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John J. Finnigan, Jr.
Associate General Counsel

NC FILE

VIA OVERNIGHT MAIL

May 22, 2007

The Public Utilities Commission of Ohio
Docketing
180 East Broad Street
Columbus, Ohio 43255-0573

Re: In the Matter of the Application of Duke Energy Ohio, Inc. for Approval of Changes to its Retail Electric Service Tariff (P.U.C.C.O. No. 19) to add New Three-Phase Residential Service
PUCO Case No. 07-626-EL-ATA

Dear Sir or Madam:

Enclosed please find an original and 12 copies of the Application in the above-referenced case submitted by Duke Energy Ohio, Inc.

Please date-stamp and return the extra copies of the filing in the self-addressed envelope provided with this letter.

Should you have any questions, please call me at (513) 287-3601.

Thank you.

Sincerely,

John J. Finnigan, Jr.
Associate General Counsel

JJF/sew

This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business.
Technician Date Processed 5-23-07

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application)
of Duke Energy Ohio, Inc. for)
Approval of Changes to its)
Retail Electric Service Tariff)
(P.U.C.O. No. 19) to add New)
Three-Phase Residential Service)

Case No. 07- 626-EL-ATA

APPLICATION

1. APPLICANT RESPECTFULLY PROPOSES: (Check applicable proposals)

<input checked="" type="checkbox"/> New Service	<input type="checkbox"/> Change in Rule or Regulation
<input type="checkbox"/> New Classification	<input type="checkbox"/> Reduction Rates
<input type="checkbox"/> Change in Classification	<input type="checkbox"/> Correction of Error
<input type="checkbox"/> Other, not involving increase in rates.	
<input type="checkbox"/> Various related and unrelated textual revision, without change in intent	

2. DESCRIPTION OF PROPOSAL: This application is made pursuant to Section 4909.18, Ohio Revised Code, and requests approval of language changes in applicant's Retail Electric Tariff to provide a new service that will allow residential consumers to receive three-phase electric service under the applicable terms of the tariff.

3. TARIFFS AFFECTED: (If more than 2, use additional sheets)

P.U.C.O. Electric No. 19

Tariff Title: Schedule of Rates, Classifications, Rules and Regulations for Retail Electric Service of Duke Energy Ohio
New Original Sheet No. 35

4. Attached hereto and made a part hereof are: (Check applicable Exhibits)

☐ Exhibit A - existing schedule sheets (to be superseded) if applicable

x Exhibit B - proposed schedule sheet

 x Exhibit C-1

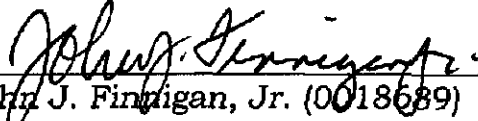
- (a) if new service is proposed, describe;
- (b) if new equipment is involved, describe (preferably with a picture, brochure, etc.) and where appropriate, a statement distinguishing proposed service from existing services;
- (c) if proposed service results from customer requests, so state, giving if available, the number and type of customers requesting proposed service

____ Exhibit C-2 - if a change of classification, rule or regulation is proposed, a statement explaining reason for change.

____ Exhibit C-3 - statement explaining reason for any proposal not covered in Exhibits C-1 or C-2.

- 5. This application will not result in an increase in any rate, joint rate, toll, classification, charge or rental.
- 6. Applicant respectfully requests the Commission to permit the filing of the rate schedule, to become effective on the date, subsequent to filing, to be shown on the proposed schedule that will be filed with the Commission; and to be in the form shown in Exhibit B.

DUKE ENERGY OHIO, INC.



John J. Finnigan, Jr. (0018689)
Associate General Counsel
Duke Energy Shared Services, Inc.
Room 2500, Atrium II
P.O. Box 960
Cincinnati, Ohio 45201-0960
(513) 287-3601

RATE R83P

RESIDENTIAL THREE-PHASE SERVICE

APPLICABILITY

Applicable to three phase electric service, for all domestic purposes in private residences and single occupancy apartments and separately metered common use areas of multi-occupancy buildings in the entire territory of the Company where (1) distribution lines are adjacent to the premises to be served, (2) the building load requires three phase service, and (3) where the Company has an existing 208Y/120V network grid.

Residences where not more than two rooms are used for rental purposes will also be included. Where all dwelling units in a multi-occupancy building are served through one meter and the common use area is metered separately, the kilowatt-hour rate will be applied on a "per residence" or "per apartment" basis, however, the customer charge will be based on the number of installed meters.

Where a portion of a residential service is used for purposes of a commercial or public character, the applicable general service rate is applicable to all service. However, if the wiring is so arranged that the service for residential purposes can be metered separately, this Rate will be applied to the residential service, if the service qualifies hereunder.

For customers taking service under any or all of the provisions of this tariff schedule, this same schedule shall constitute the Company's Standard Service Offer.

TYPE OF SERVICE

Alternating current 60 Hz, single phase at Company's standard secondary voltage.

NET MONTHLY BILL

Computed in accordance with the following charges:

	<u>Summer Period</u>	<u>Winter Period</u>
1. Distribution Charges		
(a) Customer Charge	\$6.50 per month	\$6.50 per month
(b) Energy Charge		
First 1,000 kilowatt-hours	\$0.019949 per kWh	\$0.019949 per kWh
Additional kilowatt-hours	\$0.019949 per kWh	\$0.019949 per kWh

Filed pursuant to an Order dated _____ In Case No. _____ before the Public Utilities Commission of Ohio.

Issued:

Effective:

Issued by Sandra P. Meyer, President

NET MONTHLY BILL (Contd.)

2. Applicable Riders

The following riders are applicable pursuant to the specific terms contained within each rider:

Sheet No. 57, Rider TCR, Transmission Cost Recovery Rider
Sheet No. 80, Rider RGR, Residential Generation Rider
Sheet No. 81, Rider EER, Energy Efficiency Revolving Loan Program Rider
Sheet No. 83, Rider OET, Ohio Excise Tax Rider
Sheet No. 84, Rider RTC, Regulatory Transition Charge Rider
Sheet No. 85, Rider SC, Shopping Credit Rider
Sheet No. 86, Rider USR, Universal Service Fund Rider
Sheet No. 89, Rider AG, Optional Alternative Generation Rider
Sheet No. 51, Rider AAC, Annually Adjusted Component Rider
Sheet No. 52, Rider DSMR, Demand Side Management Cost Recovery Rider
Sheet No. 53, Rider FPP, Fuel and Economy Purchased Power Rider
Sheet No. 54, Rider IMF, Infrastructure Maintenance Fund Rider
Sheet No. 55, Rider RSC, Rate Stabilization Charge Rider
Sheet No. 56, Rider SRT, System Reliability Tracker
Sheet No. 59, Rider RSS, Rate Stabilization Surcredit Rider
Sheet No. 103, Rider MSR-E, Merger Savings Credit Rider-Electric

3. Generation Charges

	<u>Summer Period</u>	<u>Winter Period</u>
Energy Charge		
First 1,000 kilowatt-hours	\$0.037553 per kWh	\$0.037553 per kWh
Additional kilowatt-hours	\$0.047581 per kWh	\$0.014169 per kWh

MINIMUM CHARGE

The minimum charge shall be the Customer Charge as stated above.

BILLING PERIODS

For purposes of administration of the above charges, the summer period is defined as that period represented by the Company's billing for the four (4) revenue months of June through September. The winter period is defined as that period represented by the Company's billing for the eight (8) revenue months of January through May and October through December.

LATE PAYMENT CHARGE

Payment of the total amount due must be received in the Company's office by the due date shown on the bill. When not so paid, an additional amount equal to one and one-half percent (1.5%) of the unpaid balance is due and payable.

The late payment charge is not applicable to:

- Unpaid account balances of customers enrolled in income payment plans pursuant to Section 4901:1-18-04(B), Ohio Administrative Code; and
- Unpaid account balances for services received from a Certified Supplier.

Filed pursuant to an Order dated _____ in Case No. _____ before the Public Utilities Commission of Ohio.

Issued:

Issued by Sandra P. Mayer, President

Effective:

Duke Energy Ohio
139 East Fourth Street
Cincinnati, Ohio 45202

P.U.C.O. Electric No. 19
Original Sheet No. 35
Page 3 of 3

ATTACHMENT B

TERMS AND CONDITIONS

This rate is available upon application in accordance with the Company's Service Regulations.

The Company is not obligated to extend, expand or rearrange its distribution system if it determines that existing distribution facilities are adequate to serve the customer's load.

The supplying and billing for service and all conditions applying thereto, are subject to the jurisdiction of the Public Utilities Commission of Ohio, and to the Company's Service Regulations currently in effect, as filed with the Public Utilities Commission of Ohio.

Filed pursuant to an Order dated _____ in Case No. _____ before the Public Utilities
Commission of Ohio.

Issued:

Issued by Sandra P. Meyer, President

Effective:

Exhibit C-1

Explanation of New Service

Duke Energy Ohio, Inc. ("DE-Ohio") requests approval of a change to its Retail Electric Service Tariff (P.U.C.O. Electric No. 19) pursuant to R. C. 4909.18. The purpose of this change is to add a new service that would make three-phase electric service available to residential consumers under certain circumstances outlined in the "Applicability" section of the tariff, which are set forth below.

This request originated from consumers, who filed the following complaint cases against DE-Ohio for not providing such a service: Case Nos. 07-196-EL-CSS, 07-197-EL-CSS, 07-198-EL-CSS, 07-253-EL-CSS, 07-263-EL-CSS, 07-265-EL-CSS, 07-271-EL-CSS, 07-281-EL-CSS, 07-300-EL-CSS, 07-322-EL-CSS, 07-379-EL-CSS, 07-392-EL-CSS, 07-397-EL-CSS, and 07-404-EL-CSS. These consumers own condominiums in a building in downtown Cincinnati known as "the American Building." The American Building was originally built as an office building, and was recently converted to condominiums. The building has three-phase interior wiring.

Three-phase wiring is generally used for higher electrical loads, such as the load for a large office building, which the American Building formerly was. DE-Ohio's current residential tariff is only available as single phase service, which is generally used for lower electrical loads. DE-Ohio has been serving the American Building condominium owners under Rate DM or Rate DS, which are DE-Ohio's current general tariffs for electric service, and which are available for three-phase or single-phase service. DE-Ohio currently does not have a tariff providing for residential three-phase service.

DE-Ohio entered into a partial stipulation and recommendation with the American Building condominium owners. The partial stipulation and recommendation provides for DE-Ohio to file an application for approval of a new tariff providing residential three-phase service. The Commission approved the partial stipulation and recommendation by Entry dated May 16, 2007 in the above-referenced cases. DE-Ohio files this application pursuant to the terms of the partial stipulation and recommendation, and the Commission's Entry.

The proposed new tariff would make three-phase electric service available to residential consumers provided that: (1) distribution lines are adjacent to the premises to be served; (2) the building load requires three-phase service; and (3) the Company has an existing 208Y/120V network

grid. This 208Y/120V network grid currently exists in DE-Ohio's core downtown area, as reflected on the map filed with the partial stipulation and recommendation in the above-referenced cases.

The proposed new tariff has a customer charge of \$6.50 per month, which is higher than the \$4.50 customer charge in DE-Ohio's current residential tariff. The proposed new tariff has a higher customer charge because the three-phase service requires a more expensive meter than the standard single-phase residential meter, and the customer charge recovers this cost. The energy charges are the same under both tariffs.