-out charges as proposed by Duke could force customers into having advanced meters against their wishes.

***Q9. DO DUKE’S PROPOSED CHARGES FOR CUSTOMERS TO PAY VIOLATE THE RATE DESIGN PRINCIPLE OF GRADUALISM?***

***A9.*** Yes.

***Q10. PLEASE EXPLAIN.***

***A10.*** In establishing rates and charges, state utility commissions will often consider the magnitude of the proposed increase and the impact on customers. When faced with the prospect of a hefty $1,037.10 one-time charge and a recurring monthly meter-reading charge of $40.63 (or $487.56 annually), I suspect that the 725 customers[[16]](#footnote-16) that Duke anticipates participating in the advanced meter opt-out will feel pressured into taking an advanced meter against their wishes.

Duke’s attempts to force customers to subscribe to advanced meter technology is inconsistent with the PUCO rules. The PUCO’s rules give customers the option to decide if they want to have an advanced meter. Ohio Adm. Code 4901:1-10-05(J)(1) requires:

An electric utility shall provide customers with the *option* to remove an installed advanced meter and replace it with a traditional meter, and the *option* to decline installation of an advanced meter and retain a traditional meter …. (Emphasis added.)

But, the high charges proposed by Duke are not reasonable and would impede many customers from exercising the option to not have an advanced meter as provided under the PUCO’s rules. Based on Duke’s rates that were in effect in July 2015, the average annual cost of electricity for a residential family using 750 kWh per month is approximately $1,144.08. As proposed by Duke, the additional first year’s charges associated with the advanced meter opt-out would increase an average customer’s annual cost of electricity to $2,768.74 – **a 142 percent increase!** Assuming no change in rates, the monthly meter reading charge in the advanced meter opt-out tariff would result in **a 43 percent increase** in an average customer’s annual cost of electricity after the initial year. Gradualism requires changes to occur in gradual steps rather than in a single drastic change at one time. By ignoring the concept of gradualism, Duke is using the advanced meter opt-out as a way to coerce customers to have an advanced meter, even if they do not want one.

***Q11. DO YOU HAVE AN OPINION ABOUT DUKE’S PROPOSED COSTS RELATED TO THE PROPOSED ADVANCED METER OPT-OUT APPLICATION?***

***A11.*** Yes. Duke’s estimate of the costs involved to implement and maintain the advanced meter opt-out program appear to be overstated and unsupported. Furthermore, the proposed costs do not appear to be incremental to and above what Duke is already collecting from consumers in base rates and/ or through the grid modernization rider. Duke’s Application results in a violation of PUCO rules because the proposed deferral of costs would result in all customers paying for the advanced meter opt-out service and not just those customers who have caused the cost by electing to receive the service.[[17]](#footnote-17)

***Q12. PLEASE EXPLAIN HOW DUKE CALCULATED THE ONE-TIME CHARGE OF $1,037.10.***

***A12.*** Duke provided very few details in its application as to how the one-time costs were estimated. Duke claimed that there are $777,997.50 in one-time costs spread among Metering Services ($54,737.50), Distribution Maintenance ($37,120.00), and Information Technology (“IT”) Systems ($686,140.00). The one-time charge to customers of $1,037.10 was determined by dividing the total of the alleged one-time costs by the 725 customers Duke expects will participate in the advanced meter opt-out.

***Q13. IS DUKE’S ESTIMATE OF $686,140 TO MODIFY THE INFORMATION TECHNOLOGY SYSTEMS REASONABLE?***

***A13.*** No. Prior to the deployment of the smart meters, Duke had the functionality within its IT systems to bill customers based upon actual meter reads performed by the utility, usage information provided by customers, or estimates of the amount of usage. For customers who are objecting to having an advanced meter, Duke currently renders bills to these customers without modification to the IT systems. In fact, in its response to OCC-INT-02-035 (attached herein as JDW-4), Duke admitted that changes in the Customer Management System were not necessary in order to bill the usage of customers who opted out from having an advanced meter. Furthermore, Duke admitted in its response to OCC-INT-02-034 (attached herein as JDW-5) that changes in the Customer Management System were not necessary for Duke to continue to bill the usage of customers who opted out from having an advanced meter. Seemingly, the primary change that Duke is making to the Customer Management Systems is the ability to bill customers for the advanced meter opt-out fee.[[18]](#footnote-18) But there is no indication that the costs to perform these changes are incremental to costs Duke is already recovering from customers through base rates. When asked about the total annual costs for billing system changes that Duke incurred during the test year for its last electric distribution rate case, Duke responded that the information was not available.[[19]](#footnote-19) When asked about the total annual costs for billing system changes that Duke has incurred each year since the last distribution rate case, Duke responded that the information was not available.[[20]](#footnote-20) To the extent that cost information is not available, Duke is unable to demonstrate that the proposed IT costs are just and reasonable.

***Q14. IS DUKE’S ESTIMATE OF $54,737.50 TO PERFORM METERING SERVICES REASONABLE?***

***A14.*** No. Duke claims that it will incur $54,737.50 in upfront costs to purchase, store, repair, and test non-AMI meters.[[21]](#footnote-21) Because customers who have refused an advanced meter already have a traditional meter, Duke has no need to purchase, store, test, and repair 725 non-advanced meters. In addition, should the need arise, Duke can use some of the fully functional, used and useful traditional meters that customers have already paid for in base rates and that were replaced by advanced meters during the smart meter deployment. Finally, Duke has not demonstrated that any metering service costs are incremental to the costs Duke currently receives from customers through base rates. When asked about the total annual costs for metering capabilities that Duke incurred during the test year for its last electric distribution rate case, Duke responded that the information was not available.[[22]](#footnote-22) When asked about the total annual costs for metering capabilities that Duke has incurred each year since the last distribution rate case, Duke responded that the information was not available.[[23]](#footnote-23) To the extent that cost information is not available, Duke is unable to demonstrate that the proposed Metering Service costs are just and reasonable.

***Q15. IS DUKE’S ESTIMATE OF $37,120.00 TO PERFORM DISTRIBUTION MAINTENANCE REASONABLE?***

***A15.*** No. Duke claims that it will incur these costs to install non-advanced meters and to install additional communication devices. However, the majority of customers who might choose not to have an advanced meter already have a traditional meter, and Duke does not need to install a new meter. Duke estimated that it would need $4,453.68 to purchase additional communication devices.[[24]](#footnote-24) However, this estimate is not substantiated, and in fact, no additional communication devices have been needed for the customers who have already requested to not have an advanced meter.[[25]](#footnote-25)

***Q16. PLEASE EXPAIN HOW DUKE CALCULATED THE RECURRING MONTHLY CHARGE OF $40.63.***

***A16.*** Duke also provided very few details as to how the recurring monthly charge was calculated in the Application. Duke contends there will be an annual recurring cost of $353,468.68 spread between Metering Services ($349,015.00) and Distribution Maintenance ($4,453.68). The recurring monthly charge of $40.63 was determined by dividing Duke’s estimate of the monthly costs by the 725 customers Duke assumes will choose not to have an advanced meter.

***Q17. IS DUKE’S ESTIMATED COST OF $349,015.00 FOR METERING SERVICES REASONABLE?***

***A17.*** No. Duke has assumed that there will be a monthly meter read for each customer who chooses not to have an advanced meter and that each meter read will entail an hour of work.[[26]](#footnote-26) However, Duke has not substantiated the hour required for each meter read. In fact, Duke should be able to more effectively plan the routes for their meter readers to enable multiple reads to be performed within an hour. In addition, Duke has not considered any alternatives to a monthly meter read by a meter reader. Such alternatives would be for Duke to perform the reads on a quarterly basis or for customers to read their own meters and report the reading to Duke.[[27]](#footnote-27) Ohio Adm. Code 4901:1-10-05(I)(1) requires an electric utility to make reasonable efforts to read a meter each billing period and to ensure each meter is actually read on an annual basis. The Rule also allows for the customer and the electric utility to agree to other arrangements. Providing advanced meter opt-out customers with the option to do their own meter reading can reduce Duke’s costs and help reduce the expense for customers. Finally, Duke has not demonstrated that the metering service costs are incremental to the costs customers are already paying in base rates. As of August 2014, Duke employed 42 meter readers in Ohio,[[28]](#footnote-28) which is a reduction from the 74 meter readers that were already included in base rates from the last distribution rate case.[[29]](#footnote-29) This should be a sufficient number of meter readers to perform manual meter reads for the 725 customers Duke assumes will participate in the advanced meter opt-out.

***Q18.* *DOES DUKE’S PROPOSED RECURRING MONTHLY CHARGE GUARANTEE TRADITIONAL-METERED CUSTOMERS WILL RECEIVE AN ACTUAL METER READING EACH MONTH?***

***A18.*** No. Based upon Duke’s response to OCC-INT-01-008 (attached herein as JDW-17), the $40.63 recurring monthly charge will be assessed even if Duke does not perform an actual meter read.

***Q19.* *IS DUKE’S ESTIMATED COST OF $4,453.68 FOR DISTRIBUTION MAINTENANCE REASONABLE?***

***A19.*** No. Duke included $4,453.68 for purchasing, locating, and installing additional communication devices that may be necessary to read meters of customers who have chosen not to have an advanced meter.[[30]](#footnote-30) But in its response to OCC-INT-02-036 (attached herein as JDW-17), Duke stated that it has experienced no communications gaps as a result of customers who refused an advanced meter. Considering that Duke’s deployment of electric advanced meters is substantially complete, there is no practical basis for assuming that there will be communications gaps because of customers without an advanced meter in the future. Duke’s request to charge customers for these alleged costs to the advanced meter opt-out charge is unfounded and unreasonable.

***Q20. DO THE TRENDS IN THE NUMBER OF CUSTOMERS WHO HAVE REFUSED AN ADVANCED METER SUPPORT YOUR RECOMMENDATION THAT THE PUCO SHOULD NOT ALLOW THE ADVANCED METER OPT-OUT CHARGES AT THIS TIME?***

***A20.*** Yes. Duke expects that 725 residential customers, or around 0.1 percent of the total number of residential customers in its service territory, will choose not to have an advanced meter.[[31]](#footnote-31) In response to OCC-INT-01-003,[[32]](#footnote-32) Duke claimed that 325 residential customers refused installation of an advanced meter over the course of Duke’s Smart Grid deployment. Duke’s estimate also included another 400 residential customers with what Duke categorized as “hard-to-access meters.” However, as of May 2015, only 105 residential customers, or 0.016 percent of the total number of Duke residential customers, refused an advanced meter and are being served with a non-advanced meter.[[33]](#footnote-33) Therefore the number of customers who have refused an advanced meter decreased from 325 in August 2014 to 105 by May 2015. This occurred without the one-time charge of $1,037.10 and the monthly meter reading charge of $40.63 proposed by Duke. Furthermore, providing traditional metered service to this small number of customers doesn’t appear to financially impact Duke.

***Q21. DOES DUKE’S APPLICATION INCLUDE TARIFF LANGUAGE THAT MIGHT LIMIT THE OPTIONS FOR CUSTOMERS WHO CHOOSE NOT TO HAVE AN ADVANCED METER?***

***A21.*** Yes. The terms and conditions that Duke included within its proposed tariffs can serve to further limit the number of customers who might choose not to have an advanced meter at their homes. For example, Duke claims it has the right to refuse advanced meter opt-out service if customers do not provide access to meters. Duke also proclaims the right to refuse to provide advanced meter opt-out service to customers with a history of tampering or theft. But in its Entry on Rehearing in Case 12-2050-EL-ORD, the PUCO rejected Duke’s proposal that it be able to deny advanced meter opt-out service to customers with inside meters and those whom Duke allege to have a history of fraud and theft.[[34]](#footnote-34) Duke’s inclusion of these restrictions in its Application is counter to the PUCO’s ruling in the Entry on Rehearing.

***Q22. DO YOU HAVE ANY ADDITIONAL OBJECTIONS TO DUKE’S ADVANCED METER OPT-OUT APPLICATION?***

***A22.*** Yes. I have three additional general objections.

First, as I have mentioned earlier, Duke appears to be using the advanced meter opt-out tariff as a punitive measure to force customers to have an advanced meter against their wishes. There is no indication that Duke is working with customers to address their specific concerns with advanced meters. For example, there is no indication Duke will turn off the communications function of the advanced meter or will relocate meters to address customer concerns. Yet, the PUCO requires Duke to work with customers to provide alternatives to the advanced meter opt-out tariff.[[35]](#footnote-35) When alternatives are not provided, Duke’s customers are at a disadvantage in making an informed decision regarding their participation in the advanced meter opt-out tariff.

Second, Duke proposed deferring some of the implementation costs to reduce the magnitude of the one-time charges to $126.70.[[36]](#footnote-36) However, Duke provided no support for the alternative one-time charge. Authorizing a deferral of these costs is unreasonable because it diverts costs from the cost causers to then have all customers pay. Duke has failed to demonstrate that any of the costs associated with the advanced meter opt-out are incremental to cost recovery customers already pay in base rates.

Third, Duke does not explain how and when the deferred amount would ultimately be collected from customers. Duke also does not explain whether it proposes to collect carrying charges on the deferred amount and, if so, at what rate.

# V. RECOMMENDATIONS

***Q23. CAN YOU SUMMARIZE YOUR RECOMMENDATIONS?***

***A23.*** Yes. I recommend that the PUCO reject both the one-time and the recurring monthly charges at this time. Duke’s revenues and expenses can be examined more fully on this issue, during a future rate case. In addition, to protect customers from future Duke requests for charges on electric bills, I recommend that the PUCO not authorize the deferral of any of the alleged costs that Duke claims are associated with the advanced meter opt-out. Also, Duke should be required to provide alternatives to monthly meter reads such as allowing customers to read their meters, to reduce Duke’s costs. Finally, when more accurate estimates of the number of customers who are interested in the advanced meter opt-out are available, Duke should be required to minimize its implementation costs in a number of ways. These ways include Duke reusing pre-existing billing system capabilities, through efficiencies in meter reading routes, and more fully examining technical issues, such as the communications gaps, to determine if more communication devices are really required.

# vI. CONCLUSION

***Q24. DOES THIS CONCLUDE YOUR TESTIMONY?***

***A24.*** Yes. However, I reserve the right to incorporate new information that may subsequently become available through outstanding discovery or otherwise.

**CERTIFICATE OF SERVICE**

It is hereby certified that a true copy of the foregoing *Testimony of James D. Williams on Behalf of the Office of the Ohio Consumers’ Counsel* has been served via electronic transmission this 18th day of September 2015.

*/s/Terry L. Etter*

Terry L. Etter

Assistant Consumers’ Counsel

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1. *In the Matter of the Commission’s Review of Chapter 4901:1-10, Ohio Administrative Code*, Case No. 12-2050-EL-ORD. [↑](#footnote-ref-1)
2. An advanced meter is defined in Ohio Adm. Code 4901:1-10-01(A) as “any electric meter that meets the pertinent engineering standards using digital technology and is capable of providing two-way communications with the electric utility to provide usage and/or other technical data.” Duke uses the same definition in the proposed tariff attached to the Application. [↑](#footnote-ref-2)
3. Apparently, this charge would apply even if Duke does not replace an advanced meter with a traditional meter. The proposed tariff attached to the Application states the charge applies to residential customers who “request a traditional meter rather than an advanced meter….” [↑](#footnote-ref-3)
4. A non-advanced meter is the same as a traditional meter. Under Ohio Adm. Code 4901:1-10-01(FF), a traditional meter is “any meter with an analog or digital display that does not have the capability to communicate with the utility using two-way communications.” Duke uses the same definition in the proposed tariff attached to the Application. [↑](#footnote-ref-4)
5. See Application at 3. [↑](#footnote-ref-5)
6. See id. [↑](#footnote-ref-6)
7. Ohio Revised Code 4909.15(A). [↑](#footnote-ref-7)
8. Ohio Adm. Code 4901:1-10-05(J)(1): “An electric utility shall provide customers with the option to remove an installed advanced meter and replace it with a traditional meter, and the option to decline installation of an advanced meter and retain a traditional meter, including a cost-based, tariffed opt-out service.” [↑](#footnote-ref-8)
9. Ohio Adm. Code 4901:1-10-05(J)(5)(b)(i): “In the event special tariff provisions are required due to circumstances not addressed in this rule, the electric utility shall address those circumstances in its tariff application, but shall make its best efforts to maintain consistency with the rules herein.” [↑](#footnote-ref-9)
10. Duke response to OCC-INT-03-041 (attached herein as JDW-2). [↑](#footnote-ref-10)
11. <http://www.duke-energy.com/ohio/billing/read-meter.asp> Reading Your Meter (Attached herein as JDW-3). [↑](#footnote-ref-11)
12. *In the Matter of the Application of Duke Energy Ohio, Inc. to adjust and Set Its Gas and Electric Rate for 2010 SmartGrid Costs Under Riders AU and Rider DR-IM and Mid-deployment Review of AMI/SmartGrid Program,* Case No. 10-2326-GE-RDR, Stipulation and Recommendation (February 24, 2010) at 7*.* [↑](#footnote-ref-12)
13. The settlement in Case No. 10-2326-EL-RDR states that full deployment means that “all SmartGrid hardware and systems necessary to generate the benefits set forth in Attachment 2, Column 2015” to the stipulation. Id. at 6, n.4. The settlement goes on to state that “[t]he point in time when full deployment occurs or has been achieved shall be determined by the Staff of the Commission based upon information provided by the Company.” Id. [↑](#footnote-ref-13)
14. *In the Matter of the Application Of Duke Energy Ohio, Inc., to Adjust Rider DR-IM and Rider AU for 2014 Grid Modernization Costs,* Case No. 15-883-GE-RDR, Direct Testimony of Donald Schnieder (June 4, 2015) at 3. [↑](#footnote-ref-14)
15. As referenced in the Ohio Adm. Code 4901:1-10-05(J)(5)(b)(i). [↑](#footnote-ref-15)
16. Application at 3. [↑](#footnote-ref-16)
17. Ohio Adm. Code 4901:1-10-05(J)(5)(e). [↑](#footnote-ref-17)
18. Duke’s response to Staff-DR-01-002 (attached herein as JDW-6). [↑](#footnote-ref-18)
19. Duke’s response to OCC-INT-02-021 (attached herein as JDW-7). [↑](#footnote-ref-19)
20. Duke’s response to OCC-INT-02-022 (attached herein as JDW-8). [↑](#footnote-ref-20)
21. Duke’s response to Staff-DR-01-008 (attached herein as JDW-9). [↑](#footnote-ref-21)
22. Duke’s response to OCC-INT-02-025 (attached herein as JDW-10). [↑](#footnote-ref-22)
23. Duke’s response to OCC-INT-02-026 (attached herein as JDW-11). [↑](#footnote-ref-23)
24. Id. [↑](#footnote-ref-24)
25. Duke’s response to OCC-INT-02-036 (attached herein as JDW-12). [↑](#footnote-ref-25)
26. Duke’s response to Staff-DR-03-009 (attached herein as JDW-13). [↑](#footnote-ref-26)
27. Duke’s response to OCC-INT-01-009 (attached herein as JDW-14). [↑](#footnote-ref-27)
28. Duke’s response to Staff-DR-03-0008 (attached herein as JDW-15). [↑](#footnote-ref-28)
29. Duke’s response to Staff-DR-03-010 (attached herein as JDW-16). [↑](#footnote-ref-29)
30. Application at 8. [↑](#footnote-ref-30)
31. Application at 3. [↑](#footnote-ref-31)
32. Duke’s response to OCC-INT-01-003 (attached herein as JDW-17). [↑](#footnote-ref-32)
33. Duke’s response to OCC-INT-02-030 (attached herein as JDW-18). [↑](#footnote-ref-33)
34. Case 12-2050-EL-ORD, EOR, (December 18, 2013 at 6). [↑](#footnote-ref-34)
35. 12-2050-EL-ORD, Entry on Rehearing (December 18, 2013 at 3). [↑](#footnote-ref-35)
36. Application at 3-4. [↑](#footnote-ref-36)