

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of Vectren)
 Energy Delivery of Ohio, Inc. for Approval,)
 pursuant to Section 4929.11, Revised Code, of)
 a Tariff to Recover Conservation Expenses)
 and Decoupling Revenues Pursuant to Auto-) Case No. 05-1444-GA-UNC
 matic Adjustment Mechanisms and for such)
 Accounting Authority as May Be Required to)
 Defer Such Expenses and Revenues for Future)
 Recovery Through such Adjustment Mecha-)
 nisms.)

ENTRY

The attorney examiner finds:

- (1) On November 28, 2005, Vectren Energy Delivery of Ohio, Inc. (VEDO) filed an application for approval, pursuant to Section 4929.11, Revised Code, of a tariff to recover conservation expenses and decoupling revenues pursuant to automatic adjustment mechanisms and for such accounting authority as may be required to defer such expenses and revenues for future recovery through such adjustment mechanisms. VEDO's conservation rider would consist of a conservation funding component and a decoupled sales component. On February 7, 2006, the attorney examiner found that the application must be considered a request for an alternate rate plan as described in Section 4929.01(A), Revised Code, and thus the process would be controlled by Section 4929.05, Revised Code.
- (2) On April 10, 2006, VEDO, Ohio Partners for Affordable Energy (OPAE) and the Ohio Consumers' Counsel (OCC) filed a Stipulation and Recommendation (April Stipulation) for the purpose of resolving the issues in this proceeding. The staff of the Commission (Staff) opposed the April Stipulation through testimony and post-hearing brief.
- (3) On September 13, 2006, the Commission issued its Opinion and Order in this case and approved the April Stipulation as modified by the Opinion and Order. On November 8, 2006, the Commission denied the application for rehearing filed by OCC.

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- (4) On December 8, 2006, OCC filed a Notice of Termination and Withdrawal from Stipulation. OCC stated that the filing was made pursuant to the April Stipulation provision that included the right of a signatory party to terminate and withdraw from the April Stipulation by filing notice within thirty days of the entry on rehearing, if the Commission did not adopt the April Stipulation in its entirety without material modification. OCC offers that, in accordance with the April Stipulation, a hearing should be conducted.
- (5) On December 21, 2006, a second Stipulation and Recommendation (December Stipulation) was filed by VEDO, OPAE and Staff (signatory parties). The signatory parties requested that the Commission affirm the September 13, 2006, Opinion and Order that adopted and modified the April Stipulation, based on the existing record, without further hearing. The signatory parties further requested that the Sales Reconciliation Rider and deferral mechanism adopted in the September 13, 2006, Opinion and Order, continue to be effective, as of the date of the order.
- (6) By entry dated December 29, 2006 (December 29 Entry), the attorney examiner noted that OCC had withdrawn from the April Stipulation and determined that a hearing regarding the December Stipulation should be held. Further, the attorney examiner ordered the signatory parties to file a document which sets out all the terms and conditions of the December Stipulation.
- (7) On January 12, 2007, pursuant to the attorney examiner's entry of December 29, 2006, the signatory parties filed an amended Stipulation and Recommendation (January Stipulation).
- (8) A prehearing conference was held on January 22, 2007.
- (9) The following procedural schedule should be adopted for consideration of the January Stipulation:
 - (a) Discovery requests, except for depositions, should be served by February 7, 2007.
 - (b) Testimony should be filed by February 21, 2007.

- (c) The evidentiary hearing shall commence on February 28, 2007, at 10:00 a.m., at the offices of the Commission, Hearing Room 11-C, 180 E. Broad St., Columbus, Ohio 43215.

It is, therefore,

ORDERED, That the procedural schedule for this proceeding be adopted as set forth in Finding (9). It is, further,

ORDERED, That an evidentiary hearing commence on February 28, 2007, at 10:00 a.m., at the offices of the Commission, Hearing Room 11-C, 180 E. Broad St., Columbus, Ohio 43215. It is, further,

ORDERED, That a copy of this entry be served upon all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

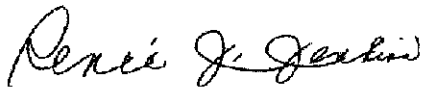


By: Gregory A. Price
Attorney Examiner

/ct *for*

Entered in the Journal

JAN 23 2007



Renee J. Jenkins
Secretary