

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

Consolidated Duke Energy Ohio, Inc., Rate	)	Case Nos. 03-93-EL-ATA
Stabilization Plan Remand and Rider	)	03-2079-EL-AAM
Adjustment Cases.	)	03-2081-EL-AAM
	)	03-2080-EL-ATA
	)	05-724-EL-UNC
	)	05-725-EL-UNC
	)	06-1068-EL-UNC
	)	06-1069-EL-UNC
	)	06-1085-EL-UNC

ENTRY

The Commission finds:

- (1) On November 22, 2006, the Supreme Court of Ohio issued its decision in *Ohio Consumers' Counsel v. Pub. Util. Comm.*, 111 Ohio St. 3d 300, 2006-Ohio-5789, remanding certain issues to the Commission for further consideration in Cases 03-93-EL-ATA, 03-2079-EL-AAM, 03-2081-EL-AAM, AND 03-2080-EL-ATA. The additional, above-captioned cases were subsequently consolidated with the remanded proceedings.
- (2) On May 28, 2008, the Commission issued an entry relating to numerous documents that were filed under seal in these cases. In that entry, among other things, the Commission stated that a computer disk, showing copies of Commission-redacted documents, would be available no later than Friday, May 30, 2008. The Commission also stated that those documents would be filed publicly in these dockets on July 1, 2008, unless an application for rehearing had been filed prior to that date. The Commission's goal was to allow parties approximately 30 days for their review of the Commission's redactions.
- (3) Due to technical difficulties, the computer disk was not ready on the date promised. In order to allow the parties, as intended, approximately 30 days to review the Commission's redactions, the Commission will, through this entry, re-adopt all of the findings in the May 28, 2008, entry other than finding (14). Such findings are being re-adopted as if not previously considered.

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- (4) In place of the language in finding (14) of the May 28, 2008, entry, the following provisions will apply: The Commission-redacted documents will be filed publicly in these dockets on July 8, 2008, unless an application for rehearing is filed under Section 4903.10, Revised Code. Parties to these proceedings may contact the attorney examiners in order to receive an electronic copy (on a computer disk) of the documents, with highlighting to indicate the Commission's proposed redactions. The parties should understand that this copy of the information must be treated under the same confidentiality restrictions that apply to any previous copies or versions of the information that they have previously obtained, regardless of the medium in which, or the party from whom, such information was conveyed. Therefore, the disks, and the information thereon, are not to be copied or transmitted in any way to any other person or entity. As has been the case through the remand process with regard to those parties who have not entered into confidentiality agreements with Duke or its affiliates relating to this information, such information is also not to be shared by any counsel with his or her client or with any other person or entity.
- (5) The Commission's intention is that, if any party desires to file an application for rehearing with regard to the matters originally determined in the May 28, 2008, entry and re-adopted in the present entry, the deadline for filing such application for rehearing should be calculated on the basis of the present issuance date.

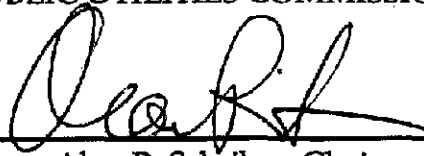
It is, therefore,

ORDERED, That all of the findings in the May 28, 2008, entry, other than finding 14, be re-adopted consistent with finding 3, herein. It is, further,

ORDERED, That the parties comply with the requirements of this entry. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO



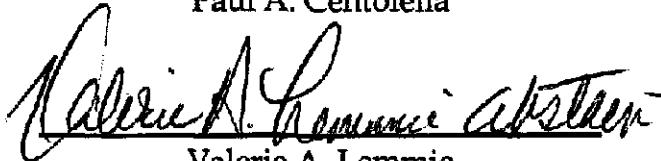
Alan R. Schriber, Chairman



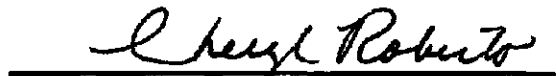
Paul A. Centolella



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Cheryl L. Roberto

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Entered in the Journal

**JUN 04 2008**



Renee J. Jenkins  
Secretary