

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of The)
Cincinnati Gas and Electric Company for an) Case No. 01-1228-GA-AIR
Increase in Its Gas Rates in Its Service)
Territory.)

In the Matter of the Application of The)
Cincinnati Gas and Electric Company for) Case No. 01-1539-GA-AAM
Approval to Change Accounting Methods.)

ENTRY

The Attorney Examiner finds:

- (1) On May 30, 2002, the Commission issued its Opinion and Order in the above referenced cases approving, among other things, the Stipulation that authorized the creation of an Accelerated Main Replacement Program (AMRP) rider for The Cincinnati Gas and Electric Company now known as Duke Energy Ohio, Inc. (Duke). Pursuant to the AMRP provisions of the Stipulation, Duke filed its intent to file an application for an increase in the AMRP rider rates on November 30, 2006. Pursuant to the entry issued December 19, 2002, the test year is the 12 months ending December 31, 2006 and the date certain is December 31, 2006. Accordingly, Duke shall file its application and an update of actual test year data by no later than February 28, 2007.
- (2) In accordance with the approved Stipulation, the goal is for the Commission to issue a decision on the proposed amendment to the AMRP rider for implementation by the first billing cycle of May. As in previous years, the Attorney Examiner finds that to accomplish this goal it is necessary to establish a definitive procedural schedule:
 - (a) Pursuant to the Stipulation, Staff's recommendation and any other party's objections, if any, to Duke's application shall be docketed as soon as possible but no later than March 16, 2007. Staff's recommendation and any objections filed shall also be electronically

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transmitted (e-mailed) or faxed to all other parties.

- (b) If the Staff finds any aspect of the application to be unjust or unreasonable or if any party files an objection, Duke shall have until March 23, 2007 to file a statement indicating whether such objections have been resolved.
- (c) Unless otherwise agreed to by the parties, discovery requests shall be served upon Duke electronically (e-mail) where feasible or by fax and are due within seven calendar days after service. For example, if discovery requests are served on a party at 10:00 a.m. on March 1, responses are due by 6:00 p.m. on March 8. Service of discovery requests after 5:00 p.m. shall be considered served on the next business day. The last day to serve discovery requests shall be March 27, 2007.
- (d) In the event a hearing is necessary, the hearing will commence on April 4, 2007 at 10:00 a.m., at the offices of the Commission, 180 East Broad Street, 11th floor, Hearing Room F, Columbus, Ohio.

It is, therefore,

ORDERED, That Duke file its application and an update of the actual test year data by no later than February 28, 2007. It is, further,

ORDERED, That Staff's recommendation and any party's objections are due by no later than March 16, 2007; that Duke file its statement indicating whether any issues raised by the Staff or other parties have been resolved by March 27, 2007. It is, further,

ORDERED, That the parties shall exchange discovery requests and responses electronically, to the extent feasible, and discovery request are due within seven days of service. The last day to serve discovery upon a party is March 27, 2007. It is, further,

ORDERED, That the hearing in these cases shall be scheduled to commence on April 4, 2007 at 10:00 a.m., at the offices of the Commission, in Hearing Room 11-F. It is, further,

ORDERED, That a copy of this entry be served upon all interested persons of record in these proceedings.

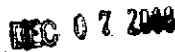
THE PUBLIC UTILITIES COMMISSION OF OHIO



By: Greta See
Attorney Examiner

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Entered in the Journal





Renee J. Jenkins
Secretary