

LARGE FILING SEPERATOR SHEET

CASE NUMBER: 08-709-EL-ATR
08-710-EL-ATA
08-711-EL-AAM

FILE DATE: 06-25-08

SECTION: Part 1 of 2

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DESCRIPTION OF DOCUMENT:

Pre-filing Notice of
Duke Energy Ohio, Inc.



FILE

200
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Cincinnati, Ohio 45201-0960
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Anita M. Schafer
Sr. Paralegal

VIA OVERNIGHT MAIL

June 24, 2008

Public Utilities Commission of Ohio
Docketing Division
13th Floor
180 East Broad Street
Columbus, OH 43215-3716

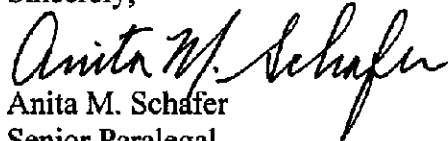
Re: Case No. 08-709-EL-AIR
Case No. 08-710-EL-ATA
Case No. 08-711-EL-AAM

Dear Sir or Madam:

Enclosed please find an original and 22 copies of the Application of Duke Energy Ohio for an Increase in Electric Distribution Rates and 22 copies of the Motion to Set Test Period and for Waiver of Certain Filing Requirements Under OAC 4901-7-01 in the above-referenced case.

Please return two file-stamped copies to me in the overnight mail envelope provided.

Sincerely,


Anita M. Schafer
Senior Paralegal

AMS/bsc

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BEFORE THE
PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of)	
Duke Energy Ohio, Inc. for an)	Case No. 08- 709-EL-AIR
Increase in Electric Distribution Rates)	
 In the Matter of the Application of)	
Duke Energy Ohio, Inc. for Tariff)	Case No. 08-710-EL-ATA
Approval)	
 In the Matter of the Application of)	
Duke Energy Ohio, Inc. for Approval)	Case No. 08-711-EL-AAM
to Change Accounting Methods)	

**PRE-FILING NOTICE
OF DUKE ENERGY OHIO, INC.**

PUCO
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2008 JUN 25 AM 9:43

June 24, 2008

Public Utilities Commission of Ohio
180 East Broad Street
Columbus, Ohio 43215-3793

Attention:

Ms. Renee J. Jenkins
Secretary to the Commission

Mr. Steven R. Brennen
Director, Utilities Department

Ms. Doris McCarter
Director, Service Monitoring and Enforcement Department

Re:

In the Matter of the Application of)	
Duke Energy Ohio, Inc. for an)	Case No. 08-709-EL-AIR
Increase in Electric Distribution Rates)	
 In the Matter of the Application of)	
Duke Energy Ohio, Inc. for Tariff)	Case No. 08-710-EL-ATA
Approval)	
 In the Matter of the Application of)	
Duke Energy Ohio, Inc. for Approval)	Case No. 08-711-EL-AAM
to Change Accounting Methods)	

To The Honorable Public Utilities Commission of Ohio:

Pursuant to R. C. 4909.43(B) and Chapter 1, General Instructions (B) of the Standard Filing Requirements, Section 4901-7-01 of the Commission's Code of Rules and Regulations, notice is hereby given that Duke Energy Ohio, Inc. ("DE-Ohio") intends to file with this Commission an application for approval of an increase in its electric distribution rates, related application for tariff approval, and a related application to change accounting methods.

Enclosed are the following items required pursuant to Chapter I, General Instructions (B) of the Standard Filing Requirements, OAC 4901-7-01:

Tab 1

B(1)(a) PFN Exhibit 1	Statement of Notice of Intent to File / Service Area Included / Proposed Test Year/Date Certain
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Tab 2

B(1)(b) PFN Exhibit 2 Municipalities to be included in the Application
Names and addresses of mayors and clerks
Names and addresses of legislative authorities

Tab 3

B(1)(c) PFN Exhibit 3 Proposed tariff schedules and current tariff schedules

Tab 4

B(1)(d) PFN Exhibit 4 Schedule E-5 Typical Bill Comparison

Tab 5

Copy of letter sent to mayors and legislative authorities of municipalities listed in PFN Exhibit 2 (letter attachments – PFN Exhibit 1 and Summary of Rates)

Tab 6

List of intervenors and interested parties in DE–Ohio’s last electric distribution rate case, Case No. 05-59-EL-AIR.

For the Commission’s information, a copy of the letter to mayors and legislative authorities is attached at Tab 5. Such notice letter was sent to each mayor, clerk and legislative authority listed in PFN Exhibit 2, the Office of Consumers’ Counsel, each party in DE–Ohio’s last electric distribution rate case and any other parties who have requested to receive notice. A complete listing of all such parties (except those already listed in PFN Exhibit 2) is attached at Tab 6.

Please date-stamp the four extra copies of this Notice, and return in the postage-paid envelope.

Thank you.

Very truly yours,



Sandra P. Meyer
President
Duke Energy Ohio, Inc.

1

DUKE ENERGY OHIO, INC.

NOTICE OF INTENT TO FILE

This document constitutes DE-Ohio's Notice of Intent to file for an increase in electric distribution rates, application for tariff approval for its electric distribution service, and DE-Ohio's Notice of Intent to file an application for approval of a change in accounting methods.

SERVICE AREA INCLUDED

The entire electric service area of DE-Ohio will be included in the application for an increase in electric distribution rates, application for tariff approval for its electric distribution service, and the application for approval of a change in accounting methods.

TEST YEAR AND DATE CERTAIN

Test Year – Twelve Months ended December 31, 2008

Date Certain – March 31, 2008

2

I. List of municipalities served electric by DE–Ohio within the jurisdiction of the Public Utilities Commission of Ohio:

Village of Aberdeen
Village of Addyston
Village of Amberley Village
Village of Amelia
Village of Arlington Heights
Village of Batavia
Village of Bethel
Village of Blanchester
City of Blue Ash
Village of Butlerville
Village of Carlisle
City of Cheviot
Village of Chilo
City of Cincinnati
Village of Cleves
Village of College Corner
City of Deer Park
Village of Elmwood Place
Village of Evendale
Village of Fairfax
City of Fairfield
Village of Fayetteville
Village of Felicity
City of Forest Park
City of Franklin
Village of Georgetown
Village of Glendale
City of Golf Manor
City of Greenhills
Village of Hamersville
City of Hamilton
Village of Harrison
Village of Higginsport
Village of Indian Hill
Village of Jacksonburg
City of Lebanon
Village of Lincoln Heights
City of Lockland
City of Loveland
City of Madeira

Village of Maineville
Village of Manchester
Village of Mariemont
City of Mason
City of Middletown
Village of Midland
City of Milford
Village of Millville
Village of Monroe
City of Montgomery
Village of Morrow
City of Moscow
City of Mt. Healthy
Village of Mt. Orab
Village of Neville
Village of New Miami
Village of New Richmond
Village of Newtonsville
Village of Newtown
Village of North Bend
Village of Owensville
City of Oxford
City of North College Hill
City of Norwood
Village of Pleasant Plain
City of Reading
Village of Ripley
Village of Russellville
City of St. Bernard
Village of St. Martin
Village of Seven Mile
City of Sharonville
City of Silverton
Village of South Lebanon
Village of Springboro
City of Springdale
Village of Terrace Park
City of Trenton
Village of West Elkon
Village of West Union
Village of Williamsburg
Village of Woodlawn
City of Wyoming

- II. Applicable Mayor and Clerk of each municipality served by DE–Ohio within the jurisdiction of the Public Utilities Commission of Ohio notified of the proposed *electric distribution rate increase*.

MAYOR

The Honorable Garland Renchen
Village of Aberdeen
99 Main Cross Street
Aberdeen, Ohio 45101

The Honorable Daniel L. Pillow
Village of Addyston
235 Main Street
Addyston, Ohio 45001

The Honorable Charles Kamine
Village of Amberley Village
7149 Ridge Road
Cincinnati, Ohio 45237

The Honorable Leroy Ellington
Village of Amelia
44 W. Main Street
Amelia, Ohio 45102

The Honorable Joseph Harper
Village of Arlington Heights
601 Elliott
Cincinnati, Ohio 45215

The Honorable John Thebout
Village of Batavia
389 Main Street
Batavia, Ohio 45103

The Honorable Travis Dotson
Village of Bethel
120 N. Main Street
Bethel, Ohio 45106

The Honorable Chap Hollon
Village of Blanchester
318 E. Main Street
Blanchester, Ohio 45107

CLERK

Rhonda Bothman, Fiscal Officer
Village of Aberdeen
99 Main Cross Street
Aberdeen, Ohio 45101

Margaret Dozier, Clerk of Council
Village of Addyston
235 Main Street
Addyston, Ohio 45001

Nicole Browder, Clerk of Council
Village of Amberley Village
7149 Ridge Road
Cincinnati, Ohio 45237

Andrew Parker, Clerk of Council
Village of Amelia
44 W. Main Street
Amelia, Ohio 45102

Steve Surber, Clerk of Council
Village of Arlington Heights
601 Elliott
Cincinnati, Ohio 45215

Angel Burton, Clerk of Council
Village of Batavia
389 Main Street
Batavia, Ohio 45103

Clarissa McCoy, Fiscal Officer
Village of Bethel
120 N. Main Street
Bethel, Ohio 45106

Patti Loftin, Clerk of Council
Village of Blanchester
318 E. Main Street
Blanchester, Ohio 45107

MAYOR

The Honorable Robert J. Buckman
City of Blue Ash
4343 Cooper Road
Blue Ash, Ohio 45242

The Honorable Tim Humphries
City of Carlisle
760 W. Central Avenue
Carlisle, Ohio 45005

The Honorable Samuel D. Keller
City of Cheviot
3814 Harrison Avenue
Cheviot, Ohio 45211

The Honorable Mark Mallory
City of Cincinnati
City Hall – 801 Plum Street
Cincinnati, Ohio 45202

The Honorable Danny Stacy
Village of Cleves
101 N. Miami
Cleves, Ohio 45002

The Honorable David Collins
City of Deer Park
7777 Blue Ash Road
Deer Park, Ohio 45236

The Honorable Richard Ellison
Village of Elmwood Place
6118 Vine Street
Cincinnati, Ohio 45216

The Honorable Don J. Apking
Village of Evendale
10500 Reading Road
Cincinnati, Ohio 45241

The Honorable Theodore Shannon, Jr.
Village of Fairfax
5903 Hawthorne
Cincinnati, Ohio 45227

The Honorable Mayor Ron D'Epifanio
City of Fairfield
5350 Pleasant Avenue
Fairfield, Ohio 45014

CLERK

Jamie Eifert, Clerk of Council
City of Blue Ash
4343 Cooper Road
Blue Ash, Ohio 45242

Flo Estes, Clerk of Council
City of Carlisle
760 W. Central Avenue
Carlisle, Ohio 45005

Susan Morganroth, Clerk of Council
City of Cheviot
3814 Harrison Avenue
Cheviot, Ohio 45211

Melissa Autry, Clerk of Council
City of Cincinnati
City Hall – 801 Plum Street
Cincinnati, Ohio 45202

Linda Bolton, Clerk of Council
Village of Cleves
101 N. Miami
Cleves, Ohio 45002

Laura Hughes, Clerk of Council
City of Deer Park
7777 Blue Ash Road
Deer Park, Ohio 45236

Rita Blair, Clerk/Treasurer
Village of Elmwood Place
6118 Vine Street
Cincinnati, Ohio 45216

Barb Rohs, Clerk of Council
Village of Evendale
10500 Reading Road
Cincinnati, Ohio 45241

Walter Knabb, Clerk/Treasurer
Village of Fairfax
5903 Hawthorne
Cincinnati, Ohio 45227

Dena Morsch, Clerk of Council
City of Fairfield
5350 Pleasant Avenue
Fairfield, Ohio 45014

MAYOR

The Honorable Charles Johnson
City of Forest Park
1201 W. Kemper Road
Forest Park, Ohio 45240

The Honorable Scott Lipps
City of Franklin
1 Benjamin Franklin Way
Franklin, Ohio 45005

The Honorable Dale E. Cahall
Village of Georgetown
301 S. Main Street
Georgetown, Ohio 45121

The Honorable Joseph Hubbard
Village of Glendale
30 Village Square
Cincinnati, Ohio 45246

The Honorable Alan Zaffiro
Village of Golf Manor
6450 Wiehe Road
Golf Manor, Ohio 45237

The Honorable Oscar Hoffmann
Village of Greenhills
11000 Winton Road
Cincinnati, Ohio 45218

The Honorable Laurance D. Talbott
Village of Hamersville
202 W. Main Street
Hamersville, Ohio 45130

The Honorable Donald Ryan
City of Hamilton
345 High Street
Hamilton, Ohio 45011

The Honorable Joel McGuire
City of Harrison
300 George Street
Harrison, Ohio 45030

The Honorable Eppa Rixey, IV
Village of Indian Hill
6525 Drake Road
Cincinnati, Ohio 45243

CLERK

Sally Huffman, Clerk of Council
City of Forest Park
1201 W. Kemper Road
Forest Park, Ohio 45240

Dorothy Jane McGee, Clerk of Council
City of Franklin
1 Benjamin Franklin Way
Franklin, Ohio 45005

Vickie Bradley, Clerk of Council
Village of Georgetown
301 S. Main Street
Georgetown, Ohio 45121

W. Charles Ehlers, Clerk of Council
Village of Glendale
30 Village Square
Cincinnati, Ohio 45246

Gregory Doering, Clerk of Council
Village of Golf Manor
6450 Wiehe Road
Golf Manor, Ohio 45237

Mary Joy Hoffmann, Clerk of Council
Village of Greenhills
11000 Winton Road
Cincinnati, Ohio 45218

Tammie Ogle, Clerk of Council
Village of Hamersville
202 W. Main Street
Hamersville, Ohio 45130

Ina Allen, Clerk of Council
City of Hamilton
345 High Street
Hamilton, Ohio 45011

Carol Wiwi, Clerk of Council
City of Harrison
300 George Street
Harrison, Ohio 45030

Paul C. Riordan, Clerk of Council
Village of Indian Hill
6525 Drake Road
Cincinnati, Ohio 45243

MAYOR

The Honorable Amy Brewer
City of Lebanon
50 S. Broadway
Lebanon, Ohio 45036

The Honorable LaVerne Mitchell
Village of Lincoln Heights
1201 Steffen Avenue
Lincoln Heights, Ohio 45215

The Honorable Jim Brown
City of Lockland
101 N. Cooper
Lockland, Ohio 45215

The Honorable Rob Weisgerber
City of Loveland
120 W. Loveland Avenue
Loveland, Ohio 45140

The Honorable David Sams
City of Madeira
7141 Miami Avenue
Madeira, Ohio 45243

The Honorable Alice McCreary
Village of Manchester
806 Linda Vista Drive
Manchester, Ohio 45144

The Honorable Don Policastro
Village of Mariemont
6907 Wooster Pike
Cincinnati, Ohio 45227

The Honorable Thomas Grossmann
City of Mason
6000 Mason-Montgomery Road
Mason, Ohio 45040-1699

The Honorable Larry Mulligan, Jr.
City of Middletown
One Donham Plaza
Middletown, Ohio 45042

The Honorable David Hunter
City of Milford
745 Center Street
Milford, Ohio 45150

CLERK

Sharre Dick, Clerk of Council
City of Lebanon
50 S. Broadway
Lebanon, Ohio 45036

Elizabeth Smith, Clerk of Council
Village of Lincoln Heights
1201 Steffen Avenue
Lincoln Heights, Ohio 45215

Wayne Poe, Clerk of Council
City of Lockland
101 N. Cooper
Lockland, Ohio 45215

Linda Cox, Clerk of Council
City of Loveland
120 W. Loveland Avenue
Loveland, Ohio 45140

Diane Novakov, Clerk of Council
City of Madeira
7141 Miami Avenue
Madeira, Ohio 45243

Jacqueline Smith, Clerk of Council
Village of Manchester
806 Linda Vista Drive
Manchester, Ohio 45144

Paul Tontillo, Clerk of Council
Village of Mariemont
6907 Wooster Pike
Cincinnati, Ohio 45227

Teresa Schulte, Clerk of Council
City of Mason
6000 Mason-Montgomery Road
Mason, Ohio 45040-1699

Sarah "Betsy" Parr, Clerk of Council
City of Middletown
One Donham Plaza
Middletown, Ohio 45042

Joan Trilety, Clerk of Council
City of Milford
745 Center Street
Milford, Ohio 45150

MAYOR

The Honorable Robert Settles, Sr.
Village of Millville
2860 Ross-Hanover Road
Millville, Ohio 45013

The Honorable Robert Routson
City of Monroe
233 S. Main Street
P.O. Box 330
Monroe, Ohio 45050

The Honorable Gerri Harbison
City of Montgomery
10101 Montgomery Road
Montgomery, Ohio 45242

The Honorable Michael Erwin
Village of Morrow
150 E. Pike Street
Morrow, Ohio 45152

The Honorable Joseph T. Roetting
City of Mt. Healthy
7700 Perry Street
Mt. Healthy, Ohio 45152

The Honorable Bruce Lunsford
Village of Mt. Orab
211 S. High Street
P.O. Box 466
Mt. Orab, Ohio 45154

The Honorable Emma Jean Butler
Village of New Miami
268 Whitaker
Hamilton, Ohio 45011

The Honorable Ramona Carr
Village of New Richmond
102 Willow Street
New Richmond, Ohio 45157

The Honorable Curt Cosby
Village of Newtown
3536 Church Street
Cincinnati, Ohio 45244

The Honorable Terry Simpson
Village of North Bend
21 Taylor Avenue
North Bend, Ohio 45052

CLERK

Brenda Johnson,
Fiscal Officer/Treasurer
Village of Millville
2860 Ross-Hanover Road
Millville, Ohio 45013

Angela Wasson, Clerk of Council
City of Monroe
233 S. Main Street
P.O. Box 330
Monroe, Ohio 45050

Susan Hamm, Clerk of Council
City of Montgomery
10101 Montgomery Road
Montgomery, Ohio 45242

Tina Browning, Clerk/Treasurer
Village of Morrow
150 E. Pike Street
Morrow, Ohio 45152

Margie Roulier, Clerk of Council
City of Mt. Healthy
7700 Perry Street
Mt. Healthy, Ohio 45152

Michael Boyd, Clerk of Council
Village of Mt. Orab
211 S. High Street
P.O. Box 466
Mt. Orab, Ohio 45154

Joseph Ebbing, Clerk/Treasurer
Village of New Miami
268 Whitaker
Hamilton, Ohio 45011

Donna Hammons, Clerk/Treasurer
Village of New Richmond
102 Willow Street
New Richmond, Ohio 45157

Keri Everett, Clerk of Council
Village of Newtown
3536 Church Street
Cincinnati, Ohio 45244

Sheryl Ross, Clerk of Council
Village of North Bend
21 Taylor Avenue
North Bend, Ohio 45052

MAYOR

The Honorable Daniel R. Brooks
City of North College Hill
1646 W. Galbraith Road
Cincinnati, Ohio 45239

The Honorable Thomas F. Williams
City of Norwood
4645 Montgomery Road
Norwood, Ohio 45212

The Honorable Robert P. Bemmes
City of Reading
1000 Market Street
Reading, Ohio 45215

The Honorable Tom Leonard
Village of Ripley
123 Waterworks Road
Ripley, Ohio 45167

The Honorable William Burkhardt
City of St. Bernard
110 Washington Avenue
Cincinnati, Ohio 45217

The Honorable Vivian Gorsuch
Village of Seven Mile
113 S. Main Street
Seven Mile, Ohio 45062

The Honorable Virgil Lovitt, II
City of Sharonville
10900 Reading Road
Sharonville, Ohio 45241

The Honorable John A. Smith
City of Silverton
6860 Plainfield Road
Cincinnati, Ohio 45236

The Honorable James D. Smith
Village of South Lebanon
99 N. High Street
South Lebanon, Ohio 45065

The Honorable John Agenbroad
City of Springboro
320 W. Central
Springboro, Ohio 45066

CLERK

Kathy Riga, Clerk of Council
City of North College Hill
1646 W. Galbraith Road
Cincinnati, Ohio 45239

Brian Mumper, Clerk of Council
City of Norwood
4645 Montgomery Road
Norwood, Ohio 45212

David Pflanz, Clerk of Council
City of Reading
1000 Market Street
Reading, Ohio 45215

Hilda Frebis, Clerk of Council
Village of Ripley
14 N. Third Street
Ripley, Ohio 45167

Sue M. Kathman, Clerk of Council
City of St. Bernard
110 Washington Avenue
Cincinnati, Ohio 45217

Laura L. Oliver, Fiscal Officer/Treasurer
Village of Seven Mile
213 S. Main Street
Seven Mile, Ohio 45062

Martha Cross Funk, Clerk of Council
City of Sharonville
10900 Reading Road
Sharonville, Ohio 45241

Meredith George, Clerk of Council
City of Silverton
6860 Plainfield Road
Cincinnati, Ohio 45236

Sharon Louallen, Clerk of Council
Village of South Lebanon
99 N. High Street
South Lebanon, Ohio 45065

Lori Martin, Clerk of Council
City of Springboro
320 W. Central
Springboro, Ohio 45066

MAYOR

The Honorable Doyle Webster
City of Springdale
11700 Springfield Pike
Cincinnati, Ohio 45246

The Honorable Jay Gohman
Village of Terrace Park
428 Elm Road
Terrace Park, Ohio 45174

The Honorable Rhonda Freeze
City of Trenton
11 E. State Street
Trenton, Ohio 45067

The Honorable Donald Kirker
Village of West Union
923 Sunrise Avenue
West Union, Ohio 45693

The Honorable Mary Ann Lefker
Village of Williamsburg
107 W. Main Street
Williamsburg, Ohio 45176

The Honorable Johnnie L. Rabb
Village of Woodlawn
10141 Woodlawn Boulevard
Cincinnati, Ohio 45215

The Honorable Barry Porter
City of Wyoming
800 Oak Avenue
Cincinnati, Ohio 45215

The Honorable Larry Leslie
Village of Chilo
P.O. Box 117
Chilo, Ohio 45112

The Honorable Jerry Ross
Village of Felicity
P.O. Box 613
Felicity, Ohio 45120

The Honorable Michael A. Sword
Village of Jacksonburg
4623 E. Oxford-Middletown Road
Middletown, Ohio 45042

CLERK

Kathy McNear, Clerk of Council
City of Springdale
11700 Springfield Pike
Cincinnati, Ohio 45246

Laurie Baird, Clerk of Council
Village of Terrace Park
428 Elm Road
Terrace Park, Ohio 45174

Julie Muterspaw, Clerk of Council
City of Trenton
11 E. State Street
Trenton, Ohio 45067

Tanya Johnson, Clerk of Council
Village of West Union
923 Sunrise Avenue
West Union, Ohio 45693

Michael G. Murray, Clerk/Council
Village of Williamsburg
107 W. Main Street
Williamsburg, Ohio 45176

Sally Huffman, Clerk of Council
Village of Woodlawn
10141 Woodlawn Boulevard
Cincinnati, Ohio 45215

Patricia Colvin, Clerk of Council
City of Wyoming
800 Oak Avenue
Cincinnati, Ohio 45215

Rosemary Leslie, Clerk of Council
Village of Chilo
P.O. Box 117
Chilo, Ohio 45112

Heather McIntyre, Clerk of Council
Village of Felicity
P.O. Box 613
Felicity, Ohio 45120

Eric Cox, Clerk of Council
Village of Jacksonburg
4623 E. Oxford-Middletown Road
Middletown, Ohio 45042

MAYOR

The Honorable Betty Lucas
Village of Neville
P.O. Box 122
Neville, Ohio 45156

The Honorable Timothy D. Suter
City of Moscow
79 Elizabeth Street
Moscow, Ohio 45153

The Honorable Phillip L. Peterson
Village of Newtonsville
17 West Main Street
Newtonsville, Ohio 45158

The Honorable Rick McEvoy
Village of Owensville
P.O. Box 490
115 West Main Street
Owensville, Ohio 45160

The Honorable Prudence Dana
City of Oxford
101 East High Street
Oxford, Ohio 45056

The Honorable Charles Pennington
Village of West Elkton
135 North Main Street
P.O. Box 180
West Elkton, Ohio 45070

The Honorable Jim Jackson, Mayor
Village of College Corner
114 State Line Road
College Corner, Ohio 45003

The Honorable Jason Kirschner
Village of Higginsport
P.O. Box 132
Higginsport, Ohio 45131

The Honorable Bernie Vilvens
Village of Fayetteville
Box 19
Fayetteville, Ohio 45118

The Honorable Mayor
Village of Midland
P.O. Box 571
Midland, Ohio 45148

CLERK

Tim Pulskamp, Clerk of Council
Village of Neville
P.O. Box 122
Neville, Ohio 45156

Karen Skeene, Clerk of Council
City of Moscow
79 Elizabeth Street
Moscow, Ohio 45153

Dawn Werner, Clerk of Council
Village of Newtonsville
17 West Main Street
Newtonsville, Ohio 45158

Marlene Bauer, Clerk of Council
Village of Owensville
P.O. Box 490
115 West Main Street
Owensville, Ohio 45160

Donna Heck, Clerk of Council
City of Oxford
101 East High Street
Oxford, Ohio 45056

Leah Crawford, Clerk of Council
Village of West Elkton
135 North Main Street
P.O. Box 180
West Elkton, Ohio 45070

Cheryl Hampton, Clerk of Council
Village of College Corner
114 State Line Road
College Corner, Ohio 45003

Jerry A. Green, Clerk of Council
Village of Higginsport
P.O. Box 132
Higginsport, Ohio 45131

Barbara Kiley, Clerk of Council
Village of Fayetteville
Box 19
Fayetteville, Ohio 45118

Clerk of Council
Village of Midland
P.O. Box 571
Midland, Ohio 45148

MAYOR

The Honorable Veronica Gelter
Village of Russelville
401 N. Columbus
Russelville, Ohio 45168

The Honorable Mayor
Village of St. Martin
P.O. Box 213
Fayetteville, Ohio 45118

The Honorable Mayor
Village of Butlerville
8671 St. Rt. 132
Pleasant Plain, Ohio 45162

The Honorable Dale Marconet
Village of Maineville
8188 S. St. Rt 48
Maineville, Ohio 45039

The Honorable Katherine Whitacre
Village of Pleasant Plain
10120 Pleasant Plain Road
Pleasant Plain, Ohio 45162

CLERK

Clerk of Council
Village of Russelville
401 N. Colubus
Russelville, Ohio 45168

Clerk of Council
Village of St. Martin
P.O. Box 213
Fayetteville, Ohio 45118

Clerk of Council
Village of Butlerville
8546 St. Rt. 132
Pleasant Plain, Ohio 45162

Clerk of Council
Village of Maineville
69 West Foster-Maineville Road
Maineville, Ohio 45039

Carole Goodwin, Clerk of Council
Village of Pleasant Plain
10092 St. Rt. 132
P.O. Box 62
Pleasant Plain, Ohio 45162

III. List of Township and County Officials notified of the proposed electric distribution rate increase.

COUNTY BOARD OF COMMISSIONERS

Bob Proud
Mary Walker
Scott Croswell III
Clermont County Board of Commissioners
101 E. Main Street
Batavia, Ohio 45103

Gregory V. Jolivet
Donald Dixon
Charles R. Furman
Butler County Board of Commissioners
315 High Street
Hamilton, Ohio 45011

Pat DeWine
David Pepper
Todd Portune
Hamilton County Board of Commissioners
138 E. Court Street #603
Cincinnati, Ohio 45202

C. Michael Kilburn
Pat South
David G. Young
Warren County Board of Commissioners
406 Justice Drive
Lebanon, Ohio 45036

Brian Baldridge
John K. Cluxton
Roger A. Rhonemus
Adams County Board of Commissioners
110 West Main Street
West Union, Ohio 45693

Michael Rector
Richard Graves
Gary Heaton
Highland County Board of Commissioners
114 Governor Foraker Place
Hillsboro, Ohio 45133

Mike Curry
Randy Riley
David R. Stewart
Clinton County Board of Commissioners
46 S. South Street
Wilmington, Ohio 45177

TOWNSHIP TRUSTEES

Russ Jackson, President
Kenneth G. Dietz, Fiscal Officer
Anderson Township Board of Trustees
7954 Beechmont Avenue
Cincinnati, Ohio 45230

Deborah Clepper, Chair
Jennifer Haley, Fiscal Officer
Batavia Township Board of Trustees
1535 Clough Pike
Batavia, Ohio 45103

Jeff Ritter, President
Heather E. Harlow, Fiscal Officer
Colerain Township Board of Trustees
4200 Springdale Road
Cincinnati, Ohio 45251

Stephen Langenkamp
Susan Hughes
Marty Power
Columbia Township Board of Trustees
5686 Kenwood Road
Cincinnati, Ohio 45227

Dan Corey
John R. Wahle, Fiscal Officer
Deerfield Township Board of Trustees
3378 Townsley Drive
Loveland, Ohio 45140

Jerome Luebbbers, President
Kenneth J. Ryan, Fiscal Officer
Delhi Township Board of Trustees
934 Neeb Road
Cincinnati, Ohio 45233

Tracy Winkler, Chairman
Tom Straus, Fiscal Officer
Green Township Board of Trustees
6303 Harrison Avenue
Cincinnati, Ohio 45247

Perry Ogden
Dale Reynolds
Margery Paeltz
Brown County Board of Commissioners
800 Mt. Orab Pike
Georgetown, Ohio 45121

Dan Foley
Deborah Lieberman
Judge Dodge
Montgomery County Commissioners
451 W. Third Street P.O. Box 972
Dayton, Ohio 45422

The Honorable Judith Boyko
West Chester Township Administrator
9100 Centre Pointe Drive, Suite 280
West Chester, Ohio 45069

The Honorable Dan Evers
Deerfield Township Administrator
3378 Townsely Drive
Loveland, Ohio 45140

The Honorable Henry C. Dolive,
Anderson Township Administrator
7954 Beechmont Avenue
Anderson Township, Ohio 45255

The Honorable David Duckworth
Miami Township Administrator
5900 McPicken Drive
Miami Township, Ohio 45150

The Honorable Doug Walker
Union Township Administrator
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Cincinnati, Ohio 45245-1517

Ken Tracey, Chair
Eric C. Ferry, Fiscal Officer
Miami Township Board of Trustees
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Chair, Board of Trustees
Bill Gilpin, Fiscal Officer
Ohio Township Board of Trustees
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New Richmond, Ohio 45157

Gregg Conrad, Chair
Karen Register, Fiscal Officer
Pierce Township Board of Trustees
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Cincinnati, Ohio 45245

Gwen McFarlin, President
John Waksmundski, Fiscal Officer
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Tom Weidman, President
Rob Porter, Fiscal Officer
Sycamore Township Board of Trustees
8540 Kenwood Road
Cincinnati, Ohio 45236

Robert McGee, Chair
Ron Campbell, Fiscal Officer
Union Township Board of Trustees
4350 Aicholtz Road
Cincinnati, Ohio 45245

George Lang, Trustee Board Chairman
Patricia Williams, Clerk/Fiscal Officer
West Chester Township Board of Trustees
9113 Cincinnati-Dayton Road
West Chester, Ohio 45069

Bari Henning, Chairman
Greg Carson, Fiscal Officer
Williamsburg Board of Trustees
P.O. Box 499
Williamsburg, Ohio 45176

IV. List of State Legislators notified of the proposed electric distribution rate increase.

SENATORS

Eric H. Kearney
Robert Schuler
Gary Cates
Bill Seitz
Tom Niehaus

ADDRESS

The Senate
Ohio Senate Building
Columbus, Ohio 43266-0604

REPRESENTATIVES

Dale Mallory Courtney Combs
Louis W. Blessing Bill Coley
Tom Brinkman, Jr. Joseph Uecker
Steven Driehaus Danny R. Bulp
Shannon Jones
Jim Raussen
Michelle Schneider
Robert Mecklenborg
Shawn Webster
Tyrone Yates

ADDRESS

The House of Representatives
77 South High Street
Columbus, Ohio 43266-0603

V. List of Federal Legislators notified of the proposed electric distribution rate increase.

SENATORS

The Honorable George V. Voinovich
U. S. Senate
503 Hart Senate Office Building
Washington, D.C. 20510

The Honorable Sherrod Brown
U. S. Senate
455 Russell Building
Washington, D.C. 20510

REPRESENTATIVES

The Honorable John A. Boehner
U. S. House of Representatives
1011 Longworth House Office Building
Washington, D.C. 20515

The Honorable Steven J. Chabot
U. S. House of Representatives
129 Cannon House Office Building
Washington, D.C. 20515

The Honorable Jean Schmidt
U. S. House of Representatives
238 Cannon House Office Building
Washington, D.C. 20515

The Honorable Michael R. Turner
U. S. House of Representatives
1740 Longworth House Office Building
Washington, D.C. 20515

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PFN EXHIBIT 3 – PROPOSED TARIFF SHEETS

PROPOSED TARIFF SHEETS

**SCHEDULE OF RATES, CLASSIFICATIONS
RULES AND REGULATIONS
FOR
RETAIL ELECTRIC SERVICE
OF
DUKE ENERGY OHIO**

**P.U.C.O. NO. 19
This Tariff cancels and supersedes P.U.C.O. No. 17**

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SECTION IV - CUSTOMER'S AND COMPANY'S INSTALLATIONS

1. Nature and Use of Installation

All electric service entrance wiring and equipment furnished and installed by the customer for the purpose of connecting the premises with the Company's service, shall be suitable for the purposes thereof and shall be installed, owned and maintained by the customer at all times in conformity with the National Electrical Code, any other codes and regulations in effect in the area served and the standards contained in the latest revision of the Company's booklet entitled "Information & Requirements for Electric Service," copies of which are available at the Company's offices.

2. Installation of Meters

Electricity will be measured by a meter or meters to be owned and installed by the Company in the customer's meter base at a location approved by the Company. The Company will install upon the customer's premises one meter or one unified set of meters for each standard service connection. Meters for new single-family residences are to be located outside the residence.

3. Installation and Maintenance

Except as otherwise provided in these ELECTRIC SERVICE REGULATIONS, in service agreements or rate schedules, the Company will install and maintain its lines and equipment on its side of the point of delivery, but shall not be required to install or maintain any lines or equipment, except Company owned meters and metering equipment, on the customer's side of the point of delivery without cost to the customer. Only the Company's agents are authorized to connect the Company's service to the customer's service.

All meters and equipment furnished by and at the expense of the Company, which may at any time be on said premises, shall, unless otherwise expressly provided herein, be and remain the property of the Company, and the customer shall protect such property from loss or damage. No one except an agent of the Company shall be permitted to remove or handle same.

Subject to the rules, conditions and riders covering the installation of service connections and extensions, the Company will make one standard service connection to the customer's installation. If three phase service is required and an additional connection is necessary, both will be considered as one service connection.

The rates for each class of service provided for in the rate schedules contemplate the furnishing of service to one location or premises through one standard service connection. Where the customer is receiving service through more than one standard metering installation, the Company will calculate and render a separate bill for service furnished through each metering installation. If the Company elects to provide more than one standard service connection, the Company may, at its option, combine these connections and calculate and render one bill.

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SECTION IV - CUSTOMER'S AND COMPANY'S INSTALLATIONS (Contd.)

When a customer or private party requests the Company to relocate the Company's facilities or a customer's service entrance wiring, such requesting party shall pay all expenses related to such relocation.

When the Company relocates its facilities or a customer's service entrance wiring at the request of a governmental entity (or Administrative Agency) and if the relocation was related to a project financed through transportation improvement district funding, joint economic development district funding, tax increment funding, or similar quasi-public funding, then the governmental entity (or Administrative Agency) shall pay for the cost of relocating Company's facilities in direct proportion to the contributions received from the other funding sources.

The Company shall not be required to construct general distribution lines underground unless the cost of such special construction for general distribution lines and/or the cost of any change of existing overhead general distribution lines to underground which is required or specified by a municipality or other public authority (to the extent that such cost exceeds the cost of construction of the Company's standard facilities) shall be paid for by that municipality or public authority.

(N)

4. Special Power Apparatus

In the case of hoists, elevators, welding machines or other installations, where the use of electricity is intermittent or subject to violent fluctuations, the Company reserves the right to use the input rating or the metered instantaneous demand of such equipment under maximum operating conditions for billing purposes, or to require the customer to provide at his own expense, suitable equipment to reasonably limit such intermittence or fluctuation that may affect the service provided to other customers.

5. Changes in Installations

As the Company's service drops, transformers, meters and other facilities used in supplying service to the customer have limited capacity, the customer should give notice to the Company, and obtain the Company's consent, before making any material changes or increases in the customer's installation. After receipt of such notice, the Company will give its written approval of the proposed change or increase, or it will inform the customer of the prerequisites to receipt of service for such change or increase. Any change affecting an estimated billing demand shall be reviewed by the Company's representative and shall become effective from the succeeding meter reading.

The customer shall be solely responsible for all damages sustained by the Company or any person due to the customer's failure to give reasonable advance notice to the Company of such change in the customer's installation.

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SECTION VI - BILLING AND PAYMENT

1. Billing Periods - Time and Place for Payment of Bills

Bills ordinarily are rendered at monthly intervals. Non-receipt of bills by the customer does not release or diminish the obligation of the customer with respect to payment thereof.

The word "month" as it pertains to the supply of service shall mean the period of approximately thirty (30) days between meter readings, as fixed and made by the Company. Meters are ordinarily read monthly, however, meters may be read more or less frequently in such instances as, when special readings are required, at the customer's request, or when the Company has been unable to obtain readings. If the Company has been unable to obtain a meter reading for a period of twelve (12) consecutive months, the Company may, at its option, refuse or disconnect service to the premises in accordance with Section I Paragraph 3, Company's Right to Refuse or Disconnect Service, of these ELECTRIC SERVICE REGULATIONS. The Company shall have the right to establish billing districts for the purpose of reading meters and rendering bills to customers at various dates. A change or revision of any rate schedule shall be applicable to all bills on which the final monthly meter reading was taken on or after the effective date of such change or revision, except as otherwise ordered by the Public Utilities Commission of Ohio.

Where the Company is unable to obtain a meter reading, estimated bills, so identified, will be rendered for an estimated amount to permit normal monthly payment, such payments to be credited to the next bill rendered.

When the Company is requested by the customer to terminate service, or when the Company discovers a customer has terminated service by moving from the premises served, or when the Company disconnects service due to nonpayment of the account or for other reasons, the Company will render a final bill addressed to the customer's forwarding address, if known, or to the last known address, for the entire balance of the account, including a bill calculation from the last read date, with special meter readings taken for combination gas and electric and gas only accounts and identified estimated meter readings being used for non-heating electric only accounts. Unpaid balances of previously rendered final bills may be transferred to the new account and included on initial or subsequent bills.

When the customer begins use of service, an initial bill is normally rendered for the period from the initial date of service to the first regular meter reading date for the billing district in which the premises is located, this period normally being less than one month, except that the bill is suspended if the period is less than eight (8) days.

All of the Company's rate schedules are established on a monthly basis which would include monthly billing periods in accordance with the Company's meter reading schedule. A normal meter reading period consists of the number of days between scheduled reads, that is, between twenty-seven (27) and thirty-five (35) days, plus or minus three (3) working days. Where billing amounts reflects a period of more than one (1) month, those amounts shall be prorated based on the normal scheduled meter reading dates and divided into increments of one (1) month or less. If the increments represents less than one (1) month, the appropriate billing components will be billed as a prorated portion of the period defined by the normal scheduled meter reading dates.

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SECTION VI - BILLING AND PAYMENT (Contd.)

Bills are due on the date indicated thereon as being the last day for payment of the net amount, and the due date shall not be less than twenty-one (21) days after the mailing of the bill. Bills are payable only at the Company's offices or authorized agencies for collection. If a partial payment is made, the amount will be applied to items of indebtedness in the same order as they have accrued.

2. Selection of Rate Schedule

When a prospective customer makes application for service, the Company will, upon request, assist in the selection of the Rate Schedule most favorable to customer for the service requested. The selection will be based on the prospective customer's statement as to the class of service desired, the amount and manner of use, and any other pertinent information.

A customer being billed under one of two or more optional rate schedules applicable to the customer's class of service may elect to be billed on any other applicable rate schedule by notifying the Company in writing, and the Company will bill the customer under such elected schedule from and after the date of the next meter reading. However, a customer having made such a change of rate schedule may not make another such change within the next twelve months, or as otherwise provided elsewhere in the applicable rate schedules.

3. Temporary Discontinuance of Service

If any residential customer notifies the Company in writing to discontinue service, the Company will make no minimum charge for any full meter reading period during the period of discontinuance; provided however, that the Company may charge and collect a fee in accordance with paragraph B of Sheet No. 92 prior to reconnecting a service which was discontinued at the customer's request within the preceding twelve months.

(C)

4. Availability of Budget Billing

The Company has available to its customers a "Budget Billing Plan" which minimizes billing amount fluctuations over a twelve month period. The Company may exercise discretion, as permitted by Rule 4901:1-18-4 (C) of the Ohio Administrative Code, to restrict the availability of such a plan to a customers who:

- (a) Have no arrearages (other than amounts already incorporated in a previously agreed upon extended payment plan); and
- (b) Are not in default on a previously agreed upon extended payment plan.

5. Bill Adjustment

Overcharges will be refunded to the customer for the entire period of inaccurate billing if that period is discernible. If the period of inaccurate billing is not discernible, the shortest period encompassing the elapsed time since the customer's "on" date, the installation date of the inaccurate meter, or 365 days will form the basis for determining the refund amount.

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SECTION VI - BILLING AND PAYMENT (Contd.)

Undercharges may be billed and the customer shall pay the charges for the entire period of inaccurate billing when that period is discernible, except undercharges billed to residential customers shall be limited to a maximum of 365 days prior to the date the billing is corrected. There will be no maximum limit of time for cases involving tampering or theft of utility service, or where a physical act of a customer or its agent causes inaccurate or no recording of the meter reading, or inaccurate or no measurement of the electricity rendered.

6. Net Metering

Customer-generators of electricity are eligible to be billed on a "net-metering" basis. "Net metering" means measuring the difference in an applicable billing period between the electricity supplied by the Company and the electricity generated by a customer-generator that is fed back to the Company. Net metering is available to customer-generators as long as the total rated generating capacity of all customer-generators is less than one percent of the Company's aggregate customer peak demand in Ohio. Net metering is provided upon request and on a first-come, first-served basis.

In order to be billed on a net metering basis, a customer-generator must meet the following requirements:

- a. uses as its fuel either solar, wind, biomass, landfill gas, or hydropower, or uses a microturbine or a fuel cell;
- b. is located on a customer-generator's premises;
- c. operates in parallel with the electric utility's transmission and distribution facilities;
- d. is intended primarily to offset part or all of the customer-generator's requirements for electricity.

The customer-generator must provide a voltage wave shape that is a 60 Hertz sine wave that is clear, free from distortion, readable and otherwise compatible with Company's equipment. The voltage amplitude must be compatible with the service voltage delivered by the utility. Any characteristic of the net generator that degrades the quality of service provided to other Company customers will not be permitted.

Net metering shall be accomplished using a single meter capable of registering the amount (flow) of electricity which flowed in each direction during a billing period. If its existing electrical meter is not capable of measuring the flow of electricity in two directions, the customer-generator shall be responsible for all expenses involved in purchasing and installing a meter that is capable of measuring electricity flow in two directions. The Company, at its own expense and with the written consent of the customer-generator, may install one or more additional meters to monitor the flow of electricity in each direction.

The measurement of net electricity supplied or generated shall be calculated in the following manner:

The Company shall measure the net electricity produced and (or) consumed during the billing period, in accordance with normal metering practices. If the electricity supplied by the Company exceeds the electricity generated by the customer-generator and fed back to the Company during the billing period, the

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SECTION VI - BILLING AND PAYMENT (Contd.)

customer-generator shall be billed for the net electricity supplied by the Company in accordance with normal metering practices. If electricity is provided to the Company, the credits for that electricity shall appear in the next billing cycle. Bill charges or credits will be in accordance with the standard tariff that would apply if the customer were not a customer-generator. Credits will be limited to generation charges, and will not apply to other metered charges such as those for distribution and transmission service. (N)

A net metering system used by a customer-generator shall meet all applicable safety and performance standards established by the National Electrical Code, the Institute of Electrical and Electronics Engineers, and Underwriters Laboratories, Inc. The net generator must be equipped with protective control equipment that will promptly isolate the net generator from the utility service in the event of an electrical fault on the utility service, or if the utility service becomes unavailable. The Public Utilities Commission of Ohio may adopt rules relating to additional control and testing requirements for customer-generators which the Commission determines are necessary to protect public and worker safety and system reliability. The Company shall not require a customer-generator whose net metering system meets the above standards and requirements to do any of the following: comply with additional safety or performance standards, perform or pay for additional tests, or purchase additional liability insurance.

The net generator control must be compatible with the high speed automatic reclosing typically used on the utility service.

7. Market Development Period

The Market Development Period is the period of time which is designed to enable transition from a regulated market to a competitive market for procurement of electricity in the State of Ohio. The Market Development Period begins on January 1, 2001 for all customers and may be ended for a customer class by the Company when twenty-percent load switching has been achieved by that class. The customer classes are Residential, Commercial, Industrial, and Other Public Authorities. The Company assigns customers to one of these classes based upon the use of their facilities. The duration of the Market Development Period may differ for each customer class. The Market Development Period for residential customers will not end before December 31, 2005.

The switching amount will be determined by customer enrollment on a first-come, first-served basis; the percentage load switching by class (Residential, Commercial, Industrial, and Other Public Authorities) shall be calculated initially based upon 1999 actual sales, and beginning with calendar year 2001, shall be updated annually to reflect actual retail sales in the Company's service territory on a calendar year basis.

For the residential class, twenty-percent load switching will be achieved when the total annual kilowatt-hours of all residential customers who have switched to Certified Suppliers is twenty percent or more of the total annual kilowatt-hours of all residential customers. The kilowatt-hours associated with Percentage of Income Payment Program (PIPP) customers will not be included in the determination of the first 20% of the switching customers' load for the residential class if such customers are aggregated and bid out as a group.

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For each non-residential class, twenty-percent load switching will be achieved when the total annual kilowatt demands of all customers in each class who have switched to Certified Suppliers is twenty percent or more of the total annual kilowatt demands of all customers in that class.

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RATE RS

RESIDENTIAL SERVICE

APPLICABILITY

Applicable to electric service other than three phase 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 distribution lines are adjacent to the premises to be served.

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	\$ <u>10.00</u> per month	\$ <u>10.00</u> per month	(I)
(b) Energy Charge			
First 1,000 kilowatt-hours	\$ <u>0.019217</u> per kWh	\$ <u>0.019217</u> per kWh	(R)
Additional kilowatt-hours	\$ <u>0.019217</u> per kWh	\$ <u>0.019217</u> per kWh	(R)

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NET MONTHLY BILL (Contd.)

2. Applicable Riders

The following riders are applicable pursuant to the specific terms contained within each 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. 56, Rider SRT, System Reliability Tracker
Sheet No. 57, Rider TCR, Transmission Cost Recovery Rider
Sheet No. 70, Rider DR, Distribution Reliability 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. 86, Rider USR, Universal Service Fund Rider

(N)

3. Generation Charges

The following generation charges are applicable to all customers except those customers who receive their energy from a Certified Supplier:

	<u>Summer Period</u>	<u>Winter Period</u>
Energy Charge		
First 1,000 kilowatt-hours	\$0.044180 per kWh	\$0.044180 per kWh
Additional kilowatt-hours	\$0.055978 per kWh	\$0.016669 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.

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TERMS AND CONDITIONS

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

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.

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RATE ORH

OPTIONAL RESIDENTIAL SERVICE WITH ELECTRIC SPACE HEATING

APPLICABILITY

Applicable to electric service, other than three phase service, used for all domestic purposes in private residences and single occupancy apartments where permanently connected electric heating equipment is installed and in regular use as the primary source of qualified space heating in the entire territory of the Company where distribution lines are adjacent to the premises to be served. In addition, the customer will be required to pay an amount equal to the current installed cost of demand metering equipment in excess of the current installed cost of standard watt-hour metering equipment. All metering equipment shall remain the property of the Company. The Company shall be responsible for the installation, operation, maintenance, testing, replacement and removal of metering equipment.

This rate is only available as Company demand meters are installed on the customer's premises. Due to the limited availability of metering equipment and Company personnel, a demand meter will be installed as metering equipment and Company personnel are available.

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	<u>\$10.00</u> per month	<u>\$10.00</u> per month	(I)
(b) Energy Charge			
First 1,000 kilowatt-hours	<u>\$0.022115</u> per kWh	<u>\$0.022115</u> per kWh	(R)
Additional kilowatt-hours	<u>\$0.026196</u> per kWh	<u>\$0.012215</u> per kWh	(R)
In excess of 150 times Customer's Monthly Demand	<u>\$0.026196</u> per kWh	<u>\$0.008235</u> per kWh	(R)

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NET MONTHLY BILL (Contd.)

2. Applicable Riders

The following riders are applicable pursuant to the specific terms contained within each 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. 56, Rider SRT, System Reliability Tracker
Sheet No. 57, Rider TCR, Transmission Cost Recovery Rider
Sheet No. 70, Rider DR, Distribution Reliability 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. 86, Rider USR, Universal Service Fund Rider

(N)

3. Generation Charges

The following generation charges are applicable to all customers except those customers who receive their energy from a Certified Supplier:

	<u>Summer Period</u>	<u>Winter Period</u>
Generation Charges		
Energy Charge		
First 1,000 kilowatt-hours	\$0.039442 per kWh	\$0.039440 per kWh
Additional kilowatt-hours	\$0.047266 per kWh	\$0.020417 per kWh
In excess of 150 times Customer's		
Monthly Demand	\$0.047266 per kWh	\$0.012771 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 the period represented by the Company's billing for the eight (8) revenue months of January through May and October through December.

DEMAND

Customer's monthly demand will be the kilowatts as determined from the Company's demand metering equipment for the fifteen (15) minute period of customer's greatest use in each month during the winter period.

Minimum demand shall be ten (10) kilowatts.

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QUALIFIED SPACE HEATING

"Qualified" space heating is the heating of residential living quarters primarily through the regular use of permanently connected electric heating equipment, the installation of which meets the Company's specifications.

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.

TERMS AND CONDITIONS

This rate is available upon application in accordance with the Company's Service Regulations and the minimum contract period shall be one (1) year terminable thereafter on thirty (30) days written notice by either the customer or the Company.

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 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. 08-709-EL-AIR before the Public Utilities Commission of Ohio.

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Cancels and Supersedes
Sheet No. 32.1
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RATE HEC

HOME ENERGY CHECK-UP SERVICE PROGRAM

THIS TARIFF IS HEREBY CANCELLED AND WITHDRAWN

Filed pursuant to an Order dated _____ in Case No. 08-709-EL-AIR before the Public Utilities
Commission of Ohio.

Issued:

Effective:

Issued by Sandra P. Meyer, President

RATE TD

OPTIONAL TIME-OF-DAY RATE FOR RESIDENTIAL SERVICE

APPLICABILITY

Applicable to electric service other than three phase service for all domestic purposes in private residences and single occupancy apartments in the entire territory of the Company where distribution lines are adjacent to the premises to be served. This rate is available only as Company demand meters with programmable time-of-day registers are installed on the customer's premises.

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.

NET MONTHLY BILL

Computed in accordance with the following charges:

	<u>Summer Period</u>	<u>Winter Period</u>	
1. Distribution Charges			
(a) Customer Charge	<u>\$18.50</u> per month	<u>\$18.50</u> per month	(I)
(b) Energy Charge			
On Peak kilowatt-hours	<u>\$0.035777</u> per kWh	<u>\$0.028430</u> per kWh	(R)
Off Peak kilowatt-hours	<u>\$0.006241</u> per kWh	<u>\$0.006236</u> per kWh	(R)

2. Applicable Riders

The following riders are applicable pursuant to the specific terms contained within each 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. 56, Rider SRT, System Reliability Tracker
Sheet No. 57, Rider TCR, Transmission Cost Recovery Rider
Sheet No. 70, Rider DR, Distribution Reliability 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. 86, Rider USR, Universal Service Fund Rider

(N)

3. Generation Charges

The following generation charges are applicable to all customers except those customers who receive their energy from a Certified Supplier:

	<u>Summer Period</u>	<u>Winter Period</u>
Energy Charge		
On Peak kilowatt-hours	<u>\$0.090079</u> per kWh	<u>\$0.070811</u> per kWh
Off Peak kilowatt-hours	<u>\$0.013156</u> per kWh	<u>\$0.013161</u> per kWh

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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.

RATING PERIODS

The rating periods applicable to the above kilowatt-hour charges are as follows:

- a) Summer On Peak Period - 11:00 a.m. to 8:00 p.m. Monday through Friday, excluding holidays.
- b) Winter On Peak Period - 9:00 a.m. to 2:00 p.m. and 5:00 p.m. to 9:00 p.m. Monday through Friday, excluding holidays.
- c) Off Peak Period - All hours Monday through Friday not included above plus all day Saturday and Sunday as well as New Year's Day, President's Day, Good Friday, Memorial Day, Independence Day, Labor Day, Columbus Day, Veteran's Day, Thanksgiving Day and Christmas Day or on the day nationally designated to be celebrated as such with the exception that if the foregoing holidays occur on a Sunday, the following Monday is considered a holiday.

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 for services received from a Certified Supplier.

TERMS AND CONDITIONS

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

The initial term of service under this rate is three (3) years. If the customer desires to cancel service under this tariff within three (3) years, a termination fee may be charged by the Company. The termination fee will be determined by applying the above Customer Charge times the remaining months of the initial service agreement.

Where the Company is denied access to read the customer's time-of-day meter for more than two (2) consecutive months, the Company may, after notifying the customer, place the customer on the Company's standard residential rate. If the Company moves the customer to the standard rate, the customer shall not be billed for the termination fee.

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 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. 08-709-EL-AIR before the Public Utilities Commission of Ohio.

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RATE CUR

COMMON USE RESIDENTIAL SERVICE

APPLICABILITY

Applicable to electric service other than three phase service for separately metered common use areas of multi-occupancy buildings in the entire territory of the Company where distribution lines are adjacent to the premises to be served.

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	<u>\$10.00</u> per month	<u>\$10.00</u> per month	(I)
(b) Energy Charge			
First 1,000 kilowatt-hours	<u>\$0.019217</u> per kWh	<u>\$0.019217</u> per kWh	(R)
Additional kilowatt-hours	<u>\$0.019217</u> per kWh	<u>\$0.019217</u> per kWh	(R)
2. Applicable Riders			
The following riders are applicable pursuant to the specific terms contained within each 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. 56, Rider SRT, System Reliability Tracker			
Sheet No. 57, Rider TCR, Transmission Cost Recovery Rider			
Sheet No. 58, Rider DRI, Distribution Reliability Investment Rider			
<u>Sheet No. 70, Rider DR, Distribution Reliability Rider</u>			
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. 86, Rider USR, Universal Service Fund Rider			
Sheet No. 89, Rider AG, Optional Alternative Generation Rider			

Filed pursuant to an Order dated _____ in Case No. 08-709-EL-AIR before the Public Utilities Commission of Ohio.

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NET MONTHLY BILL (Contd.)**3. Market Price Generation Charges – Market Based Standard Service Offer**

The Generation Charges listed below are applicable to all customers except those customers that switch to a Certified Supplier for their generation service.

	<u>Summer Period</u>	<u>Winter Period</u>
Energy Charge		
First 1,000 kilowatt-hours	\$0.044180 per kWh	\$0.044180 per kWh
Additional kilowatt-hours	\$0.055978 per kWh	\$0.016669 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 for services received from a Certified Supplier.

TERMS AND CONDITIONS

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

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.

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RATE RS3P

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, three 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	\$ <u>12.00</u> per month	\$ <u>12.00</u> per month	(I)
(b) Energy Charge			
First 1,000 kilowatt-hours	\$ <u>0.019217</u> per kWh	\$ <u>0.019217</u> per kWh	(R)
Additional kilowatt-hours	\$ <u>0.019217</u> per kWh	\$ <u>0.019217</u> per kWh	(R)

Filed pursuant to an Order dated _____ in Case No. 08-709-EL-AIR before the Public Utilities Commission of Ohio.

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NET MONTHLY BILL (Contd.)

2. Applicable Riders

The following riders are applicable pursuant to the specific terms contained within each 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. 56, Rider SRT, System Reliability Tracker
Sheet No. 57, Rider TCR, Transmission Cost Recovery Rider
Sheet No. 70, Rider DR, Distribution Reliability 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. 86, Rider USR, Universal Service Fund Rider

(N)

3. Generation Charges

The following generation charges are applicable to all customers except those customers who receive their energy from a certified supplier.

	<u>Summer Period</u>	<u>Winter Period</u>
Energy Charge		
First 1,000 kilowatt-hours	\$0.044180 per kWh	\$0.044180 per kWh
Additional kilowatt-hours	\$0.055978 per kWh	\$0.016669 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. 08-709-EL-AIR before the Public Utilities Commission of Ohio.

Issued:

Effective:

Issued by Sandra P. Meyer, President

Duke Energy Ohio
139 East Fourth Street
Cincinnati, Ohio 45202

P.U.C.O. Electric No. 19
Sheet No. 35.2
Cancels and Supersedes
Original Sheet No. 35.1
Page 3 of 3

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. 08-709-EL-AIR before the Public Utilities Commission of Ohio.

Issued:

Effective:

Issued by Sandra P. Meyer, President

RATE DS

SERVICE AT SECONDARY DISTRIBUTION VOLTAGE

APPLICABILITY

Applicable to electric service for usual customer load requirements is available to a customer only where the Company specifies service at the standard secondary system voltage and where the Company determines that facilities of adequate capacity are available and adjacent to the premises to be served and the Company determines that the customers average monthly demand is greater than 15 kilowatts. Electric service must be supplied at one point of delivery.

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 or three phase, at Company's standard distribution voltage.

NET MONTHLY BILL

Computed in accordance with the following charges provided, however, that the minimum monthly load factor, expressed as hours-use per month, shall not be less than 71 kWh per kW. When applicable, the minimum monthly load factor shall be achieved by calculating the billing demand as the monthly kWh usage divided by 71 (kilowatt of demand is abbreviated as kW and kilowatt-hours are abbreviated as kWh):

1. Distribution Charges

(a) Customer Charge per month

Single Phase Service

\$20.00

(I)

Single and/or Three Phase Service

\$40.00

(I)

(b) Demand Charge

All kilowatts

\$5.2145 per kW

(I)

2. Applicable Riders

The following riders are applicable pursuant to the specific terms contained within each 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. 56, Rider SRT, System Reliability Tracker

Sheet No. 57, Rider TCR, Transmission Cost Recovery Rider

Sheet No. 58, Rider DRI, Distribution Reliability Investment Rider

Sheet No. 70, Rider DR, Distribution Reliability Rider

(N)

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

Filed pursuant to an Order dated _____ in Case No. 08-709-EL-AIR before the Public
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Duke Energy Ohio
139 East Fourth Street
Cincinnati, Ohio 45202

P.U.C.O. Electric No. 19
Sheet No. 40.12
Cancels and Supersedes
Sheet No. 40.11
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NET MONTHLY BILL (Contd.)

3. Market Price Generation Charges – Market Based Standard Service Offer

(a) Demand Charge

First 1,000 kilowatts	\$7.6574 per kW
Additional kilowatts	\$6.0574 per kW

(b) Energy Charge

Billing Demand times 300	\$0.019576 per kWh
Additional kWh	\$0.016266 per kWh

The Generation Charges listed above are applicable to all customers except those customers that switch to a Certified Supplier for their generation service.

Customers who return to the Company's energy supply after January 2, 2005, will be billed for generation service for each hour at the higher of the following:

1. The demand-related component of the Market Price Generation Charge, plus the energy-related component of the Market Price Generation Charge, plus Rider FPP, or
2. The demand-related component of the Market Price Generation Charge, plus the incremental dispatch cost of the highest cost generation unit/purchased power to serve Duke Energy Ohio load.

When both single and three phase secondary voltage services are required by a Distribution customer, the monthly kilowatt-hour usage and kilowatt demands shall be the respective arithmetical sums of both services.

MINIMUM BILL PROVISION

The minimum bill shall be 85% of the highest monthly kilowatt demand as established in the summer period and effective for the next succeeding eleven (11) months plus the Customer Charge.

In no case, however, shall the minimum bill be less than the Customer Charge.

METERING

The Company may meter at secondary or primary voltage as circumstances warrant. If the Company elects to meter at primary voltage, the kilowatt-hours registered on the Company's meter will be reduced one and one-half (1.5) percent for billing purposes.

DEMAND

The demand shall be the kilowatts derived from the Company's demand meter for the fifteen-minute period of customer's greatest use during the billing period, as determined by the Company, adjusted for power factor, as provided herein. At the Company's option, a demand meter may not be installed if the nature of the load clearly indicates the load will have a constant demand, in which case the demand will be the calculated demand.

In no event will the billing demand be taken as less than the higher of the following:

- a) 85% of the highest monthly kilowatt demand as established in the summer period and effective for the next succeeding eleven (11) months; or
- b) One (1) kilowatt for each single phase meter and five (5) kilowatts for each three phase meter.

Filed pursuant to an Order dated _____ in Case No. 08-709-EL-AIR before the Public Utilities Commission of Ohio.

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DEMAND (contd.)

The Company may re-determine customer's billing demand at any time in recognition of a permanent change in load due to such occurrences as the installation of load control equipment or a temporary change due to malfunctions of such equipment.

If a customer requests reconnection of an account within twelve (12) months of a disconnection order, the customer's demand record for the period of disconnection will be re-established for purposes of billing and administration of the preceding clause.

For purposes of administration of the above clause, 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.

POWER FACTOR ADJUSTMENT

The power factor to be maintained shall be not less than 90% lagging. If the Company determines customer's power factor to be less than 90%, the billing demand will be the number of kilowatts equal to the kilovolt amperes multiplied by 0.90.

Power factor may be determined by the following methods, at the Company's option:

- a) Continuous measurement
 - the power factor, as determined during the interval in which the maximum kW demand is established, will be used for billing purposes; or
- b) Testing
 - the power factor, as determined during a period in which the customer's measured kW demand is not less than 90% of the measured maximum kW demand of the preceding billing period, will be used for billing purposes until superseded by a power factor determined by a subsequent test made at the direction of Company or request of customer.

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 for services received from a Certified Supplier.

TERMS AND CONDITIONS

The initial term of contract shall be for a minimum period of three (3) years terminable thereafter by a minimum notice of either the customer or the Company as prescribed by the Company's Service Regulations.

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

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TERMS AND CONDITIONS (contd.)

If the Company offers to provide the necessary facilities for transmission service, in accordance with its Service Regulations, an annual facilities charge, applicable to such additional facilities, is established at twenty (20) percent of actual cost. The annual facilities charge shall be billed in twelve monthly installments to be added to the demand charge.

SERVICE REGULATIONS

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. 08-709-EL-AIR before the Public Utilities Commission of Ohio.

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Duke Energy Ohio
139 East Fourth Street
Cincinnati, Ohio 45202

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Sheet No. 41.12
Cancels and Supersedes
Sheet No. 41.11
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RATE GS-FL

OPTIONAL UNMETERED GENERAL SERVICE RATE FOR SMALL FIXED LOADS

APPLICABILITY

Applicable to electric service in the Company's entire territory where secondary distribution lines exist for any fixed electric load that can be served by a standard service drop from the Company's existing secondary distribution system.

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, at nominal voltages of 120, 120/240 or 120/208 volts, single phase, unmetered. Service of other characteristics, where available, may be furnished at the option of the Company.

NET MONTHLY BILL

Computed in accordance with the following charges:

1. Distribution Charges

- | | | |
|---|--------------------|-----|
| (a) For loads based on a range of 540 to 720 hours use per month of the rated capacity of the connected equipment | \$0.019649 per kWh | (I) |
| (b) For loads of less than 540 hours use per month of the rated capacity of the connected equipment | \$0.022543 per kWh | (I) |

2. Applicable Riders

The following riders are applicable pursuant to the specific terms contained within each 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. 56, Rider SRT, System Reliability Tracker
Sheet No. 57, Rider TCR, Transmission Cost Recovery Rider
Sheet No. 58, Rider DRI, Distribution Reliability Investment Rider
Sheet No. 70, Rider DR, Distribution Reliability 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. 86, Rider USR, Universal Service Fund Rider

(N)

Filed pursuant to an Order dated _____ in Case No. 08-709-EL-AIR before the Public Utilities Commission of Ohio.

Issued:

Issued by Sandra P. Meyer, President

Effective:

NET MONTHLY BILL (Contd.)

3. Market Price Generation Charges – Market Based Standard Service Offer

Demand Related Component

For loads based on a range of 540 to 720 hours use per month of the
rated capacity of the connected equipment \$0.038236 per kWh

For loads of less than 540 hours use per month of the rated capacity of
the connected equipment \$0.043953 per kWh

Energy Related Component

For loads based on a range of 540 to 720 hours use per month of the
rated capacity of the connected equipment \$0.026805 per kWh

For loads of less than 540 hours use per month of the rated capacity of
the connected equipment \$0.030812 per kWh

The Generation Charges listed above are applicable to all customers except those customers that switch to a Certified Supplier for their generation service.

Customers who return to the Company's energy supply after January 2, 2005, will be billed for generation service for each hour at the higher of the following:

1. The demand-related component of the Market Price Generation Charge, plus the energy-related component of the Market Price Generation Charge, plus Rider FPP, or
2. The demand-related component of the Market Price Generation Charge, plus the incremental dispatch cost of the highest cost generation unit/purchased power to serve Duke Energy Ohio load.

MINIMUM CHARGE

The minimum charge shall be \$5.00 per Fixed Load Location per month.

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 for services received from a Certified Supplier.

SERVICE PROVISIONS

1. Each separate point of delivery of service shall be considered a Fixed Load Location.
2. Only one supply service will be provided to a customer under this Schedule as one Fixed Load Location.
3. The customer shall furnish switching equipment satisfactory to the Company.

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SERVICE PROVISIONS (contd.)

4. The customer shall notify the Company in advance of every change in connected load, and the Company reserves the right to inspect the customer's equipment at any time to verify the actual load. In the event of the customer's failure to notify the Company of an increase in load, the Company reserves the right to refuse to serve the Fixed Load thereafter under this Schedule, and shall be entitled to bill the customer retroactively on the basis of the increased load for the full period such load was connected.

TERM OF SERVICE

One (1) year, terminable thereafter on thirty (30) days written notice by either customer or Company.

SERVICE REGULATIONS

The supplying of, 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. 08-709-EL-AIR before the Public Utilities Commission of Ohio.

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Effective:

Duke Energy Ohio
139 East Fourth Street
Cincinnati, Ohio 45202

P.U.C.O. Electric No. 19
Sheet No. 42.12
Cancels and Supersedes
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RATE EH

OPTIONAL RATE FOR ELECTRIC SPACE HEATING

APPLICABILITY

Applicable to electric service for heating when customer's wiring is so arranged that heating service can be furnished at one point of delivery and can be metered separately from all other types of service or to any public school, parochial school, private school, or church when supplied at one point of delivery, provided permanently connected and regularly used electrical equipment is installed in compliance with the Company specifications as the primary source of heating or heating and cooling the atmosphere to temperatures of human comfort; and provided all other electrical energy requirements are purchased from the Company. For the purpose of the administration of this tariff schedule, primary source is defined as at least 90 percent. No single water-heating unit shall be wired that the demand established by it can exceed 5.5 kilowatts unless approved by the Company.

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 or three phase at Company's standard secondary voltage.

NET MONTHLY BILL

Computed in accordance with the following charges:

Winter Period:

1. Distribution Charges

(a) Customer Charge per month

Single Phase Service

\$ 20.00

(I)

Three Phase Service

\$ 40.00

(I)

Primary Voltage Service

\$200.00

(I)

(b) Energy Charge

All kilowatt-hours

\$0.016465 per kWh

(I)

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Duke Energy Ohio
139 East Fourth Street
Cincinnati, Ohio 45202

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NET MONTHLY BILL (Contd.)

2. Applicable Riders

The following riders are applicable pursuant to the specific terms contained within each 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. 56, Rider SRT, System Reliability Tracker
Sheet No. 57, Rider TCR, Transmission Cost Recovery Rider
Sheet No. 58, Rider DRI, Distribution Reliability Investment Rider
Sheet No. 70, Rider DR, Distribution Reliability 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. 86, Rider USR, Universal Service Fund Rider

(N)

3. Market Price Generation Charges – Market Based Standard Service Offer

Demand Related Component

All kilowatt-hours \$0.015688 per kWh

Energy Related Component

All kilowatt-hours \$0.010998 per kWh

The Generation Charges listed above are applicable to all customers except those customers that switch to a Certified Supplier for their generation service.

Customers who return to the Company's energy supply after January 2, 2005, will be billed for generation service for each hour at the higher of the following:

1. The demand-related component of the Market Price Generation Charge, plus the energy-related component of the Market Price Generation Charge, plus Rider FPP, or
2. The demand-related component of the Market Price Generation Charge, plus the incremental dispatch cost of the highest cost generation unit/purchased power to serve Duke Energy Ohio load.

Summer Period:

All usage during the summer period shall be billed in accordance with the provisions of the applicable distribution voltage service rate.

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.

Filed pursuant to an Order dated _____ in Case No. 08-709-EL-AIR before the Public Utilities Commission of Ohio.

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Duke Energy Ohio
139 East Fourth Street
Cincinnati, Ohio 45202

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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 for services received from a Certified Supplier.

TERMS AND CONDITIONS

The term of contract shall be for a minimum period of one (1) year terminable thereafter on thirty (30) days written notice by either the customer or the Company.

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. 08-709-EL-AIR before the Public Utilities Commission of Ohio.

Issued:

Issued by Sandra P. Meyer, President

Effective:

RATE DM

SECONDARY DISTRIBUTION SERVICE - SMALL

APPLICABILITY

Applicable to electric service for usual customer load requirements is available to a customer only where the Company specifies service at the standard secondary system voltage and the Company determines that facilities of adequate capacity are available and adjacent to the premises to be served and the Company determines that the customer's average monthly demand is 15 kilowatts or less. This tariff schedule is also applicable to electric service to recreation facilities that are promoted, operated and maintained by non-profit organizations where such service is separately metered. Electric service must be supplied at one point of delivery.

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 or three phase at Company's standard secondary distribution 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			
Single Phase	\$ 7.50 per month	\$ 7.50 per month	
Three Phase	\$15.00 per month	\$15.00 per month	
(b) Energy Charge			
First 2,800 kWh	<u>\$0.030185</u> per kWh	<u>\$0.021668</u> per kWh	(R)
Next 3,200 kWh	<u>\$0.002511</u> per kWh	<u>\$0.002511</u> per kWh	(R)
Additional kWh	<u>\$0.001065</u> per kWh	<u>\$0.001065</u> per kWh	(R)
2. Applicable Riders			
The following riders are applicable pursuant to the specific terms contained within each 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. 56, Rider SRT, System Reliability Tracker			
Sheet No. 57, Rider TCR, Transmission Cost Recovery Rider			
Sheet No. 58, Rider DRI, Distribution Reliability Investment Rider			
<u>Sheet No. 70, Rider DR, Distribution Reliability Rider</u>			(N)
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. 86, Rider USR, Universal Service Fund Rider			

Filed pursuant to an Order dated _____ in Case No. 08-709-EL-AIR before the Public Utilities Commission of Ohio.

Issued:

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Issued by Sandra P. Meyer, President

NET MONTHLY BILL (Contd.)

3. Market Price Generation Charges – Market Based Standard Service Offer

	<u>Summer Period</u>	<u>Winter Period</u>
Demand Related Component		
First 2,800 kWh	\$0.032108 per kWh	\$0.025484 per kWh
Next 3,200 kWh	\$0.008198 per kWh	\$0.008207 per kWh
Additional kWh	\$0.003575 per kWh	\$0.003394 per kWh
Energy Related Component		
First 2,800 kWh	\$0.026454 per kWh	\$0.020996 per kWh
Next 3,200 kWh	\$0.006754 per kWh	\$0.006762 per kWh
Additional kWh	\$0.002945 per kWh	\$0.002797 per kWh

The Generation Charges listed above are applicable to all customers except those customers that switch to a Certified Supplier for their generation service.

Customers who return to the Company's energy supply after January 2, 2005, will be billed for generation service for each hour at the higher of the following:

1. The demand-related component of the Market Price Generation Charge, plus the energy-related component of the Market Price Generation Charge, plus Rider FPP, or
2. The demand-related component of the Market Price Generation Charge, plus the incremental dispatch cost of the highest cost generation unit/purchased power to serve Duke Energy Ohio load.

MINIMUM CHARGE

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

When both single and three phase service are required by the customer, the monthly kilowatt-hour usage shall be the arithmetical sum of both services.

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.

Filed pursuant to an Order dated _____ in Case No. 08-709-EL-AIR before the Public Utilities Commission of Ohio.

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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 for services received from a Certified Supplier.

TERMS AND CONDITIONS

The initial term of contract shall be for a minimum period of one (1) year terminable thereafter by a minimum notice either of the customer or the Company as prescribed by the Company's Service Regulations.

For purposes of the administration of this rate, the Company will determine the customer's average monthly demand based upon customer's most recent twelve month usage each year after the initial term of service has been fulfilled by the customer. If the customer's average demand exceeds 15 kW or if the customer's monthly demand exceeds 30 kW in two (2) or more months in any twelve month period, the Company may require the customer to be billed under the provisions of Rate DS.

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.

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Duke Energy Ohio
139 East Fourth Street
Cincinnati, Ohio 45202

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RATE DP

SERVICE AT PRIMARY DISTRIBUTION VOLTAGE

APPLICABILITY

Applicable to electric service for usual customer load requirements where the Company specifies service at nominal primary distribution system voltages of 12,500 volts or 34,500 volts, and the Company determines that facilities of adequate capacity are available and adjacent to the premises to be served. Electric service must be supplied at one point of delivery.

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 or three phase at Company's standard distribution voltage of 34,500 volts or lower.

NET MONTHLY BILL

Computed in accordance with the following charges. (Kilowatt of demand is abbreviated as kW and kilowatt-hours are abbreviated as kWh):

1. Distribution Charges

(a) Customer Charge per month

Primary Voltage Service (12.5 or 34.5 kV) \$200.00 per month

(I)

(b) Demand Charge

All kilowatts \$ 5.6495 per kW

(I)

2. Applicable Riders

The following riders are applicable pursuant to the specific terms contained within each 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. 56, Rider SRT, System Reliability Tracker

Sheet No. 57, Rider TCR, Transmission Cost Recovery Rider

Sheet No. 58, Rider DRI, Distribution Reliability Investment Rider

Sheet No. 70, Rider DR, Distribution Reliability Rider

(N)

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. 86, Rider USR, Universal Service Fund Rider

Filed pursuant to an Order dated _____ in Case No. 08-709-EL-AIR before the Public Utilities Commission of Ohio.

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Duke Energy Ohio
139 East Fourth Street
Cincinnati, Ohio 45202

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NET MONTHLY BILL (Contd.)

3. Market Price Generation Charges – Market Based Standard Service Offer

(a) Demand Charge	
First 1,000 kilowatts	\$6.9151 per kW
Additional kilowatts	\$5.4550 per kW
(b) Energy Charge	
Billing Demand times 300	\$0.022048 per kWh
Additional kWh	\$0.017682 per kWh

The Generation Charges listed above are applicable to all customers except those customers that switch to a Certified Supplier for their generation service.

Customers who return to the Company's energy supply after January 2, 2005, will be billed for generation service for each hour at the higher of the following:

1. The demand-related component of the Market Price Generation Charge, plus the energy-related component of the Market Price Generation Charge, plus Rider FPP, or
2. The demand-related component of the Market Price Generation Charge, plus the incremental dispatch cost of the highest cost generation unit/purchased power to serve Duke Energy Ohio load.

When both single and three phase secondary voltage services are required by a customer, the monthly kilowatt-hour usage and kilowatt demands shall be the respective arithmetical sums of both services.

MINIMUM BILL PROVISION

The minimum bill shall be 85% of the highest monthly kilowatt demand as established in the summer period and effective for the next succeeding eleven (11) months plus the Customer Charge.

In no case, however, shall the minimum bill be less than the Customer Charge.

PRIMARY VOLTAGE METERING DISCOUNT

The Company may meter at secondary or primary voltage as circumstances warrant. If the Company elects to meter at primary voltage, the kilowatt-hours registered on the Company's meter will be reduced one and one-half percent (1.5%) for billing purposes.

DEMAND

The demand shall be the kilowatts derived from the Company's demand meter for the fifteen-minute period of customer's greatest use during the billing period, as determined by the Company, adjusted for power factor, as provided herein. At its option, the Company may not install a demand meter if the nature of the load clearly indicates the load will have a constant demand, in which case the demand will be the calculated demand.

Filed pursuant to an Order dated _____ in Case No. 08-709-EL-AIR before the Public Utilities Commission of Ohio.

Issued:

Effective:

Issued by Sandra P. Meyer, President

DEMAND (contd.)

In no event will the billing demand be taken as less than the higher of the following:

- a) 85% of the highest monthly kilowatt demand as established in the summer period and effective for the next succeeding eleven (11) months; or
- b) Five (5) kilowatts.

The Company may re-determine customer's billing demand at any time in recognition of a permanent change in load due to such occurrences as the installation of load control equipment or a temporary change due to malfunctions of such equipment.

If a customer requests reconnection of an account within twelve (12) months of a disconnection order, the customer's demand record for the period of disconnection will be re-established for purposes of billing and administration of the preceding clause.

For purposes of administration of the above clause, 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.

POWER FACTOR ADJUSTMENT

The power factor to be maintained shall be not less than 90% lagging. If the Company determines customer's power factor to be less than 90%, the billing demand will be the number of kilowatts equal to the kilovolt amperes multiplied by 0.90.

At the Company's option, power factor may be determined by the following methods:

- a) Continuous measurement
 - the power factor, as determined during the interval in which the maximum kW demand is established, will be used for billing purposes; or
- b) Testing
 - the power factor, as determined during a period in which the customer's measured kW demand is not less than 90% of the measured maximum kW demand of the preceding billing period, will be used for billing purposes until superseded by a power factor determined by a subsequent test made at the direction of Company or request of customer.

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 for services received from a Certified Supplier.

Filed pursuant to an Order dated _____ in Case No. 08-709-EL-AIR before the Public Utilities Commission of Ohio.

Issued:

Effective:

Issued by Sandra P. Meyer, President

Duke Energy Ohio
139 East Fourth Street
Cincinnati, Ohio 45202

P.U.C.O. Electric No. 19
Sheet No. 44.12
Cancels and Supersedes
Sheet No. 44.11
Page 4 of 4

TERMS AND CONDITIONS

The initial term of contract shall be for a minimum period of three (3) years terminable thereafter by a minimum notice of either the customer or the Company as follows:

- (1) For customers with a most recent twelve month average demand of less than 10,000 kVA, thirty (30) days written notice.
- (2) For customers with a most recent twelve month average demand of greater than 10,000 kVA, twelve (12) months written notice.

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

If the Company offers to provide the necessary facilities for transmission service, in accordance with its Service Regulations, an annual facilities charge, applicable to such additional facilities, is established at twenty (20) percent of actual cost. The annual facilities charge shall be billed in twelve monthly installments to be added to the demand charge.

SERVICE REGULATIONS

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. 08-709-EL-AIR before the Public Utilities Commission of Ohio.

Issued:

Effective:

Issued by Sandra P. Meyer, President

RATE TS

SERVICE AT TRANSMISSION VOLTAGE

APPLICABILITY

Applicable to electric service for usual customer load requirements where the Company specifies service at a nominal transmission system voltage of 69,000 volts or higher, and the Company determines that facilities of adequate capacity are available and adjacent to the premises to be served. Electric service must be supplied at one point of delivery and the customer furnishes and maintains all transformation equipment and appurtenances necessary to utilize the service.

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, three phase at Company's standard transmission voltage of 69,000 volts or higher.

NET MONTHLY BILL

Computed in accordance with the following charges (kilovolt amperes are abbreviated as kVA; kilowatt-hours are abbreviated as kWh):

1. Distribution Charges

(a) Customer Charge per month	\$200.00	(I)
-------------------------------	----------	-----

(b) Demand Charge

All kVA	\$ 0.000 per kVA	(R)
---------	------------------	-----

2. Applicable Riders

The following riders are applicable pursuant to the specific terms contained within each 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. 56, Rider SRT, System Reliability Tracker

Sheet No. 57, Rider TCR, Transmission Cost Recovery Rider

Sheet No. 58, Rider DRI, Distribution Reliability Investment Rider

Sheet No. 70, Rider DR, Distribution Reliability Rider (N)

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. 86, Rider USR, Universal Service Fund Rider

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NET MONTHLY BILL (Contd.)

3. Market Price Generation Charges – Market Based Standard Service Offer

(a) Demand Charge	
First 50,000 kVA	\$8.383100 per kVA
Additional kVA	\$6.043100 per kVA
(b) Energy Charge	
Billing Demand times 300	\$0.014404 per kWh
Additional kWh	\$0.016381 per kWh

The Generation Charges listed above are applicable to all customers except those customers that switch to a Certified Supplier for their generation service.

Customers who return to the Company's energy supply after January 2, 2005, will be billed for generation service for each hour at the higher of the following:

1. The demand-related component of the Market Price Generation Charge, plus the energy-related component of the Market Price Generation Charge, plus Rider FPP, or
2. The demand-related component of the Market Price Generation Charge, plus the incremental dispatch cost of the highest cost generation unit/purchased power to serve Duke Energy Ohio load.

MINIMUM CHARGE

The minimum charge shall be not less than fifty (50) percent of the highest demand charge established during the preceding eleven (11) months or the billing of 1,000 kVA, whichever is higher.

METERING

The Company may meter at secondary or primary voltage as circumstances warrant. If the Company elects to meter at secondary voltage, the kilowatt-hours registered on the Company's meter will be increased one and one-half (1.5) percent for billing purposes.

DEMAND

The demand shall be the kilovolt amperes derived from the Company's demand meter for the fifteen-minute period of the customer's greatest use during the month, but not less than the higher of the following:

- a) 85% of the highest monthly kilovolt amperes similarly established during the summer period for the next succeeding eleven (11) months; or
- b) 1,000 kilovolt amperes.

For purposes of administration of the above clause, 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 the period represented by the Company's billing for the eight (8) revenue months of January through May and October through December.

Filed pursuant to an Order dated _____ in Case No. 08-709-EL-AIR before the Public Utilities Commission of Ohio.

Issued:

Effective:

Issued by Sandra P. Meyer, President

DEMAND (cont'd.)

The Company may re-determine customer's billing demand at any time in recognition of a permanent change in load due to such occurrences as the installation of load control equipment or a temporary change due to malfunctions of such equipment.

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 for services received from a Certified Supplier.

TERMS AND CONDITIONS

The initial term of contract shall be for a minimum period of five (5) years terminable thereafter by either the customer or the Company as follows:

- (1) Thirty (30) days after receipt of written notice for customers with a most recent twelve (12) month average demand of less than 10,000 kVA.
- (2) Twelve (12) months after receipt of written notice for customers with a most recent twelve (12) month average demand of 10,000 kVA or greater.

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

If the Company offers to provide the necessary facilities for transmission voltage, in accordance with its Service Regulations, an annual facilities charge, applicable to such additional facilities, is established at twenty (20) percent of actual cost. The annual facilities charge shall be billed in twelve monthly installments to be added to the demand charge.

SERVICE REGULATIONS

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. 08-709-EL-AIR before the Public Utilities Commission of Ohio.

Issued:

Effective:

Issued by Sandra P. Meyer, President

Duke Energy Ohio
139 East Fourth Street
Cincinnati, Ohio 45202

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

RATE STABILIZATION SURCREDIT RIDER

(D)

THIS TARIFF IS HEREBY CANCELLED AND WITHDRAWN

Issued by authority of an Order of the Public Utilities Commission of Ohio dated December 21, 2005 in
Case Nos. 05-0732-EL-MER, 05-0733-EL-AAM and 05-0974-GA-AAM.

Issued: February 28, 2007

Issued by Sandra P. Meyer, President

Effective: March 1, 2007

Duke Energy Ohio
139 East Fourth Street
Cincinnati, Ohio 45202

P.U.C.O. Electric No. 19
Sheet No. 60.12
Cancels and Supersedes
Sheet No. 60.11
Page 1 of 6

RATE SL

STREET LIGHTING SERVICE

APPLICABILITY

Applicable to municipal, county, state and federal governments, including divisions thereof, and incorporated homeowners associations for the lighting of public streets and roads with Company-owned lighting fixtures.

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.

Mercury Vapor lighting fixtures will not be installed by the Company after June 1, 2003. As currently installed Mercury Vapor fixtures are retired and/or replaced, they may be replaced with either Metal Halide or Sodium Vapor fixtures as the customer chooses.

This service will no longer be available for units installed after December 31, 2004.

TYPE OF SERVICE

All equipment owned by the Company will be installed and maintained by the Company. All lamps will burn from dusk to dawn, approximately 4,160 hours per annum. The Company will endeavor to replace burned-out lamps within 48 hours after notification by the customer. The Company does not guarantee continuous lighting or electric service and shall not be liable to the customer or anyone else for any damage, loss or injury due to any cause.

NET MONTHLY BILL

The following monthly charge for each unit with lamp and luminaire, controlled automatically, will be assessed:

	Lamp Watts	KW/Unit	Annual kWh	Distribution Energy & Equipment \$/Unit	Market Price Generation Charge \$/Unit	
1. Base Rate						
<u>OVERHEAD DISTRIBUTION AREA</u>						
Fixture Description						
Standard Fixture (Cobra Head)						
Mercury Vapor						
7,000 lumen	175	0.193	803	<u>3.072</u>	1.927	(I)
7,000 lumen (Open Refractor)	175	0.205	853	<u>3.013</u>	2.047	(I)
10,000 lumen	250	0.275	1,144	<u>3.123</u>	2.746	(I)
21,000 lumen	400	0.430	1,789	<u>3.161</u>	4.294	(I)

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Duke Energy Ohio
139 East Fourth Street
Cincinnati, Ohio 45202

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NET MONTHLY BILL (Contd.)

	<u>Lamp Watts</u>	<u>KW/Unit</u>	<u>Annual kWh</u>	<u>Distribution Energy & Equipment \$/Unit</u>	<u>Market Price Generation Charge \$/Unit</u>	
Metal Halide						
14,000 lumen	175	0.193	803	<u>3.072</u>	1.927	(I)
20,500 lumen	250	0.275	1,144	<u>3.123</u>	2.746	(I)
Sodium Vapor						
9,500 lumen	100	0.117	487	<u>5.434</u>	1.169	(I)
9,500 lumen (Open Refractor)	100	0.117	487	<u>5.225</u>	1.169	(I)
16,000 lumen	150	0.171	711	<u>5.894</u>	1.707	(I)
22,000 lumen	200	0.228	948	<u>5.853</u>	2.275	(I)
27,500 lumen	200	0.228	948	<u>5.853</u>	2.275	(I)
50,000 lumen	400	0.471	1,959	<u>7.162</u>	4.702	(I)
Decorative Fixtures						
Sodium Vapor						
9,500 lumen (Rectilinear)	100	0.117	487	<u>9.430</u>	1.169	(I)
22,000 lumen (Rectilinear)	200	0.246	1,023	<u>9.535</u>	2.455	(I)
50,000 lumen (Rectilinear)	400	0.471	1,959	<u>9.537</u>	4.702	(I)
50,000 lumen (Setback)	400	0.471	1,959	<u>13.093</u>	4.702	(I)

Where a street lighting fixture served overhead is to be installed on another utility's pole on which the Company does not have a contact, a monthly pole charge will be assessed.

Spans of Secondary Wiring:

For each increment of 50 feet of secondary wiring beyond the first 150 feet from the pole, the following price per month shall be added to the price per month per street lighting unit: \$0.39. (I)

	<u>Lamp Watts</u>	<u>KW/Unit</u>	<u>Annual kWh</u>	<u>Distribution Energy & Equipment \$/Unit</u>	<u>Market Price Generation Charge \$/Unit</u>	
UNDERGROUND DISTRIBUTION AREA						
Fixture Description						
Standard Fixture (Cobra Head)						
Mercury Vapor						
7,000 lumen	175	0.210	874	<u>2.599</u>	2.098	(I)
7,000 lumen (Open Refractor)	175	0.205	853	<u>3.169</u>	2.047	(I)
10,000 lumen	250	0.292	1,215	<u>2.597</u>	2.917	(I)
21,000 lumen	400	0.460	1,914	<u>2.672</u>	4.594	(I)
Sodium Vapor						
9,500 lumen	100	0.117	487	<u>5.434</u>	1.169	(I)
22,000 lumen	200	0.228	948	<u>5.853</u>	2.275	(I)
27,500 lumen	200	0.228	948	<u>5.853</u>	2.275	(I)
50,000 lumen	400	0.471	1,959	<u>7.162</u>	4.702	(I)

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Duke Energy Ohio
139 East Fourth Street
Cincinnati, Ohio 45202

P.U.C.O. Electric No. 19
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NET MONTHLY BILL (Contd.)

	<u>Lamp Watts</u>	<u>KW/Unit</u>	<u>Annual kWh</u>	<u>Distribution Energy & Equipment \$/Unit</u>	<u>Market Price Generation Charge \$/Unit</u>	
Decorative Fixtures						
Mercury Vapor						
7,000 lumen (Town & Country)	175	0.205	853	<u>5.554</u>	2.047	(I)
7,000 lumen (Holophane)	175	0.210	874	<u>5.926</u>	2.098	(I)
7,000 lumen (Gas Replica)	175	0.210	874	<u>14.786</u>	2.098	(I)
7,000 lumen (Aspen)	175	0.210	874	<u>8.091</u>	2.098	(I)
Metal Halide						
14,000 lumen (Granville)	175	0.210	874	<u>8.091</u>	2.098	(I)
14,000 lumen (Town & Country)	175	0.205	853	<u>5.554</u>	2.047	(I)
14,500 lumen (Gas Replica)	175	0.210	874	<u>14.786</u>	2.098	(I)
Sodium Vapor						
9,500 lumen (Town & Country)	100	0.117	487	<u>9.179</u>	1.169	(I)
9,500 lumen (Holophane)	100	0.128	532	<u>9.497</u>	1.277	(I)
9,500 lumen (Rectilinear)	100	0.117	487	<u>9.639</u>	1.169	(I)
9,500 lumen (Gas Replica)	100	0.128	532	<u>17.394</u>	1.277	(I)
9,500 lumen (Aspen)	100	0.128	532	<u>10.010</u>	1.277	(I)
16,000 lumen (Aspen)	150	0.171	711	<u>5.894</u>	1.401	(I)
22,000 lumen (Rectilinear)	200	0.246	1,023	<u>9.535</u>	2.455	(I)
50,000 lumen (Rectilinear)	400	0.471	1,959	<u>9.119</u>	4.702	(I)
50,000 lumen (Setback)	400	0.471	1,959	<u>13.093</u>	4.702	(I)

POLE CHARGES

<u>Pole Description</u>	<u>Pole Type</u>	<u>\$/Pole</u>	
Wood			
17 foot (Wood Laminated) (a)	W17	<u>4.13</u>	(I)
30 foot	W30	<u>4.51</u>	(I)
35 foot	W35	<u>4.77</u>	(I)
40 foot	W40	<u>5.52</u>	(I)
Aluminum			
12 foot	A12	<u>12.10</u>	(I)
28 foot	A28	<u>6.71</u>	(I)
28 foot (heavy duty)	A28H	<u>6.82</u>	(I)
30 foot (anchor base)	A30	<u>20.18</u>	(I)

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Duke Energy Ohio
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NET MONTHLY BILL (Contd.)

Pole Description (Contd.)	Pole Type	\$/Pole	
Fiberglass			
17 foot	F17	<u>4.14</u>	(I)
30 foot (bronze)	F30	<u>8.96</u>	(I)
35 foot (bronze)	F35	<u>9.07</u>	(I)
40 foot	F40	<u>5.51</u>	(I)
Steel			
27 foot (11 gauge)	S27	<u>16.55</u>	(I)
27 foot (3 gauge)	S27H	<u>22.40</u>	(I)

Spans of Secondary Wiring:

For each increment of 25 feet of secondary wiring beyond the first 25 feet from the pole, the following price per month shall be added to the price per month per street lighting unit: \$0.83. (I)

Additional facilities, other than specified above, if required, will be billed at the time of installation.

(a) Note: New or replacement poles no longer available.

2. Applicable Riders

The following riders are applicable pursuant to the specific terms contained within each 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. 56, Rider SRT, System Reliability Tracker

Sheet No. 57, Rider TCR, Transmission Cost Recovery Rider

Sheet No. 58, Rider DRI, Distribution Reliability Investment Rider

Sheet No. 70, Rider DR, Distribution Reliability 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. 86, Rider USR, Universal Service Fund Rider

(N)

MARKET PRICE GENERATION CHARGES – MARKET BASED STANDARD SERVICE OFFER

Demand Related Component	\$0.010528 per kWh
Energy Related Component	\$0.018276 per kWh

The Generation Charges listed above are applicable to all customers except those customers that switch to a Certified Supplier for their generation service.

Customers who return to the Company's energy supply after January 2, 2005, will be billed for generation service for each hour at the higher of the following:

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Issued by Sandra P. Meyer, President

MARKET PRICE GENERATION CHARGES – MARKET BASED STANDARD SERVICE OFFER (Contd.)

1. The demand-related component of the Market Price Generation Charge, plus the energy-related component of the Market Price Generation Charge, plus Rider FPP, or
2. The demand-related component of the Market Price Generation Charge, plus the incremental dispatch cost of the highest cost generation unit/purchased power to serve Duke Energy Ohio load.

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 for services received from a Certified Supplier.

TERM OF SERVICE

The street lighting units are installed for the life of the unit, and then its terminable on one hundred twenty (120) days written notice by either customer or Company subject to Paragraph 4 or 6 under General Conditions.

GENERAL CONDITIONS

- (1) If the customer requires the installation of a unit at a location which requires the extension, relocation, or rearrangement of the Company's distribution system, the customer shall, in addition to the monthly charge, pay the Company on a time and material basis, plus overhead charges, the cost of such extension, relocation, or rearrangement, unless in the judgment of the Company no charge should be made. An estimate of the cost will be submitted for approval before work is carried out.
- (2) Installation of street lighting units will be predicated on the ability of the Company to obtain, without cost to itself or the payment or consideration, all easements and rights-of-way which, in the opinion of the Company, are necessary for the construction, maintenance and operation of the street lights, standards, anchors and/or service wires. If such easements and rights-of-way cannot be so obtained, the Company shall have no obligation hereunder to install such units.
- (3) The time within which the Company will be able to commence or to complete the services to be performed is dependent on the Company's ability to secure the materials required, and the Company shall not be responsible for failure to install these street light units for such reason.
- (4) If an installed street lighting unit is required to be relocated, removed, or replaced with another unit of the same or less rated lamp wattage, the ordering Authority shall pay the Company the sacrifice value of the unit, plus labor and overhead charges, unless in the judgment of the Company no charge should be made. An estimate of the cost will be submitted for approval before work is carried out.
- (5) Lamps and refractors which are maintained by the Company shall be kept in good operating condition by and at the expense of the Company.

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Effective:

Issued by Sandra P. Meyer, President

Duke Energy Ohio
139 East Fourth Street
Cincinnati, Ohio 45202

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GENERAL CONDITIONS (Contd.)

In cases of vandalism, the Company will repair the damaged property and the customer shall pay for such repair on a time and material basis, plus overhead charges, unless in the judgment of the Company no charge should be made. An estimate of the cost will be submitted for approval before work is carried out.

- (6) When a street lighting unit reaches end of life or becomes obsolete and parts cannot be reasonably obtained, the Company can remove the unit at no expense to the customer after notifying the customer. The customer shall be given the opportunity to arrange for another type lighting unit provided by the Company.

SERVICE REGULATIONS

The supplying of, 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. 08-709-EL-AIR before the Public Utilities Commission of Ohio.

Issued:

Effective:

Issued by Sandra P. Meyer, President

RATE TL

TRAFFIC LIGHTING SERVICE

APPLICABILITY

Applicable to the supplying of energy for traffic signals or other traffic control lighting on public streets and roads. After January 1, 1992, this tariff schedule shall only be applicable to municipal, county, state and local governments. In the application of this tariff, each point of delivery shall be considered as a separate customer.

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 the Company's standard secondary voltage.

NET MONTHLY BILL

Computed in accordance with the following charges:

1. Base Rate

- (a) Where the Company supplies energy only all kilowatt-hours shall be billed as follows:

Distribution Energy and Equipment Charge	\$0.003745 per kWh	(I)
Generation Charge – Demand Related Component	\$0.006161 per kWh	
Generation Charge – Energy Related Component	\$0.010697 per kWh	

- (b) Where the Company supplies energy from a separately metered source and the Company has agreed to provide limited maintenance for traffic signal equipment all kilowatt-hours shall be billed at

\$0.025046 per kWh

(I)

- (c) Where the Company supplies energy and has agreed to provide limited maintenance for traffic signal equipment all kilowatt-hours shall be billed as follows:

Distribution Energy and Equipment Charge	\$0.026204 per kWh	(I)
Generation Charge – Demand Related Component	\$0.006161 per kWh	
Generation Charge – Energy Related Component	\$0.010697 per kWh	

Filed pursuant to an Order dated _____ in Case No. 08-709-EL-AIR before the Public Utilities Commission of Ohio.

Issued:

Effective:

Issued by Sandra P. Meyer, President

Duke Energy Ohio
139 East Fourth Street
Cincinnati, Ohio 45202

P.U.C.O. Electric No. 19
Sheet No. 61.12
Cancels and Supersedes
Sheet No. 61.11
Page 2 of 3

NET MONTHLY BILL (Contd.)

2. Applicable Riders

The following riders are applicable pursuant to the specific terms contained within each 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. 56, Rider SRT, System Reliability Tracker
Sheet No. 57, Rider TCR, Transmission Cost Recovery Rider
Sheet No. 58, Rider DRI, Distribution Reliability Investment Rider
Sheet No. 70, Rider DR, Distribution Reliability 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. 86, Rider USR, Universal Service Fund Rider

(N)

MARKET PRICE GENERATION CHARGES – MARKET BASED STANDARD SERVICE OFFER

Generation Charge – Demand Related Component	\$0.006161 per kWh
Generation Charge – Energy Related Component	\$0.010697 per kWh

The Generation Charges listed above are applicable to all customers except those customers that switch to a Certified Supplier for their generation service.

Customers who return to the Company's energy supply after January 2, 2005, will be billed for generation service for each hour at the higher of the following:

1. The demand-related component of the Market Price Generation Charge, plus the energy-related component of the Market Price Generation Charge, plus Rider FPP, or
2. The demand-related component of the Market Price Generation Charge, plus the incremental dispatch cost of the highest cost generation unit/purchased power to serve Duke Energy Ohio load.

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 for services received from a Certified Supplier.

TERM OF SERVICE

One (1) year, terminable thereafter on thirty (30) days written notice by either customer or Company.

Filed pursuant to an Order dated _____ in Case No. 08-709-EL-AIR before the Public Utilities Commission of Ohio.

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Effective:

Issued by Sandra P. Meyer, President

GENERAL CONDITIONS

- (1) Billing will be based on the calculated kilowatt-hour consumption taking into consideration the size and characteristics of the load.
- (2) Where the average monthly usage is less than 110 kWh per point of delivery, the customer shall pay the Company, in addition to the monthly charge, the cost of providing the electric service on the basis of time and material plus overhead charges. An estimate of the cost will be submitted for approval before the work is carried out.
- (3) The location of each point of delivery shall be mutually agreed upon by the Company and the customer. In overhead distribution areas, the point of delivery shall be within 150 feet of existing secondary wiring. In underground distribution areas, the point of delivery shall be at an existing secondary wiring service point.
- (4) If the customer needs a point of delivery which requires the extension, relocation, or rearrangement of Company's distribution system, the customer shall pay the Company, in addition to the monthly charge, the cost of such extension, relocation, or rearrangement on the basis of time and material plus overhead charges, unless such extension, relocation or rearrangement is performed in the course of the Company's routine system upgrade, or where a municipality requires such work when acting in its governmental capacity; then, no payment will be made. An estimate of the cost will be submitted for approval before work is carried out.

LIMITED MAINTENANCE

Limited maintenance for traffic signals is defined as cleaning and replacing lamps, and repairing connections in wiring which are of a minor nature. Limited maintenance for traffic controllers is defined as cleaning, oiling, adjusting and replacing contacts which are provided by customer, time-setting when requested, and minor repairs to defective wiring.

SERVICE REGULATIONS

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. 08-709-EL-AIR before the Public Utilities Commission of Ohio.

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RATE OL

OUTDOOR LIGHTING SERVICE

APPLICABILITY

Applicable for outdoor lighting services on private property with Company owned fixtures in the Company's entire service area where secondary distribution lines are adjacent to the premises to be served. Not applicable for lighting public roadways which are dedicated, or anticipated to be dedicated, except to meet the occasional singular need of a customer who has obtained written approval from the proper governmental authority.

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.

Mercury Vapor lighting fixtures will not be installed by the Company after June 1, 2003. As currently installed Mercury Vapor fixtures are retired and/or replaced, they may be replaced with either Metal Halide or Sodium Vapor fixtures as the customer chooses.

This service will no longer be available for units installed after December 31, 2004.

TYPE OF SERVICE

All equipment will be installed, owned and maintained by the Company on rights-of-way provided by the customer. The Company will perform maintenance only during regularly scheduled working hours and will endeavor to replace burned-out lamps within 48 hours after notification by the customer. The Company does not guarantee continuous lighting and shall not be liable to the customer or anyone else for damage, loss or injury resulting from any interruption in such lighting due to any cause. All lamps will burn from dusk to dawn, approximately 4,160 hours per annum.

NET MONTHLY BILL

1. Base Rate

A. Private outdoor lighting units:

The following monthly charge for each fixture, which includes lamp and luminaire, controlled automatically, mounted on a utility pole, as specified by the Company, with a maximum mast arm of 16 feet for overhead units will be assessed:

	Lamp <u>Watts</u>	KW/ <u>Luminaire</u>	Annual <u>kWh</u>	Distribution Energy & Equipment <u>\$/Unit</u>	Market Price Generation Charge <u>\$/Unit</u>	
<u>Standard Fixtures (Cobra Head)</u>						
<u>Mercury Vapor</u>						
7,000 lumen (Open Refractor)	175	0.205	853	<u>5.607</u>	2.047	(I)
7,000 lumen	175	0.210	874	<u>9.524</u>	2.098	(I)
10,000 lumen	250	0.292	1,215	<u>9.720</u>	2.917	(I)
21,000 lumen	400	0.460	1,914	<u>10.705</u>	4.594	(I)

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P.U.C.O. Electric No. 19
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NET MONTHLY BILL (Contd.)

	Lamp Watts	KW/ Luminaire	Annual KWh	Distribution Energy & Equipment \$/Unit	Market Price Generation Charge \$/Unit	
<u>Metal Halide</u>						
14,000 lumen	175	0.210	874	<u>9.524</u>	2.098	(I)
20,500 lumen	250	0.292	1,215	<u>9.720</u>	2.917	(I)
36,000 lumen	400	0.460	1,914	<u>10.705</u>	4.594	(I)
<u>Sodium Vapor</u>						
9,500 lumen (Open Refractor)	100	0.117	487	<u>5.727</u>	1.169	(I)
9,500 lumen	100	0.117	487	<u>7.442</u>	1.169	(I)
16,000 lumen	150	0.171	711	<u>8.782</u>	1.707	(I)
22,000 lumen	200	0.228	948	<u>8.385</u>	2.275	(I)
27,500 lumen	100	0.117	487	<u>7.442</u>	1.169	(I)
27,500 lumen	200	0.228	948	<u>8.385</u>	2.275	(I)
50,000 lumen	400	0.471	1,959	<u>7.455</u>	4.702	(I)
<u>Decorative Fixtures (a)</u>						
<u>Mercury Vapor</u>						
7,000 lumen (Town & Country)	175	0.205	853	<u>12.751</u>	2.047	(I)
7,000 lumen (Aspen)	175	0.210	874	<u>18.143</u>	2.098	(I)
<u>Sodium Vapor</u>						
9,500 lumen (Town & Country)	100	0.117	487	<u>19.451</u>	1.169	(I)
9,500 lumen (Haloghane)	100	0.128	532	<u>20.188</u>	1.277	(I)
9,500 lumen (Gas Replica)	100	0.128	532	<u>35.982</u>	1.277	(I)
22,000 lumen (Rectilinear)	200	0.246	1,023	<u>21.366</u>	2.455	(I)

(a) When requesting installation of a decorative unit, the customer may elect to make an additional contribution to obtain the monthly rate per unit charge for the same size standard (cobra head) outdoor lighting fixture.

B. Flood lighting units served in overhead distribution areas (FL):

The following monthly charge for each fixture, which includes lamp and luminaire, controlled automatically, mounted on a utility pole, as specified by the Company, will be assessed:

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Duke Energy Ohio
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NET MONTHLY BILL (Contd.)

	Lamp Watts	KW/ Luminaire	Annual KWh	Distribution Energy & Equipment \$/Unit	Market Price Generation Charge \$/Unit	
<u>Mercury Vapor</u>						
21,000 lumen	400	0.460	1,914	<u>9.899</u>	4.594	(I)
<u>Metal Halide</u>						
20,500 lumen	250	0.246	1,023	<u>7.317</u>	2.455	(I)
36,000 lumen	400	0.460	1,914	<u>9.899</u>	4.594	(I)
<u>Sodium Vapor</u>						
9,500 lumen	100	0.117	487	<u>6.909</u>	1.169	(I)
22,000 lumen	200	0.246	1,023	<u>7.317</u>	2.455	(I)
30,000 lumen	200	0.246	1,023	<u>7.317</u>	2.455	(I)
50,000 lumen	400	0.480	1,997	<u>8.050</u>	4.793	(I)

Additional facilities, if needed will be billed at the time of installation.

2. Applicable Riders

The following riders are applicable pursuant to the specific terms contained within each 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. 56, Rider SRT, System Reliability Tracker
- Sheet No. 57, Rider TCR, Transmission Cost Recovery Rider
- Sheet No. 58, Rider DRI, Distribution Reliability Investment Rider
- Sheet No. 70, Rider DR, Distribution Reliability 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. 86, Rider USR, Universal Service Fund Rider

(N)

MARKET PRICE GENERATION CHARGES – MARKET BASED STANDARD SERVICE OFFER

Demand Related Component	\$0.010528 per kWh
Energy Related Component	\$0.018276 per kWh

The Generation Charges listed above are applicable to all customers except those customers that switch to a Certified Supplier for their generation service.

Customers who return to the Company's energy supply after January 2, 2005, will be billed for generation service for each hour at the higher of the following:

1. The demand-related component of the Market Price Generation Charge, plus the energy-related component of the Market Price Generation Charge, plus Rider FPP, or
2. The demand-related component of the Market Price Generation Charge, plus the incremental dispatch cost of the highest cost generation unit/purchased power to serve Duke Energy Ohio load.

Filed pursuant to an Order dated _____ in Case No.08-709-EL-AIR before the Public Utilities Commission of Ohio.

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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 for services received from a Certified Supplier.

TERM OF SERVICE

Three (3) years for a new and/or succeeding customer until the initial period is fulfilled. The service is terminable thereafter on ten (10) days written notice by the customer or the Company.

At the Company's option, a longer contract may be required for large installations.

GENERAL CONDITIONS

1. In cases of repeated vandalism, the Company at its option will repair or remove its damaged equipment and the customer shall pay for repairs on a time and material basis, plus overhead charges. If the equipment is removed the customer will be billed for the unexpired term of the contract.
2. If the customer requires the extension, relocation or rearrangement of the Company's system, the customer will pay, in addition to the monthly charge, the Company on a time and materials basis, plus overhead charges, for such extension, relocation or rearrangement unless in the judgment of the Company no charge should be made. An estimate of the cost will be submitted for customer approval before work is carried out.
3. If any Company owned lighting unit is required to be relocated, removed or replaced with another unit of the same or lower lamp wattage, the customer ordering this shall pay the Company the sacrifice value of the unit, plus labor and overhead charges, unless in the judgment of the Company no charges should be made. An estimate of the cost will be submitted for customer approval before work is carried out.
4. Installation of lighting units will be predicated on the ability of the Company to obtain, without cost to itself or the payment or consideration, all easements and rights-of-way which, in the opinion of the Company, are necessary for the construction, maintenance and operation of the lights, standards, anchors and/or service wires. If such easements and rights-of-way cannot be so obtained, the Company shall have no obligation hereunder to install such units.
5. The time within which the Company will be able to commence or to complete the services to be performed is dependent on the Company's ability to secure the materials required, and the Company shall not be responsible for failure to install these light units for such reason.
6. When a lighting unit reaches end of life or becomes obsolete and parts cannot be reasonably obtained, the Company can remove the unit at no expense to the customer after notifying the customer. The customer shall be given the opportunity to arrange for another type lighting unit provided by the Company.

SERVICE REGULATIONS

The supplying of, 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.

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RATE NSU

**STREET LIGHTING SERVICE
FOR NON-STANDARD UNITS**

APPLICABILITY

Applicable to municipal, county, state and federal governments, including divisions thereof, hereafter referred to as Customer, for the lighting of public streets and roads with existing Company and Customer owned lighting fixtures. This service is not available for units installed after December 2, 1983.

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

All equipment owned by the Company will be maintained by the Company. All lamps will burn from dusk to dawn, approximately 4,160 hours per annum. The Company will endeavor to replace burned-out lamps maintained by the Company within 48 hours after notification by the customer. The Company does not guarantee continuous lighting or electric service and shall not be liable to the customer or anyone else for any damage, loss or injury due to any cause.

NET MONTHLY BILL

The following monthly charge for each unit with lamp and luminaire, controlled automatically, will be assessed.

	<u>Lamp Watts</u>	<u>kW/ Unit</u>	<u>Annual kWh</u>	<u>Distribution Energy & Equipment \$/Unit</u>	<u>Market Price Generation Charge \$/Unit</u>	
1. Base Rate						
A. Company owned						
1) Steel boulevard units and 15 and 30 ft. steel poles served underground						
a. 1,000 lumen incandescent	65	0.065	270	<u>6.246</u>	0.648	(I)
b. 4,000 lumen incandescent	295	0.295	1,227	<u>13.093</u>	2.945	(I)
c. 6,000 lumen incandescent	405	0.405	1,685	<u>12.652</u>	4.045	(I)
d. 50,000 lumen sodium vapor	400	0.471	1,959	<u>11.702</u>	4.702	(I)
2) Street light units served overhead on Company owned pole						
a. 2,500 lumen incandescent	148	0.148	616	<u>3.868</u>	1.479	(I)
b. 6,000 lumen incandescent	405	0.405	1,685	<u>1.469</u>	4.045	(I)
c. 2,500 lumen mercury vapor	100	0.115	478	<u>4.178</u>	1.147	(I)

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Effective:

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139 East Fourth Street
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Sheet No. 63.12
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NET MONTHLY BILL (Contd.)

	Lamp Watts	kW/ Unit	Annual kWh	Distribution Energy & Equipment \$/Unit	Market Price Generation Charge \$/Unit	
B. Customer owned						
1) Lighting system on steel poles served either overhead or under-ground with limited maintenance by Company						
a. 21,000 lumen mercury vapor	400	0.460	1,914	<u>0.130</u>	4.594	(I)
2) Fixtures mounted on Company owned pole served underground in conduit with limited maintenance by Company						
a. 21,000 lumen mercury vapor (Two fixtures per pole)	400	0.460	1,914	<u>10.172</u>	4.594	(I)
2. Applicable Riders						
The following riders are applicable pursuant to the specific terms contained within each 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. 56, Rider TCR, Transmission Cost Recovery Rider						
Sheet No. 58, Rider DRI, Distribution Reliability Investment Rider						
<u>Sheet No. 70, Rider DR, Distribution Reliability Rider</u>						
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. 86, Rider USR, Universal Service Fund Rider						

MARKET PRICE GENERATION CHARGES – MARKET BASED STANDARD SERVICE OFFER

Demand Related Component	\$0.010528 per kWh
Energy Related Component	\$0.018276 per kWh

The Generation Charges listed above are applicable to all customers except those customers that switch to a Certified Supplier for their generation service.

Customers who return to the Company's energy supply after January 2, 2005, will be billed for generation service for each hour at the higher of the following:

1. The demand-related component of the Market Price Generation Charge, plus the energy-related component of the Market Price Generation Charge, plus Rider FPP, or
2. The demand-related component of the Market Price Generation Charge, plus the incremental dispatch cost of the highest cost generation unit/purchased power to serve Duke Energy Ohio load.

Filed pursuant to an Order dated _____ in Case No. 08-709-EL-AIR before the Public Utilities Commission of Ohio.

Issued:

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Effective:

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 for services received from a Certified Supplier.

TERM OF SERVICE

The street lighting units are installed for the life of the unit, terminable on one hundred twenty (120) days written notice by either customer or Company subject to Paragraph 1 or 3 under General Conditions.

GENERAL CONDITIONS

- (1) If an installed street lighting unit is required to be relocated, removed, or replaced with another unit of the same or less rated lamp wattage, the ordering Authority shall pay the Company the sacrifice value of the unit, plus labor and overhead charges, unless in the judgment of the Company no charge should be made. An estimate of the cost will be submitted for approval before work is carried out.
- (2) Lamps and refractors which are maintained by the Company shall be kept in good operating condition by, and at the expense of, the Company.

In case of vandalism, the Company will repair the damaged property and the customer shall pay for such repair on a time and material basis, plus overhead charges, unless in the judgment of the Company no charge should be made. An estimate of the cost will be submitted for approval before work is carried out.
- (3) When a Company owned street lighting unit reaches end of life or becomes obsolete and parts cannot be reasonably obtained, the Company can remove the unit at no expense to the customer after notifying the customer. The customer shall be given the opportunity to arrange for another type lighting unit provided by the Company.
- (4) When a customer owned lighting unit becomes inoperative, the cost of repair or replacement of the unit will be at the customer's expense. The replacement unit shall be an approved Company fixture.
- (5) Limited maintenance by the Company includes only fixture cleaning, relamping, and glassware and photo cell replacement.

SERVICE REGULATIONS

The supplying of, 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. 08-709-EL-AIR before the Public Utilities Commission of Ohio.

Issued:

Issued by Sandra P. Meyer, President

Effective:

RATE NSP

PRIVATE OUTDOOR LIGHTING FOR NON-STANDARD UNITS

APPLICABILITY

Applicable to service for outdoor lighting on private property with Company owned overhead lighting fixtures in the Company's entire territory where secondary distribution lines are adjacent to the premise to be served. Not applicable to service for lighting of dedicated or undedicated public thoroughfares.

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

All equipment will be installed, owned and maintained by the Company on rights-of-way provided by the customer. The Company will perform maintenance only during regularly scheduled working hours and will endeavor to replace burned-out lamps within 48 hours after notification by the customer. The Company does not guarantee continuous lighting and shall not be liable to the customer or anyone else for damage, loss or injury resulting from any interruption in such lighting due to any cause. All lamps will burn from dusk to dawn, approximately 4,160 hours per annum.

NET MONTHLY BILL

1. Private outdoor lighting units:

The following monthly charge for Town and Country fixtures installed, or for which customer has contracted with Company to install, prior to March 1, 1991 will be assessed:

	<u>Lamp Watts</u>	<u>kWh/ Unit</u>	<u>Annual kWh</u>	<u>Distribution Energy & Equipment \$/Unit</u>	<u>Market Price Generation Charge \$/Unit</u>	
9,500 lumen Sodium Vapor	100	0.117	487	<u>8.802</u>	1.169	(I)

The following monthly charge will be assessed for existing facilities, but this unit will not be available to new customers after March 2, 1972:

	<u>Lamp Watts</u>	<u>kWh/ Unit</u>	<u>Annual kWh</u>	<u>Distribution Energy & Equipment \$/Unit</u>	<u>Market Price Generation Charge \$/Unit</u>	
2,500 lumen Mercury, Open Refractor	100	0.115	478	<u>6.929</u>	1.147	(I)
2,500 lumen Mercury, Encl. Refractor	100	0.115	478	<u>9.795</u>	1.147	(I)

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NET MONTHLY BILL (Contd.)

2. Outdoor lighting units served in underground residential distribution areas:

The following monthly charge will be assessed for existing fixtures which include lamp and luminaire, controlled automatically, with an underground service wire not to exceed 35 feet from the service point, but these units will not be available to new customers after March 1, 1991:

	Lamp Watts	kW/ Unit	Annual kWh	Distribution Energy & Equipment \$/Unit	Market Price Generation Charge \$/Unit	
7,000 lumen Mercury, Mounted on a 17-foot Fiberglass Pole	175	0.205	853	<u>12.501</u>	2.047	(I)
7,000 lumen Mercury, Mounted on a 30-foot Wood Pole	175	0.205	853	<u>11.255</u>	2.047	(I)

3. Flood lighting units served in overhead distribution areas:

The following monthly charge will be assessed for each existing fixture, which includes lamp and luminaire, controlled automatically, mounted on a utility pole, as specified by the Company, with a span of wire not to exceed 120 feet, but these units will not be available to new customers after June 1, 1982:

	Lamp Watts	kW/ Unit	Annual kWh	Distribution Energy & Equipment \$/Unit	Market Price Generation Charge \$/Unit	
52,000 lumen Mercury (35-foot Wood Pole)	1,000	1.102	4,584	<u>9.608</u>	11.004	(I)

4. Applicable Riders

The following riders are applicable pursuant to the specific terms contained within each 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. 56, Rider SRT, System Reliability Tracker
- Sheet No. 57, Rider TCR, Transmission Cost Recovery Rider
- Sheet No. 58, Rider DRI, Distribution Reliability Investment Rider
- Sheet No. 70, Rider DR, Distribution Reliability 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. 86, Rider USR, Universal Service Fund Rider

(N)

Filed pursuant to an Order dated _____ in Case No. 08-709-EL-AIR before the Public Utilities Commission of Ohio.

Issued:

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MARKET PRICE GENERATION CHARGES - MARKET BASED STANDARD SERVICE OFFER

Demand Related Component	\$0.010528 per kWh
Energy Related Component	\$0.018276 per kWh

The Generation Charges listed above are applicable to all customers except those customers that switch to a Certified Supplier for their generation service.

Customers who return to the Company's energy supply after January 2, 2005, will be billed for generation service for each hour at the higher of the following:

1. The demand-related component of the Market Price Generation Charge, plus the energy-related component of the Market Price Generation Charge, plus Rider FPP, or
2. The demand-related component of the Market Price Generation Charge, plus the incremental dispatch cost of the highest cost generation unit/purchased power to serve Duke Energy Ohio load.

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 for services received from a Certified Supplier.

TERM OF SERVICE

Three (3) years, terminable thereafter on ten (10) days written notice by either customer or Company.

GENERAL CONDITIONS

1. In cases of repeated vandalism, the Company at its option will repair or remove its damaged equipment and the customer shall pay for repairs on a time and material basis, plus overhead charges. If the equipment is removed the customer will be billed for the unexpired term of the contract.
2. If any Company owned lighting unit is required to be relocated, removed or replaced with another unit of the same or lower lamp wattage, the customer ordering this shall pay the Company the sacrifice value of the unit, plus labor and overhead charges, unless in the judgment of the Company no charges should be made. An estimate of the cost will be submitted for customer approval before work is carried out.
3. When a lighting unit reaches end of life or becomes obsolete and parts cannot be reasonably obtained, the Company can remove the unit at no expense to the customer after notifying the customer. The customer shall be given the opportunity to arrange for another type lighting unit provided by the Company.

SERVICE REGULATIONS

The supplying of, 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. 08-709-EL-AIR before the Public Utilities Commission of Ohio.

Issued:

Effective:

Issued by Sandra P. Meyer, President

RATE SC

STREET LIGHTING SERVICE - CUSTOMER OWNED

APPLICABILITY

Applicable to municipal, county, state and federal governments, including divisions thereof, and incorporated homeowners associations for the lighting of public streets and roads when the total investment and installation costs of the fixtures are borne by the customer. The fixture shall be a Company approved unit used in overhead and underground distribution areas.

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.

Mercury Vapor lighting fixtures will not be installed by the Company after June 1, 2003. As currently installed Mercury Vapor fixtures are retired and/or replaced, they may be replaced with either Metal Halide or Sodium Vapor fixtures as the customer chooses.

This service will no longer be available for units installed after December 31, 2008.

(N)

TYPE OF SERVICE

All equipment will be owned by the customer but may be installed by customer or Company with limited maintenance performed by the Company. Limited maintenance includes only fixture cleaning, relamping, and glassware and photo cell replacement. All lamps will burn from dusk to dawn, approximately 4,160 hours per annum. The Company will endeavor to replace burned-out lamps within 48 hours after notification by the customer. The Company does not guarantee continuous lighting and shall not be liable to the customer or anyone else for any damage, loss or injury due to any cause.

NET MONTHLY BILL

The following monthly charge for each lamp with luminaire, controlled automatically, will be assessed:

	Lamp Watts	kW/ Unit	Annual kWh	Distribution Energy & Equipment \$/Unit	Market Price Generation Charge \$/Unit	
1. Base Rate						
Fixture Description						
Standard Fixture (Cobra Head)						
Mercury Vapor						
21,000 lumen	400	0.430	1,788	<u>0.287</u>	4.292	(I)
Sodium Vapor						
9,500 lumen	100	0.117	487	<u>1.125</u>	1.169	(I)
16,000 lumen	150	0.171	711	<u>1.125</u>	1.707	(I)
22,000 lumen	200	0.228	948	<u>1.126</u>	2.275	(I)
27,500 lumen	250	0.318	1,323	<u>0.431</u>	3.175	(I)
50,000 lumen	400	0.471	1,959	<u>0.656</u>	4.702	(I)

Filed pursuant to an Order dated _____ in Case No. 08-709-EL-AIR before the Public Utilities Commission of Ohio.

Issued:

Issued by Sandra P. Meyer, President

Effective:

Duke Energy Ohio
139 East Fourth Street
Cincinnati, Ohio 45202

P.U.C.O. Electric No. 19
Sheet No. 65.12
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NET MONTHLY BILL (Contd.)

	<u>Lamp Watts</u>	<u>KW/ Unit</u>	<u>Annual kWh</u>	<u>Distribution Energy & Equipment \$/Unit</u>	<u>Market Price Generation Charge \$/Unit</u>	
Decorative Fixtures						
Sodium Vapor						
16,000 lumen (Hadco)	150	0.171	711	<u>1.439</u>	1.707	(I)
22,000 lumen (Rectilinear)	200	0.246	1,023	<u>0.947</u>	2.455	(I)
50,000 lumen (Rectilinear)	400	0.471	1,959	<u>0.970</u>	4.702	(I)

Where a street lighting fixture served overhead is to be installed on another utility's pole on which the Company does not have a contact, a monthly pole charge will be assessed.

<u>Pole Description</u>	<u>Pole Type</u>	<u>\$/ Pole</u>	
Wood			
30 foot	W30	<u>4.51</u>	(I)
35 foot	W35	<u>4.77</u>	(I)
40 foot	W40	<u>5.52</u>	(I)
Aluminum			
<u>12 foot</u>	<u>A12</u>	<u>12.10</u>	(N)
<u>28 foot</u>	<u>A28</u>	<u>6.71</u>	(N)

Customer Owned and Maintained Units

The rate for energy used for this type street lighting will be \$0.015849 per kilowatt-hour as shown below. The monthly kilowatt-hour usage will be mutually agreed upon between the Company and the customer. Where the average monthly usage is less than 150 kWh per point of delivery, the customer shall pay the Company, in addition to the monthly charge, the cost of providing electric service on the basis of time and material plus overhead charges. An estimate of the cost will be submitted for approval before work is carried out.

Distribution	<u>\$0.004390</u> per kWh	(I)
Generation (Demand Related)	<u>\$0.004188</u> per kWh	
Generation (Energy Related)	<u>\$0.007271</u> per kWh	

2. Applicable Riders

The following riders are applicable pursuant to the specific terms contained within each 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. 56, Rider SRT, System Reliability Tracker
- Sheet No. 57, Rider TCR, Transmission Cost Recovery Rider
- Sheet No. 58, Rider DRI, Distribution Reliability Investment Rider
- Sheet No. 70, Rider DR, Distribution Reliability 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. 86, Rider USR, Universal Service Fund Rider

(N)

Filed pursuant to an Order dated _____ in Case No. 08-709-EL-AIR before the Public Utilities Commission of Ohio.

Issued:

Issued by Sandra P. Meyer, President

Effective:

MARKET PRICE GENERATION CHARGES – MARKET BASED STANDARD SERVICE OFFER

Demand Related Component	\$0.010528 per kWh
Energy Related Component	\$0.018276 per kWh

The Generation Charges listed above are applicable to all customers except those customers that switch to a Certified Supplier for their generation service.

Customers who return to the Company's energy supply after January 2, 2005, will be billed for generation service for each hour at the higher of the following:

1. The demand-related component of the Market Price Generation Charge, plus the energy-related component of the Market Price Generation Charge, plus Rider FPP, or
2. The demand-related component of the Market Price Generation Charge, plus the incremental dispatch cost of the highest cost generation unit/purchased power to serve Duke Energy Ohio load.

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 for services received from a Certified Supplier.

TERM OF SERVICE

The street lighting units are installed for the life of the unit, terminable on one hundred twenty (120) days written notice by either customer or Company subject to Paragraph 4 or 6 under General Conditions.

GENERAL CONDITIONS

- (1) If the customer requires the installation of a unit at a location which requires the extension, relocation, or rearrangement of the Company's distribution system, the customer shall, in addition to the monthly charge, pay the Company on a time and material basis, plus overhead charges, the cost of such extension, relocation, or rearrangement, unless in the judgment of the Company no charge should be made. An estimate of the cost will be submitted for approval before work is carried out.
- (2) Installation of street lighting units will be predicated on the ability of the Company to obtain, without cost to itself or the payment or other consideration, all easements and rights-of-way which, in the opinion of the Company, are necessary for the construction, maintenance and operation of the street lights, standards, anchors and/or service wires. If such easements and rights-of-way cannot be so obtained, the Company shall have no obligation hereunder to install such units.
- (3) The time within which the Company will be able to commence or to complete the services to be performed is dependent on the Company's ability to secure the materials required, and the Company shall not be responsible for failure to install these street light units for such reason.
- (4) If an installed street lighting unit is required to be relocated, removed, or replaced by the Company, the ordering Authority shall pay the Company the cost agreed upon under a separate contract.

Filed pursuant to an Order dated _____ in Case No. 08-709-EL-AIR before the Public Utilities Commission of Ohio.

Issued:

Issued by Sandra P. Meyer, President

Effective:

GENERAL TERMS (Contd.)

- (5) Lamps and refractors which are maintained by the Company shall be kept in good operating condition by and at the expense of the Company.

In cases of vandalism, the Company will repair the damaged property and the customer shall pay for such repair on a time and material basis, plus overhead charges, unless in the judgment of the Company no charge should be made. An estimate of the cost will be submitted for approval before work is carried out.

- (6) When a customer owned lighting unit becomes inoperative, the cost of repair, replacement or removal of the unit will be at the customer's expense.
- (7) All lights installed on an overhead distribution system will be installed by Company under a separate contract with customer.

SERVICE REGULATIONS

The supplying of, 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.

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RATE SE

STREET LIGHTING SERVICE - OVERHEAD EQUIVALENT

APPLICABILITY

Applicable to municipal, county, state and federal governments, including divisions thereof, and incorporated homeowners associations, for the lighting of public streets and roads with Company lighting fixtures in underground distribution areas, where the customer elects to make a contribution for the installation of the fixture, mounting, pole and secondary wiring to obtain the rate/unit for the same size standard fixture (cobra head) in an overhead distribution area.

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.

Mercury Vapor lighting fixtures will not be installed by the Company after June 1, 2003. As currently installed Mercury Vapor fixtures are retired and/or replaced, they may be replaced with either Metal Halide or Sodium Vapor fixtures as the customer chooses.

This service will no longer be available for units installed after December 31, 2004.

TYPE OF SERVICE

All equipment will be installed, owned and maintained by the Company. All lamps will burn from dusk to dawn, approximately 4,160 hours per annum. The Company will endeavor to replace burned-out lamps within 48 hours after notification by the customer. The Company does not guarantee continuous lighting and shall not be liable to the customer or anyone else for any damage, loss or injury due to any cause.

NET MONTHLY BILL

The following monthly charge for each lamp with luminaire, controlled automatically, will be assessed:

	Lamp <u>Watts</u>	kW/ <u>Unit</u>	Annual <u>kWh</u>	Distribution Energy & Equipment <u>\$/Unit</u>	Market Price Generation Charge <u>\$/Unit</u>	
1. Base Rate						
Fixture Description						
Decorative Fixtures						
<u>Mercury Vapor</u>						
7,000 lumen (Town & Country)	175	0.205	853	<u>3.379</u>	2.047	(I)
7,000 lumen (Hollophane)	175	0.210	874	<u>3.332</u>	2.098	(I)
7,000 lumen (Gas Replica)	175	0.210	874	<u>3.332</u>	2.098	(I)
7,000 lumen (Aspen)	175	0.210	874	<u>3.332</u>	2.098	(I)

Filed pursuant to an Order dated _____ in Case No. 08-709-EL-AIR before the Public Utilities Commission of Ohio.

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Duke Energy Ohio
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Cincinnati, Ohio 45202

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NET MONTHLY BILL (Contd.)

	Lamp Watts	kW/ Unit	Annual kWh	Distribution Energy & Equipment \$/Unit	Market Price Generation Charge \$/Unit	
<u>Sodium Vapor</u>						
9,500 lumen (Town & Country)	100	0.117	487	5.434	1.169	(I)
9,500 lumen (Holophane)	100	0.128	532	5.333	1.277	(I)
9,500 lumen (Rectilinear)	100	0.117	487	5.434	1.169	(I)
9,500 lumen (Gas Replica)	100	0.128	532	5.333	1.277	(I)
9,500 lumen (Aspen)	100	0.128	532	5.333	1.277	(I)
22,000 lumen (Rectilinear)	200	0.246	1,023	5.685	2.455	(I)
50,000 lumen (Rectilinear)	400	0.471	1,959	7.162	4.702	(I)
<u>Metal Halide</u>						
14,000 lumen (Town & Country)	175	0.205	853	3.379	2.047	(I)
14,000 lumen (Granville)	175	0.210	874	3.332	2.098	(I)
14,400 lumen (Rectangular Cutoff)	175	0.210	874	9.451	2.098	(I)
14,500 lumen (Gas Replica)	175	0.210	874	3.332	2.098	(I)
36,000 lumen (Low Profile)	400	0.455	1,893	8.148	4.544	(I)

Additional facilities, other than specified above, if required, will be billed at the time of installation.

2. Applicable Riders

The following riders are applicable pursuant to the specific terms contained within each 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. 56, Rider SRT, System Reliability Tracker
Sheet No. 57, Rider TCR, Transmission Cost Recovery Rider
Sheet No. 58, Rider DRI, Distribution Reliability Investment Rider
Sheet No. 70, Rider DR, Distribution Reliability 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. 86, Rider USR, Universal Service Fund Rider

(N)

MARKET PRICE GENERATION CHARGES – MARKET BASED STANDARD SERVICE OFFER

Demand Related Component \$0.010528 per kWh
Energy Related Component \$0.018276 per kWh

The Generation Charges listed above are applicable to all customers except those customers that switch to a Certified Supplier for their generation service.

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Issued:

Issued by Sandra P. Meyer, President

Effective:

MARKET PRICE GENERATION CHARGES – MARKET BASED STANDARD SERVICE OFFER Contd.)

Customers who return to the Company's energy supply after January 2, 2005, will be billed for generation service for each hour at the higher of the following:

1. The demand-related component of the Market Price Generation Charge, plus the energy-related component of the Market Price Generation Charge, plus Rider FPP, or
2. The demand-related component of the Market Price Generation Charge, plus the incremental dispatch cost of the highest cost generation unit/purchased power to serve Duke Energy Ohio load.

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 for services received from a Certified Supplier.

TERM OF SERVICE

The street lighting units are installed for the life of the unit, terminable on one hundred twenty (120) days written notice by either customer or Company subject to Paragraph 4 or 6 under General Conditions.

GENERAL CONDITIONS

- (1) If the customer requires the installation of a unit at a location which requires the extension, relocation, or rearrangement of the Company's distribution system, the customer shall, in addition to the monthly charge, pay the Company on a time and material basis, plus overhead charges, the cost of such extension, relocation, or rearrangement, unless in the judgment of the Company no charge should be made. An estimate of the cost will be submitted for approval before work is carried out.
- (2) Installation of street lighting units will be predicated on the ability of the Company to obtain, without cost to itself or the payment or other consideration, all easements and rights-of-way which, in the opinion of the Company, are necessary for the construction, maintenance and operation of the street lights, standards, anchors and/or service wires. If such easements and rights-of-way cannot be so obtained, the Company shall have no obligation hereunder to install such units.
- (3) The time within which the Company will be able to commence or to complete the services to be performed is dependent on the Company's ability to secure the materials required, and the Company shall not be responsible for failure to install these street light units for such reason.
- (4) If an installed street lighting unit is required to be relocated, removed, or replaced with another unit of the same or less rated lamp wattage, the ordering Authority shall pay the Company the sacrifice value of the unit, plus labor and overhead charges, unless in the judgment of the Company no charge should be made. An estimate of the cost will be submitted for approval before work is carried out.

Filed pursuant to an Order dated _____ in Case No. 08-709-EL-AIR before the Public Utilities Commission of Ohio.

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Effective:

GENERAL CONDITIONS (Contd.)

- (5) Lamps and refractors which are maintained by the Company shall be kept in good operating condition by and at the expense of the Company.

In cases of vandalism, the Company will repair the damaged property and the customer shall pay for such repair on a time and material basis, plus overhead charges, unless in the judgment of the Company no charge should be made. An estimate of the cost will be submitted for approval before work is carried out.

- (6) When a street lighting unit reaches end of life or becomes obsolete and parts cannot be reasonably obtained, the Company can remove the unit at no expense to the customer after notifying the customer. The customer shall be given the opportunity to arrange for another type lighting unit provided by the Company.
- (7) The contribution only provides for replacement of these facilities due to occasional damage or premature malfunction. It does not cover replacement at end of life.

SERVICE REGULATIONS

The supplying of, 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.

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Effective:

RATE UOLS

UNMETERED OUTDOOR LIGHTING ELECTRIC SERVICE

APPLICABILITY

Applicable for electric energy usage only for any street or outdoor area lighting system (System), operating during the dusk to dawn time period, on private or public property and owned by the customer or the Company. The customer must be adjacent to an electric power line of the Company that is adequate and suitable for supplying the necessary electric service.

Service under this tariff schedule shall require a written agreement between the customer and the Company specifying the calculated lighting kilowatt-hours. The System shall comply with the connection requirements in the Company's Electric Service Regulations, Section III, Customer's and Company's Installations.

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.

CONTRACT FOR SERVICE

The customer will enter into an Agreement for Electric Service for Outdoor Lighting for a minimum of one year and renewable annually, automatically, thereafter.

The Company will provide unmetered electric service based on the calculated annual energy usage for each luminaire's lamp wattage plus ballast usage (impact wattage). The System kilowatt-hour usage shall be determined by the number of lamps and other System particulars as defined in the written agreement between the customer and Company. The monthly kilowatt-hour amount will be billed at the rate contained in the NET MONTHLY BILL section below.

LIGHTING HOURS

The unmetered lighting System will be operated automatically by either individual photoelectric controllers or System controller(s) set to operate on either dusk-to-dawn lighting levels or on pre-set timers for any hours between dusk-to-dawn. The hours of operation will be agreed upon between the customer and the Company and set out in the Agreement. Dusk-to-dawn lighting typically turns on and off approximately one-half (1/2) hour after sunset and one-half (1/2) hour before sunrise which is approximately 4,160 hours annually.

NET MONTHLY BILL

Computed in accordance with the following charge:

1. Base Rate	
Distribution	\$0.004393 per kWh
Generation – Demand Related Component	\$0.004334 per kWh
Generation – Energy Related Component	\$0.007524 per kWh

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Duke Energy Ohio
139 East Fourth Street
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NET MONTHLY BILL (Contd.)

2. Applicable Riders

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
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Sheet No. 83, Rider OET, Ohio Excise Tax Rider
Sheet No. 84, Rider RTC, Regulatory Transition Charge Rider
Sheet No. 86, Rider USR, Universal Service Fund Rider

(N)

MARKET PRICE GENERATION CHARGES – MARKET BASED STANDARD SERVICE OFFER

Generation – Demand Related Component	\$0.004334 per kWh
Generation – Energy Related Component	\$0.007524 per kWh

The Generation Charges listed above are applicable to all customers except those customers that switch to a Certified Supplier for their generation service.

Customers who return to the Company's energy supply after January 2, 2005, will be billed for generation service for each hour at the higher of the following:

1. The demand-related component of the Market Price Generation Charge, plus the energy-related component of the Market Price Generation Charge, plus Rider FPP, or
2. The demand-related component of the Market Price Generation Charge, plus the incremental dispatch cost of the highest cost generation unit/purchased power to serve Duke Energy Ohio load.

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 for services received from a Certified Supplier.

OWNERSHIP OF SERVICE LINES

Company will provide, install, own, operate and maintain the necessary facilities for furnishing electric service to the System defined in the agreement. If the customer requires the installation of a System at a location which requires the extension, relocation, or rearrangement of the Company's distribution system, the customer shall, in addition to the monthly charge, pay the Company on a time and material basis, plus overhead charges, the cost of such extension, relocation, or rearrangement, unless in the judgment of the Company no charge should be made. An estimate of the cost will be submitted for approval before work is carried out.

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OWNERSHIP OF SERVICE LINES (CONTD.)

The Company shall erect the service lines necessary to supply electric energy to the System within the limits of the public streets and highways or on private property as mutually agreed upon by the Company and the customer. The customer shall assist the Company, if necessary, in obtaining adequate written easements covering permission to install and maintain any service lines required to serve the System.

The Company shall not be required to pay for obtaining permission to trim or re-trim trees where such trees interfere with lighting output or with service lines or wires of the Company used for supplying electric energy to the System. The customer shall assist the Company, if necessary, in obtaining permission to trim trees where the Company is unable to obtain such permission through its own best efforts.

SERVICE REGULATIONS

The supplying of, 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.

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DEVELOPMENT INCENTIVE RIDER

GENERAL

Under the terms of this Rider, qualifying customers are required to enter into a Service Agreement with the Company. The Development Incentive Rider consists of three separate programs designed to encourage development and/or redevelopment within the Company's service territory. These three programs are 1. the Economic Development Program 2. the Urban Redevelopment Program and 3. the Brownfield Incentive Program. Requirements of these programs are described below.

PROGRAM DESCRIPTIONS

Economic Development Program

Available, at the Company's option, to non-residential customers receiving service under the provisions of one of the Company's non-residential tariff schedules. This Rider is available for load associated with initial permanent service to new establishments, expansion of existing establishments, or new customers in existing establishments who make application to the Company for service under this Rider and the Company approves such application. The new load applicable under this Rider must be a minimum of 1,000 kW at one delivery point. To qualify for service under this Rider, the customer must meet the qualifications as set forth below. Further, the customer must have applied for and received economic assistance from the State or local government or other public agency before the Company will approve a Service Agreement under this Rider. Where the customer is new to the Company's service area or is an existing customer expanding:

- 1) the customer must employ an additional workforce in the Company's service area of a minimum of twenty-five (25) full-time equivalent (FTE) employees. Employment additions must occur following the Company's approval for service under this Rider, and;
- 2) the customer's new load must result in minimum customer capital investment of one million dollars (\$1,000,000) at the customers' facility within the Company's service area. This capital investment must occur following the Company's approval for service under this Rider. (Item #1 above may be waived where an existing customers capital investment exceeds \$10 million.)

The Company may also consider applying this Rider to an existing customer who, but for economic incentives being provided by the State and/or local government or public agency, would leave the Company's service area. In this event, the following provision applies:

- 1) The customer must agree, at a minimum, to retain the current number of FTE employees.

Urban Redevelopment Program

Applicable to new customers locating in an existing building of 50,000 square feet or more, which has been unoccupied and/or remained dormant for a period of two years or more, as determined by the Company. The new customer load must be a minimum of 500 kW at one delivery point. In addition, the requested service necessary to serve the new load must not result in additional investment in distribution or transmission facilities by the Company, excepting that minor alterations in the service supplied which can be accomplished feasibly and economically may be allowed.

Filed pursuant to an Order dated _____ in Case No. 08-709-EL-AIR before the Public Utilities Commission of Ohio.

Issued:

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Effective:

PROGRAM DESCRIPTIONS (Contd.)

Brownfield Redevelopment Program

Applicable to customers locating in a qualified "brownfield" redevelopment area so designated by the Ohio Environmental Protection Agency and served by existing service lines. A qualified site must receive direct "economic assistance" from either the State of Ohio or one of its political jurisdictions. The value of the BR Incentive cannot exceed the amount of public participation. Additionally, customers are required to take service under the provisions of one of the Company's non-residential tariff schedules.

The new load applicable under this Rider must be a minimum of 250 kW at one delivery point, with one meter.

TERMS AND CONDITIONS

These Riders are not available to a new customer which results from a change in ownership of an existing establishment. However, if a change in ownership occurs after the customer enters into a Service Agreement for service under this Rider, the successor customer may be allowed to fulfill the balance of the Service Agreement under this Rider. This Rider is also not available for renewal of service following interruptions such as equipment failure, temporary plant shutdown, strike, or economic conditions. This Rider is not available for load shifted from one customer to another within the Company's service area.

The customer must enter into a Service Agreement with the Company which shall specify, among other things, the voltage at which the customer will be served, a description of the amount and nature of the new load and the basis on which the customer requests qualification for this Rider.

For customers entering into a Service Agreement under this Rider due to expansion, the Company may, at the customer's expense, install metering equipment necessary to measure the new load to be billed under the provisions of this Rider separate from the customer's existing load which shall be billed under the applicable standard tariff schedule.

Following the effective date of the Service Agreement, the customer must maintain a minimum demand in accordance with the Service Agreement and maintain a monthly average of 300 hours use of demand. Failure to do so will result in the customer's Service Agreement being terminated.

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

NET MONTHLY BILLING

The customer shall comply with all terms of the standard distribution tariff rate under which the customer takes service except the customers' monthly distribution demand charge shall be reduced by up to fifty (50) percent for a period of twenty-four (24) months. The customer will pay the full amount of all riders and the entirety of the applicable market-based standard service offer.

The customer may request an effective date of the Service Agreement which is no later than twelve (12) months after Company's approval of the Service Agreement with the customer. A Service Agreement must be fully executed within 30 days of taking the subject new service from the Company. All subsequent billings shall be at the appropriate full standard service tariff rate.

Filed pursuant to an Order dated _____ in Case No. 08-709-EL-AIR before the Public Utilities Commission of Ohio.

Issued:

Issued by Sandra P. Meyer, President

Effective:

TYPE OF SERVICE

The service provided shall be 60Hz alternating current provided at the Company's standard distribution or transmission voltage.

SERVICE REGULATIONS

The supplying of, 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.

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139 East Fourth Street
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P.U.C.O. Electric No. 19
Sheet No. 77.2
Cancels and Supersedes
Sheet No. 77.1
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RIDER BR

(D)

BROWNFIELD REDEVELOPMENT RIDER

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RIDER RGR

(D)

RESIDENTIAL GENERATION RIDER

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RIDER SC

(D)

SHOPPING CREDIT RIDER

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**RIDER AG
OPTIONAL ALTERNATIVE GENERATION SERVICE**

(D)

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RATE RTP

REAL TIME PRICING PROGRAM

APPLICABILITY

Applicable to Customers served under the Standard Offer Rate DS, Rate DP, or Rate TS. Service under the RTP Program will be offered through the Market Development Period starting on January 1, 2001. The incremental cost of any special metering required for service under this Program beyond that normally provided under the applicable Standard Tariff shall be borne by the Customer. Customers must enter into a service agreement with a minimum term of one year. Customers electing a Certified Supplier will not be eligible to participate in the Program.

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.

PROGRAM DESCRIPTION

The RTP Program is voluntary and offers Customers the opportunity to manage their electric costs by either shifting load from higher cost to lower cost pricing periods and adding new load during lower cost pricing periods or to learn about market pricing. Binding Price Quotes will be sent to each Customer on a day-ahead basis. The program is intended to be bill neutral to each Customer with respect to their historical usage through the use of a Customer Baseline Load (CBL) and the Company's Standard Offer Rates.

CUSTOMER BASELINE LOAD

The CBL is one complete year of Customer hourly load data that represents the electricity consumption pattern and level of the Customer's operation under the Standard Rate Schedule. The CBL is the basis for achieving bill neutrality for Customers billed under this Rate RTP, and must be mutually agreeable to by both the Customer and the Company as representing the Customer's usage pattern under the Standard Rate Schedule (non-RTP). Agreement on the CBL is a requirement for participation in the RTP Program.

RTP BILLING

Customers participating in the RTP Program will be billed monthly based on the following calculation:

$$\text{RTP Bill} = \text{BC} + \text{PC} + \sum_{t=1}^n \{ (\text{CC}_t + \text{ED}_t) \times (\text{AL}_t - \text{CBL}_t) \}$$

Where:

- BC = Baseline Charge
- PC = Program Charge
- CC_t = Commodity Charge for hour t
- ED_t = Energy Delivery Charge for hour t
- AL_t = Customer Actual Load for hour t
- CBL_t = Customer Baseline Load in hour t
- n = total number of hours in the billing period
- t = an hour in the billing period

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BASELINE CHARGE

The Baseline Charge is independent of Customer's current monthly usage, and is designed to achieve bill neutrality with the Customer's standard offer tariff if no change in electricity usage pattern occurs (less applicable program charges). The Baseline Charge is calculated at the end of the billing period and changes each billing period to maintain bill neutrality for a Customer's CBL.

The Baseline Charge will be calculated as follows:

$$BC = (\text{Standard Bill @ CBL})$$

Where:

BC = Baseline Charge
Standard Bill @ CBL = Customer's bill for the specific month on the applicable Rate Schedule using the CBL to establish the applicable billing determinants

The CBL shall be adjusted to reflect applicable metering adjustments under the standard Rate Schedule.

PRICE QUOTES

The Company will send to Customer, by 3:00 p.m. each day, Price Quotes to be charged the next day. Such Price Quotes shall include the applicable Commodity Charge, the Energy Delivery Charge, and the Ancillary Services Charge.

The Company may send more than one-day-ahead Price Quotes for weekends and holidays identified in Company's tariffs. The Company may revise these prices by 3:00 p.m. the day before they become effective.

The Company is not responsible for failure of Customer to receive and act upon the Price Quotes. It is Customer's responsibility to inform Company of any failure to receive the Price Quotes by 5:00 p.m. the day before they become effective.

COMMODITY CHARGE

The Commodity Charge is a charge for generation. The applicable hourly Commodity Charge (Credit) shall be applied on an hour by hour basis to Customer's incremental (decremental) usage from the CBL.

Charge (Credit) For Each kW Per Hour From The CBL:

For kWh_t above the CBL_t, CC_t = MVG_t x LAF
For kWh_t below the CBL_t, CC_t = MVG_t x 80% x LAF

Where:

LAF = loss adjustment factor
= 1.0530 for Rate TS
= 1.0800 for Rate DP
= 1.1100 for Rate DS
MVG_t = Market Value Of Generation As Determined By Company for hour t

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COMMODITY CHARGE (Contd.)

The MVG₁ will be based on the expected market price of capacity and energy for the next day. The expected market price will be based on forecasts of market conditions for the next day using publicly available market indices and/or bona fide third-party price quotes to establish the expected market price.

The kW Per Hour incremental or decremental usage from the CBL shall be adjusted to reflect applicable metering adjustments under the standard Rate Schedule.

ENERGY DELIVERY CHARGE

The hourly Energy Delivery Charge is a charge for using the distribution system to deliver energy to the Customer. The applicable hourly Energy Delivery Charge (Credit) shall be applied on an hour by hour basis to Customer's incremental (decremental) usage from the CBL.

Charge (Credit) For Each kW Per Hour From The CBL:

Rate DS	\$ <u>0.018495</u> per kW Per Hour	(I)
Rate DP	\$ <u>0.029502</u> per kW Per Hour	(I)
Rate TS	\$ <u>0.000000</u> per kW Per Hour	(R)

The kW Per Hour incremental or decremental usage from the CBL shall be adjusted to reflect applicable metering adjustments under the standard Rate Schedule.

PROGRAM CHARGE

Company will provide Internet based communication software to be used to provide Customer with the Price Quotes. Customer will be responsible for providing its own Internet access. A charge of \$325 per billing period per Customer shall be added to Customer's bill to cover the additional billing, administrative, and cost of communicating the hourly Price Quotes associated with the RTP Program. Customer may purchase from either Company or any other third-party suppliers any other necessary equipment or software packages to facilitate participation in this program. While Customers are encouraged to use such equipment or software packages to maximize benefits under this Program, it is not a requirement for program participation. It is Customer's responsibility to ensure the compatibility of third-party equipment or software packages with any Company owned equipment or software packages.

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APPLICABLE RIDERS

The following riders are applicable pursuant to the specific terms contained within each rider. All riders are billed against the total monthly demand and consumption, except for Rider FPP and Rider TCR which are billed against the CBL/BDH demand and consumption:

(N)

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. 56, Rider SRT, System Reliability Tracker
Sheet No. 57, Rider TCR, Transmission Cost Recovery Rider
Sheet No. 58, Rider DRI, Distribution Reliability Investment Rider
Sheet No. 70, Rider DR, Distribution Reliability 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. 86, Rider USR, Universal Service Fund Rider

(N)

TERM AND CONDITIONS

Except as provided in this Rate RTP, all terms, conditions, rates, and charges outlined in the Standard Rate Schedule will apply. Participation in the RTP Program will not affect Customer's obligations for electric service under the Standard Rate Schedule.

The primary term of service is one (1) year consisting of a consecutive twelve month period.

Customers who terminate their service agreement under Rate RTP after the initial one (1) year term shall not be eligible to return to the program for twelve (12) months from the termination date.

Customers returning to the standard tariff shall have any historical demands in excess of the CBL, waived for purposes of calculating applicable billing demands.

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.

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RIDER ED

(D)

ECONOMIC DEVELOPMENT RIDER

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RIDER UR

(D)

URBAN REDEVELOPMENT RIDER

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Sheet No. 103.2
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RIDER MSR-E

(D)

MERGER SAVINGS CREDIT RIDER – ELECTRIC

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Sheet No. 1.6
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RATE PA

POLE ATTACHMENT/CONDUIT OCCUPANCY TARIFF

(N)

APPLICABILITY

Applicable to any person or entity other than a public utility (hereinafter "Licensee") authorized to complete a "wireline attachment" or an "occupancy", as defined herein, to any distribution pole or in any conduit in the service territory of Duke Energy Ohio, Inc. (hereinafter the "Company"). As used in this Tariff, a "wireline attachment" is the attachment of wire or cable and associated facilities or apparatus within one (1) foot of vertical space to any distribution pole owned by the Company and "occupancy" is the placement of wire or cable and associated facilities or apparatus in conduit space owned by the Company.

Rentals for any requested attachment or occupancy other than those to which this Tariff applies, including but not limited to wireless and WiFi equipment/attachments and overloading of existing attachments, shall be negotiated separately between the Company and prospective attacher. The size, type, and placements of any attachment or occupancy that is not subject to this Tariff shall be at the sole discretion of the Company and in compliance with a signed agreement between the Company and prospective attacher authorizing such attachment or occupancy.

AGREEMENT

Before any wireline attachment or occupancy is made, Licensee shall enter into and be bound by a Pole Attachment or Conduit Occupancy License Agreement (hereinafter the "Agreement"). The Agreement shall specifically authorize the type of service to be provided, e.g., cable television. In addition to any wireline attachment or occupancy, the Agreement may authorize other attachments to which this Tariff does not apply, as agreed between the Company and Licensee.

The Company expressly reserves the right to establish terms and conditions in the Agreement that are not inconsistent with this Tariff.

ATTACHMENT CHARGES

An annual rental of \$14.42 per wireline attachment shall be charged for the use of the Company's poles. Any attachments outside the one (1) foot of vertical space will be considered another attachment and a separate annual rental charge will apply. The charge will apply if any portion of a pole is occupied or reserved at the Licensee's request.

For conduit occupancy, the occupancy fee per linear foot shall be negotiated by the Company and Licensee based on the location, space availability and other factors.

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PAYMENT

All payments due from Licensee shall be invoiced by Company and payment shall be made by Licensee within twenty-one (21) days from the date of invoice. When any payments due from Licensee are not timely made, the amount due shall be adjusted to include interest equal to one and one-half percent (1.5%) of the unpaid amount, which will accrue monthly until paid.

The annual rental amount shall be paid in advance by Licensee.

As new wireline attachments or occupancies are made after the initial rental year, rentals for such wireline attachments or occupancies shall be paid for the entire year if made within the six-month period after any anniversary date, and for one-half year if made during the following six-month period. For any wireline attachments that Licensee removed or any occupancy that Licensee caused, at its expense, to be removed and for which the Company received written notice from Licensee, the yearly rental shall be adjusted on the same basis.

TERMS AND CONDITIONS

1. APPLICATION

Before any wireline attachment is made by Licensee or any occupancy is made on Licensee's behalf, Licensee shall make written application for permission to install such wireline attachment on any pole of the Company or occupy any conduit of the Company. The written application shall specify the location of each pole or conduit in question, the character of the proposed attachment or occupancy, and the amount and location of space desired. Within forty-five (45) days after receipt of such written application, the Company shall notify Licensee in writing whether or not it is willing to permit the wireline attachment or occupancy and, if so, under what conditions. Licensee is not presumed to have permission to make any wireline attachment or to occupy Company's conduit in the event notification is not made by the Company within forty-five (45) days of its receipt of Licensee's written application. The Company shall have the sole right to determine the availability of such pole or conduit for joint use and shall be under no obligation to grant permission for its use by Licensee. If such permission is granted, Licensee shall have the right to use the space allotted by the Company under the conditions specified in such permit and in accordance with the terms of the Agreement but Company shall not be required to set a pole or install conduit for the sole use by Licensee. Permission to occupy a conduit, if granted, shall not authorize Licensee to access the Company's conduit. Such access shall be limited to the Company or its designated representative.

2. TECHNICAL MANUALS

Upon the execution of the Agreement and before Licensee makes any wireline attachment or causes an occupancy to be made, Licensee shall send the Company all manufacturer's technical manuals and information, construction standards and manuals, and feasibility or loading studies regarding the equipment Licensee proposes to use pursuant to the provisions of the Agreement.

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TERMS AND CONDITIONS (Contd.)

3. TECHNICAL SPECIFICATIONS

All wireline attachments or occupancies are to be placed on poles or in conduit of the Company in a manner satisfactory to the Company and so as not to interfere with the present or any future use that the Company may desire to make of such poles, wires, conduits, or other facilities. All wireline attachments or occupancies shall be installed and maintained by Licensee or on Licensee's behalf and at its expense so as to comply at least with the minimum requirements of the National Electrical Safety Code, any requirements that may be established by the Company, and any other applicable regulations or codes promulgated by federal, state, local or other governmental authority having jurisdiction. Licensee shall take any necessary precautions, by the installation of protective equipment or other means, to protect all persons and property of all kinds against injury or damage occurring by reason of Licensee's wireline attachments on the Company's poles or occupancy in the Company's conduit. The Company shall be the sole judge as to the requirements for the present or future use of its poles, conduits, and equipment and of any interference therewith.

4. REPLACEMENT COSTS

In any case where it is necessary for the Company to replace a pole or conduit because of the necessity of providing adequate space or strength to accommodate the wireline attachments or occupancy of Licensee thereon, either at the request of Licensee or to comply with the above mentioned codes and regulations, the Licensee shall pay the Company the total cost of this replacement. Such cost shall be the total estimated cost of the new pole or conduit, including material, labor, and applicable overheads, plus the cost of transferring existing electric facilities to the new pole or conduit, plus the cost of removal of the existing pole or conduit and any other incremental cost required to provide for the wireline attachments of or occupancy by the Licensee, including any applicable taxes the Company may be required to pay because of this change in plant, minus salvage value of any facilities removed.

Licensee shall also pay to the Company and other owners thereof the cost of removing all existing attachments from the existing pole or conduit and re-establishing the same or like attachments on the newly installed pole or in the newly installed conduit. The new pole or conduit shall be the property of the Company regardless of any payments by Licensee towards its cost, and Licensee shall acquire no right, title or interest in such pole or conduit.

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TERMS AND CONDITIONS (Contd.)

5. REARRANGING COSTS

If Licensee's proposed wireline attachments or occupancy can be accommodated on existing poles or in existing conduit of the Company by rearranging facilities of the Company and of other licensees thereon and if the Company and other licensees are willing to make such rearrangement, such rearrangement shall be made by the Company and such other licensees, and Licensee shall reimburse the Company and such other licensees for any expense incurred by them in transferring or rearranging such facilities. Any additional guying required by reason of the attachments of Licensee shall be made by Licensee at its expense and to the satisfaction of the Company. The Company shall not be responsible for coordinating the relocation of third party attachments.

6. INSPECTIONS

The Company reserves the right to inspect each new installation of Licensee on its poles and in its conduit and to make periodic inspections/inventories every five (5) years or more often if, in the Company's sole discretion, the conditions may warrant, and Licensee shall reimburse the Company for the expense of such inspections/inventories. The Company's right to make such inspections and any inspection made pursuant to such right shall not relieve Licensee of any responsibility, obligation, or liability imposed by law or assumed under the Agreement. When an unauthorized attachment or occupancy is found during an inspection/inventory, the Licensee will pay the Company an unauthorized attachment or occupancy sanction in the following amounts: \$100 per unauthorized attachment or occupancy plus five (5) years annual rental if an unauthorized attachment or occupancy is found and Licensee has not participated in a required audit; or, \$50 per unauthorized attachment or occupancy plus five (5) years annual rental if the Licensee does participate in the audit or identifies the unauthorized attachment or occupancy on its own.

7. SAFETY VIOLATIONS

Whenever the Company notifies Licensee in writing that the wireline attachments or occupancies of Licensee interfere with the operation of facilities of the Company or other licensee, constitute a hazard to the service rendered by the Company or other licensee, or fail to comply with codes, regulations, or requirements set forth in Paragraph 3 above or in the Agreement, Licensee shall, within ten (10) days after the date of such notice, remove, rearrange, or change its wireline attachments or ensure that, at its expense, its occupancy is removed, rearranged, or changed as directed by the Company. In case of emergency, the Company reserves the right to remove or relocate the Licensee's wireline attachments or occupancy at Licensee's expense and without notice, and no liability therefore shall be incurred by the Company because of such action.

Licensee shall be assessed a sanction of \$200 dollars for each wireline attachment or occupancy that violates the codes, regulations, or requirements set forth in Paragraph 3 above or in the Agreement.

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TERMS AND CONDITIONS (Contd.)

8. INDEMNIFICATION

Licensee agrees to indemnify and save harmless the Company from and against any and all liability, loss, damage, costs, attorney fees, or expense, of whatsoever nature or character, arising out of or occasioned by any claim or any suit for damages, injunction or other relief, on account of injury to or death of any person, or damage to any property including the loss of use thereof, or on account of interruption of Licensee's service to its subscribers or others, or for public charges and penalties for failure to comply with federal, state or local laws or regulations, growing out of or in connection with any act or omission, negligent or otherwise, of Licensee or its servants, agents or subcontractors in the attachment, operation and maintenance of facilities of Licensee on the poles or in the conduit of the Company, and in the performance of work hereunder, whether or not due in whole or in part to any act, omission or negligence of the Company or any of its representatives or employees (except insofar as such indemnity arising out of such injury or damage caused by the sole negligence of the Company or such representatives or employees may be judicially found to be contrary to law, in which case this Agreement of indemnity shall in all other respects be and remain effective and binding). The Company may require Licensee to defend any suits concerning the foregoing, whether such suits are justified or not.

9. INSURANCE REQUIREMENTS

Licensee agrees to obtain and maintain at all times during the period Licensee has wireline attachments on the Company's poles or occupancy in the Company's conduit, policies of insurance as follows:

- (a) Public liability and automobile liability insurance for itself in an amount as specified by the Company for bodily injury to or death of any one person, and, subject to the same limit for any one person, in an aggregate amount as specified by the Company for any one occurrence.
- (b) Property damage liability insurance for itself in an amount as specified by the Company for any one occurrence.
- (c) Contractual liability insurance in amounts as specified by the Company to cover the liability assumed by the Licensee under the agreements of indemnity set forth in the Agreement.

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TERMS AND CONDITIONS (Contd.)

10. CERTIFICATE OF INSURANCE

Prior to making wireline attachments to the Company's poles or occupancy in the Company's conduit, Licensee shall furnish to the Company two copies of a certificate, from an insurance carrier acceptable to the Company, stating that policies of insurance have been issued by it to Licensee providing for the insurance listed above and that such policies are in force. Such certificate shall state that the insurance carrier will give the Company thirty (30) days prior written notice of any cancellation of or material change in such policies. The certificate shall also quote in full the agreements of indemnity set forth in the Agreement as evidence of the type of contractual liability coverage furnished. If such certificate recites that it is subject to any exceptions or exclusions contained in the policy or policies of insurance, such exceptions or exclusions shall be stated in full in such certificate, and the Company may, at its discretion, require Licensee before starting work, to obtain policies of insurance that are not subject to any exceptions or exclusions that the Company finds objectionable.

11. DISCONTINUATION OF COMPANY FACILITIES

The Company reserves the right, without liability to Licensee or its subscribers, to discontinue the use of, remove, replace or change the location of any or all of the Company's poles, attachments, conduit, or facilities regardless of any wireline attachment to the Company's poles by Licensee or occupancy in the Company's conduit by Licensee, and Licensee shall, at its sole cost and within ten (10) days after written notice by the Company make or cause to be made such changes in, including removal or transfer of, its wireline attachments or occupancies as shall be required by such action of the Company.

12. ABANDONMENT

Licensee may at any time abandon the use of a pole or conduit under the Agreement hereunder by removing therefrom all of its wireline attachments or by requesting the Company to remove, at Licensee's expense, all of its occupancies and by giving written notice thereof to the Company.

13. PERMITS, EASEMENTS, AND RIGHTS-OF-WAY

Licensee shall secure any right, license or permit from any governmental body, authority, or other person or persons that may be required for the construction or maintenance of Licensee's wireline attachments or occupancies, at its expense. The Company does not guarantee any easements, rights-of-way or franchises for the construction and maintenance of such wireline attachments or occupancies. Licensee hereby agrees to indemnify and save harmless the Company from any and all claims, including the expenses incurred by the Company to defend itself against such claims, resulting from or arising out of the failure of Licensee to secure such right, license, permit or easement for the construction or maintenance of such attachment on the Company's pole or occupancy in the Company's conduit.

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TERMS AND CONDITIONS (Contd.)

14. **SUPPLY OF ELECTRIC SERVICE**

Electric service for power supplies of a Licensee shall be supplied from the lines of the Company in a manner specified by the Company.

15. **USE BY THIRD PARTIES**

The Company shall have the right, from time to time during the term of the Agreement, to grant, by contract or otherwise, to others not parties to the Agreement, rights or privileges to use any pole or conduit covered by the Agreement, and the Company shall have the right to continue and extend any such rights or privileges heretofore granted. The wireline attachment and occupancy privileges granted hereunder shall at all times be subject thereto.

16. **BOND**

Licensee shall furnish a bond, as specified by the Company, to guarantee the performance of the obligations assumed by Licensee under the terms of the Agreement not otherwise covered by the insurance required by paragraph 9. Such bond shall be submitted to the Company prior to Licensee making attachment to the Company's poles or occupying the Company's conduit.

17. **REIMBURSEMENT FOR WORK PERFORMED**

In case one Party is obligated to perform certain work at its own expense and the Parties mutually agree in writing that it is desirable for the other Party to do such work, then such other Party shall promptly do the work at the sole expense of the Party originally obligated to perform the same. Bills for expense so incurred shall be due and payable within thirty (30) days after presentation.

18. **DEFAULT**

If Licensee fails to comply with any of the provisions of the Agreement or defaults in the performance of any of its obligations under the Agreement and fails within sixty (60) days after written notice from the Company to correct such default or non-compliance, the Company may, at its option, forthwith terminate the Agreement, or the specific permit or permits covering the poles or conduit and Licensee's wireline attachments or occupancies to which such default or non-compliance is applicable, and remove wireline attachments or occupancies of Licensee at Licensee's expense, and no liability therefore shall be incurred by the Company because of such action.

19. **MAPS**

The area covered by the Agreement shall be set forth on a map, attached to, and made a part of the Agreement. Such area may be extended or otherwise modified by a supplemental agreement mutually agreed upon and signed by the Parties to an Agreement with a new map attached thereto showing the changed area to be thereafter covered by the Agreement. Such supplement shall be effective as of the date of final execution thereof and shall be attached to all executed copies of the Agreement.

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Issued:

Effective

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TERMS AND CONDITIONS (Contd.)

20. **EXPIRATION OF AGREEMENT**

If Licensee does not exercise the rights herein granted within six (6) months from the execution date of the Agreement, the Agreement shall be void. The Agreement shall start as of the execution date thereof and shall continue for a period of one year and shall be self-renewing from year to year thereafter unless terminated by either Party's giving to the other Party written notice at least sixty (60) days prior to the end of any yearly term. Licensee shall completely remove its wireline attachments from the Company's poles or direct the Company to remove, at Licensee's expense, its occupancy in the conduit on or prior to the termination date, unless a new Agreement covering such poles or conduit has been executed by the Parties hereto.

21. **BINDING EFFECT**

The Agreement shall be binding upon and inure to the benefit of the Parties thereto, their respective successors and/or assigns, but Licensee shall not assign, transfer or sublet any of the rights hereby granted or obligations hereby assumed without the prior written consent of the Company and without the execution of a separate agreement between the Company and Licensee's assignee, transferee, or sublessee.

22. **DEPOSIT**

The Licensee may be required to pay a cash deposit to the Company in order to establish or re-establish credit in an amount not in excess of the total annual rental fees. After the Licensee has established a reasonable credit record by paying the rental fees for two consecutive years within the time specified in the Agreement, the Company shall apply the deposit plus an accrued interest to the next annual rental fee amount which is due and payable with the next subsequent anniversary date. The Company shall pay interest thereon in accordance with Rule 4901:1-17-05 of the Ohio Administrative Code.

23. **FORCE MAJEURE**

Except as may be expressly provided otherwise, neither Party shall be liable to the other for any failure of performance under the Tariff or Agreement due to causes beyond its reasonable control, including: (a) acts of God, fire, explosion, vandalism, storm, or other similar occurrences; (b) national emergencies, insurrections, riots, acts of terrorism, or wars; (c) strikes, lockouts, work stoppages, or other labor difficulties. To the extent practicable, the Parties shall be prompt in restoring normal conditions, establishing new schedules and resuming operations as soon as the force majeure event causing the failure or delay has ceased. Each Party shall promptly notify the other Party of any delay in performance under this paragraph and its effect on performance required under the Tariff or Agreement.

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139 East Fourth Street
Cincinnati, Ohio 45202

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TERMS AND CONDITIONS (Contd.)

If any pole or conduit of the Company is damaged or destroyed by a force majeure event so that, in the Company's sole discretion, the pole or conduit is rendered materially unfit for the purposes described in the Tariff or Agreement and the Company elects not to repair or replace the pole or conduit, then permission to attach to such pole or occupy such conduit shall terminate as of the date of such damage or destruction.

SERVICE REGULATIONS

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 Company's Service Regulations currently in effect, as filed with the Public Utilities Commission of Ohio, as provided by law.

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CURRENT TARIFF SHEETS

**SCHEDULE OF RATES, CLASSIFICATIONS
RULES AND REGULATIONS
FOR
RETAIL ELECTRIC SERVICE
OF
DUKE ENERGY OHIO**

**P.U.C.O. NO. 19
This Tariff cancels and supersedes P.U.C.O. No. 17**

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ELECTRIC SERVICE REGULATIONS

SECTION I - SERVICE AGREEMENTS

1. Application for Service.

When a customer desires electric service, application shall be made to the Company, specifying the date service is desired and the place where service is to be furnished. An oral application may be accepted by the Company, although a written application or agreement may be required at the option of the Company at the time of application or at any later time.

When a customer requests to be enrolled in the Customer Choice program he or she shall do so in accordance with the guidelines established in Section III, Customer Choice Enrollment and Participation Guidelines.

2. Customer's Right to Cancel or Suspend Service.

A customer may terminate electric service by giving the Company reasonable notice, but not less than three (3) business days prior to termination. The Company will accept such notice as a cancellation of service, except as may be provided in a signed service agreement, rate schedules, or elsewhere in these ELECTRIC SERVICE REGULATIONS.

3. Company's Right to Refuse or to Disconnect Service

The Company, in addition to all other legal remedies, may terminate the service agreement and refuse or discontinue service to an applicant, consumer or customer, for any of the following reasons:

- (a) Upon the request of the customer for temporary disconnection of service for maintenance or other reasons. A residential customer residing in a single family home should contact the Company approximately four (4) hours in advance of the time of requested disconnection. All other residential and non-residential customers shall contact the Company at least three (3) business days in advance of date of the requested disconnections. Note: If any rewiring or change in electric service is being done during the disconnection period, other Company requirements must be met before electric service will be reconnected;
- (b) When the customer has moved from the premises, neglected to request disconnection of service, and an investigation by the Company indicates that service is no longer required;
- (c) When continued service would jeopardize the life or property of the customer, the Company, or the public, service may be disconnected without notice to the customer;
- (d) When supplying electricity to any consumer or customer creates a dangerous condition on the consumer's or customer's premises or where, because of conditions beyond the consumer's or customer's premises, termination of the supply of electricity is reasonably necessary. Service will not be restored until such dangerous condition or conditions have been corrected;

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SECTION I - SERVICE AGREEMENTS (Contd.)

- (e) When providing service is in conflict or incompatible with any laws, regulations or orders of the Public Utilities Commission of Ohio, the State of Ohio or any political subdivision thereof, or of the Federal Government or any of its agencies;
- (f) When a customer or applicant refuses to provide reasonable access to the premises or ignores repeated requests for access as set forth in Section II, Paragraph 8, Access to Premises;
- (g) When in the sole opinion of the Company, the customer's equipment interferes with the electric service provided to other customers;
- (h) For any violation of or refusal to comply with these ELECTRIC SERVICE REGULATIONS as filed with the Public Utilities Commission of Ohio;
- (i) For any violation of or refusal to comply with the requirements as outlined in the Company's publications relating to electric service as set forth in Section II, Paragraph 9, Service Voltages and Regulations;
- (j) For any violation of or refusal to comply with requirements contained in special agreements or contracts between the customer and the Company;
- (k) Nonpayment of bills when due, for non-residential customers only.

For the disconnection of service to residential customers for nonpayment of bills, the Company will follow the procedures as set forth in Section VII Paragraph 1, Disconnection for Nonpayment: Residential Customers, of these ELECTRIC SERVICE REGULATIONS; and

- (l) In the event the consumer or customer resorts to theft or any fraudulent representation or practice in the obtaining of electric supplied, or is the beneficiary of any such fraudulent representation or practice, or the meter, metering equipment or other property used to supply the service has been damaged or tampered with by the consumer or customer, his servants or agents.

Service will not be restored until the consumer or customer has given satisfactory assurance that such fraudulent or damaging practice will be discontinued, and has paid to the Company an amount estimated by the Company to be reasonable compensation for service fraudulently obtained and not paid for and for any damage to property of the Company including any cost to repair the damage.

Failure of the Company to exercise any of its rights for the above reasons does not affect its right to resort thereafter to any such remedies for the same or any future default or breach by the customer. Refusal of or disconnection of service is not an exclusive remedy. The Company may exercise any other appropriate remedy provided by law including civil suit and/or criminal prosecution.

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SECTION I - SERVICE AGREEMENTS (Contd.)

4. Change of Address of the Customer

When the customer's address changes, the customer must give notice thereof to the Company prior to the date of change. The customer is responsible for all service supplied to the vacated premises until such notice has been received and the Company has had reasonable time, but not less than three (3) business days, to discontinue service.

If the customer moves to an address at which the customer requires electric service for any purpose specified in the service agreement, and at which address the Company has such service available under the same rate schedule, the notice is considered as the customer's request that the Company transfer such service to the new address. If the Company does not have such service available at the new address, the old service agreement is considered cancelled. If the Company does have service available at the new address to which a different rate schedule applies, a new service agreement, including the applicable rate schedule, is offered to the customer. The Company shall transfer service within a reasonable time after receipt of notice.

5. Successors and Assigns

The benefits and obligations of the application for service shall inure to and be binding upon the successors and assigns, survivors and executors or administrators, as the case may be, of the original parties thereto, for the full term thereof, to the extent permitted by applicable law, provided that no assignment hereof shall be made by the customer without first obtaining the Company's written consent.

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SECTION II - SUPPLYING AND TAKING OF SERVICE

1. Supplying of Service

Service is supplied under and pursuant to these ELECTRIC SERVICE REGULATIONS and any modifications or additions thereto lawfully made and approved by the Public Utilities Commission of Ohio.

Notwithstanding any provisions of Title XLIX of the Revised Code to the contrary and irrespective of the voltage level at which service is taken, any customer that receives non-competitive retail service from the Company shall be considered a retail electric distribution service customer.

Service is supplied under a given rate schedule at such points of delivery as are adjacent to the Company's facilities which are adequate and suitable, as to capacity and voltage, for the service desired; otherwise, special agreements between the customer and the Company may be required. Should the electric power requirements of the customer change, as to capacity or use, the Company may require that the service be supplied from a different facility if the original facility is or becomes inadequate and unsuitable for the service desired. If special agreements between the customer and the Company are required, electric service will not be supplied until the agreements are executed by the customer and the Company.

Service will not be supplied to any premises if at the time of application for service applicant is indebted to Company for service previously supplied at the same or other premises for like services until payment of such indebtedness shall have been made. Unpaid balances of previously rendered final bills may be transferred and included on the initial or subsequent bill for a like service account. Such transferred final bills, if unpaid will be part of the past due balance of the transferee account and subject to the Company's collection and disconnection procedures which are governed by Chapters 4901:1-10 and 4901:1-18 of the Ohio Administrative Code. The transfer of bills is limited to like service, i.e., residential to residential, commercial to commercial, gas to gas, electric to electric, and combination to combination. The unpaid balances for electric and gas service in a combination account shall remain separate. The transfer of unpaid balances from a combination account to a transferee combination account is limited to like service, i.e., electric to electric and gas to gas. Any transfer of gas, electric or combination accounts shall not affect the residential customer's right to elect and maintain an extended payment plan for gas, electric or combination service under Rule 4901:1-18-11 of the Ohio Administrative Code.

The availability of service under this tariff, P.U.C.O. Electric No. 19, to customers who have elected to relieve the Company of its obligation to provide generation service under the Company's regulated Standard Offer Rate shall be subject to the rules, regulations and Orders of the Public Utilities Commission of Ohio.

Commercial service will not be supplied or continued to any premises if at the time of application for commercial service, applicant or customer is merely acting on behalf of or is a business representative of a present or former commercial customer who is indebted to the Company for commercial service previously supplied at the same or other premises until payment of such indebtedness shall have been made. Commercial service will not be supplied where the applicant or customer is a person, or partnership which person or whose general partner is a present or former customer who is indebted to the Company for commercial service previously supplied at the same or other premises until payment of such indebtedness shall have been made.

Filed pursuant to an Order dated March 29, 2006 in Case No. 06-407-GE-ATA before the Public Utilities Commission of Ohio.

SECTION II - SUPPLYING AND TAKING OF SERVICE (Contd.)

2. Information Relative to Service

Information relative to the service that will be supplied at a given location must be obtained from the Company. This information should be requested at least 30 days in advance of the time of construction of the project to allow the necessary time required to determine the exact engineering details for the individual customer installation. Such information will be confirmed in writing, if requested by the customer. The customer's service terminals are to be located at a point readily accessible to the Company's facilities, such point to be determined by the Company.

In any instance where the Company determines that a prospective customer must sign a construction, maintenance, special equipment agreement, or any other written agreement in order to provide for the ongoing and overall service of the customer's electric requirements, all such agreements must be fully executed and received by the Company prior to the energizing of the customer's system. The providing of energy on a temporary basis has no effect on the above requirements relating to permanent service.

3. Continuity of Service

The Company will make reasonable provisions to supply satisfactory and continuous electric service, but does not guarantee a constant or uninterrupted supply of electricity and shall not be liable for any damage or claim of damage attributable to any interruption or reversal of service caused by accident or casualty, extraordinary action of the elements, action of any governmental authority, litigation, deficiency of supply, or by any cause which the Company could not have reasonably foreseen and made provision against.

4. Suspension of Service for Repairs and Changes

When necessary to make repairs to or change in the Company's plant, generating equipment, transmission or distribution systems, or other property, the Company may, without incurring any liability therefor, suspend service for such periods as may be reasonably necessary and in such manner as not to inconvenience the customer unnecessarily.

5. Use of Service

Service is supplied directly to the customer through the meter and is to be used by the customer only for the purposes specified in and in accordance with the provisions of the applicable rate schedule and these regulations and any service agreement.

The customer will not build lines across or under a street, alley, lane, court or avenue or other public space in order to obtain service for adjacent property through one meter, even though such adjacent property be owned by customer, without the prior written approval of the Company.

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SECTION II - SUPPLYING AND TAKING OF SERVICE (Contd.)

In case of unauthorized sale, extension or other disposition of service, the Company may discontinue the supplying of service to the customer until such unauthorized act is discontinued and full payment is made for all service supplied or used, billed on proper classification and rate schedule, and reimbursement in full made to the Company for all extra expenses incurred, including expenses for clerical work, testing and inspections. Failure of the Company to exercise its right to discontinue the supplying of service in the above situations does not affect its right to resort thereafter to such remedy for the same or any future default or breach by the customer.

No other electric light or power service shall, except under a contract for auxiliary or supplementary service, be used by the customer on the same installation in conjunction with the Company's service, either by means of a "throwover" switch or any other connection.

No emergency power supply of an "on premises" or similar basis shall be connected to the customer's wiring installation, either by means of a "throwover" switch or any other means, without advance notification and written approval from the Company and without provisions to prevent feedback into the Company's equipment which could be a safety hazard to the Company's personnel.

All cogeneration and/or small power production customers shall, in addition to the requirements contained in these ELECTRIC SERVICE REGULATIONS, the latest edition of the National Electrical Code and the latest edition of the Company's "Information & Requirements for Electric Service," be required to meet the requirements contained in the Company's "Guideline Technical Requirements for Parallel Operation of Customer Generation." A separate written contract is required between the owners of all such facilities and the Company.

6. Customer's Responsibility

The Customer assumes all responsibility on the customer's side of the point of delivery (the end of the Company's service drop or where the Company's wires are joined to the customer's wires or apparatus) for the service supplied or taken, as well as for the electrical installation and maintenance, appliances, and apparatus used in conjunction therewith, and will save the Company harmless from and against all claims for injury or damage to persons or property occasioned by or in any way resulting from such service or the use thereof on the customer's side of the point of delivery.

7. Right-of-Way

The customer, without reimbursement, will make or procure conveyance to the Company of right-of-way satisfactory to it across the property owned or controlled by the customer for the Company's lines or extensions thereof necessary or incidental to the supplying of service to the customer, or customers beyond the customer's property when such rights are limited to installations along dedicated streets and roads in the form of Grant or instrument customarily used by the Company for these facilities.

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SECTION II - SUPPLYING AND TAKING OF SERVICE (Contd.)

8. Access to Premises

The properly authorized agents of the Company shall at all reasonable hours have the right and privilege to enter the premises of customers for the purpose of reading meters, testing or determining the compliance of the customer's installation with the Company's requirements and of examining, repairing, replacing or removing the meters or for removing or disconnecting any or all of the Company's equipment, or other Company property, and for all other purposes incidental to the supplying of service, and for such purpose the customer authorizes and requests his landlord, if any, to permit such access to the premises. Reasonable hours of access are the daylight hours except for emergencies, where requested by the customer, or with the customer's consent and except for disconnection for nonpayment of bills, which hours of access are subject to the provisions under Section VII Paragraph 1, Disconnection for Nonpayment: Residential Customers, of these ELECTRIC SERVICE REGULATIONS.

Upon request, the Company's authorized agent will display his/her identification badge or Company pass and state the reasons for requiring access.

If, after the Company has made reasonable efforts to obtain access to the premises for the purposes described above, the customer fails to grant the Company access, the customer denying access shall be deemed in violation of these ELECTRIC SERVICE REGULATIONS pursuant to Section I Paragraph 3 herein, Company's Right to Refuse or to Disconnect Service. In the case of a non-residential customer, the Company shall give the customer not less than five days written notice before service is disconnected.

If judicial redress against the customer or landlord is necessary to secure access to the premises for the purposes described above, the Company may collect from the customer or the landlord a charge covering the Company's expenses in securing access, including but not limited to court costs and attorney's fees. This charge may be added to any account of the customer or the landlord and shall be due with the current charges on that account.

9. Service Voltages and Regulations

The Company will provide service at the nominal voltage levels as stated in the latest revision of the Company's booklet entitled "Information & Requirements for Electric Service," copies of which are available at the Company's offices. Those nominal voltage levels and service configurations are shown below.

- A. The following service voltages, 600 volts or less, are supplied by the Company:
1. Single-phase, 3-wire, 120/240 volts AC at 60 Hz.
 2. Three-phase, 4-wire, 208Y/120 volts AC at 60 Hz.
 3. Three-phase, 4-wire, 480Y/277 volts AC at 60 Hz.

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SECTION II - SUPPLYING AND TAKING OF SERVICE (Contd.)

9. Service Voltages and Regulations (Contd.)

B. The following service voltages, over 600 volts, are supplied by the Company.

1. Three-phase, 4-wire, 4160Y/2400 volts AC at 60Hz.
2. Three-phase, 4-wire, 12470Y/7200 volts AC at 60 Hz.
3. Three-phase, 4-wire, 34500Y/19920 volts AC at 60 Hz.
4. Three-phase, 3-wire, 69000 volts AC at 60 Hz.
5. Three-phase, 3-wire, 138000 volts AC at 60 Hz.

C. The following voltages are available for limited use: (for availability, contact the Company)

1. Single-phase, 3-wire, 120/208 volts AC at 60 Hz.
2. Three-phase, 4-wire, 240/120 volt AC at 60 Hz
3. Three-phase, 3-wire, 33000 volts AC at 60 Hz.

D. These voltages are nominal and may vary depending on operating conditions:

- Three-phase, 4-wire services are supplied with a grounded neutral.
- Three-phase, 3-wire services are supplied without a neutral.

For all service supplied at nominal voltage levels of 34.5 kV three phase four-wire (3P 4-wire) and lower, except for 34.5 kV three phase three-wire (3P 3-wire), the Company shall design and operate its system as provided for in the current version of the American National Standard ANSI C84.1-1995(R2001), approved by American National Standards Institute, Inc. The limits noted for utilization voltage levels do not apply to momentary voltage excursions that may result from such causes as switching operations, motor starting currents, etc.

SECTION III - CUSTOMER CHOICE ENROLLMENT AND PARTICIPATION GUIDELINES

1. Selection of Certified Supplier

In order to obtain Competitive Retail Electric Service from a Certified Supplier, a customer must enter into an agreement with a Certified Supplier who meets the requirements for participation in this Customer Choice Program pursuant to the Certified Supplier Service Rules, Regulations, and Rates, specified in Duke Energy Ohio P.U.C.O. Electric No. 20. Enrollment of customers is done through a Direct Access Service Request (DASR), which may be submitted only by Certified Suppliers. DASRs will be effective on the next regularly scheduled meter read date provided that it is received by the Company at least twelve (12) calendar days before the next regularly scheduled meter read date. Enrollments will be processed on a "first in" priority basis based on the received date, using contract date as the tiebreaker. Should the contract date also be the same, the enrollments will be processed on a first in priority basis, based on the order in which the Company received the DASRs. An account may only be served by one Certified Supplier at a time.

Customers may contact the Company at any time to report that they have been switched without giving consent. To decrease the probability of this occurring, the Company requires that Certified Suppliers obtain, and maintain in their files, customer authorizations as dictated by Commission rules. These authorizations must be made available to the Company, upon request, within three (3) business days.

If Percentage Income Payment Plan (PIPP) customers are aggregated for the purpose of competitively auctioning the supply of Competitive Retail Electric Service, such customers will receive their Competitive Retail Electric Service from the successful bidder. In this event, PIPP customers would not be eligible to select another Certified Supplier or to opt out of the Customer Choice Program.

2. Pre-Enrollment End-use Customer Information List

Upon request, the Company will electronically provide to any supplier certified by the Commission the most recent End-use Customer information list. The Company will offer the End-use Customer information list beginning on October 1, 2000 with updates available quarterly throughout the Market Development Period. Once the list has been updated, a supplier may not use an End-use Customer information list from a prior quarter to contact a customer, but suppliers shall not be required to purchase subsequent lists.

The Company will provide customers the option to have all the customer's information listed in the section below removed from the End-use Customer information list. The Company will also provide customers the option to have all the customer's information listed below reinstated on the End-use Customer information list. The customer will be provided written notice of his or her options quarterly throughout the Market Development Period and prior to the distribution of the first list.

The following information will be provided on the End-use Customer information list for each customer who has not requested that all information be removed from this list:

- (a) End-use Customer name
- (b) Service Address
- (c) Service City
- (d) Service State and Zip Code
- (e) Mailing Address
- (f) Mailing City
- (g) Mailing State and Zip Code

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SECTION III - CUSTOMER CHOICE ENROLLMENT AND PARTICIPATION GUIDELINES (Contd.)

- (h) Rate Schedule under which service is rendered, including class and sub-class (if applicable)
- (i) Rider (if applicable)
- (j) Load Profile Reference Category
- (k) Meter Type (will provide information that is readily available)
- (l) Interval Meter data indicator (will provide information that is readily available)
- (m) Budget Bill/PIPP indicator
- (n) Meter Read Cycle
- (o) Most recent twelve (12) months of historical consumption data (actual energy usage plus demand, if available)

3. Customer Choice Participation Requirements

To participate in the Customer Choice Program, a customer must have an active electric service account with the Company. After the Company has accepted the customer's application for electric service, the customer may select and contact a Certified Supplier. The Company shall provide a list of all approved Certified Suppliers and which classes of customers the Certified Supplier will serve to a) all of its customers prior to the initiation of competition and quarterly throughout the remainder of the Market Development Period; b) all applicants for new service and customers returning to Standard Offer Service; and c) any customer upon request. The Company shall not endorse any Certified Supplier nor indicate that any Certified Supplier will receive preference because of a corporate relationship.

Interval meters are required for customers who choose a Certified Supplier and have a maximum peak demand equal to or greater than 100 kW for the most recent twelve (12) month period. Interval meters are also required for those customers that have an interruptible load contract with their Certified Supplier. The Company may also require interval metering, at Company expense, for other customers based on a review of the customer's rate schedule, billing history and class load profile information. In addition, a communication link must also be installed. The enrollment DASR for these customers will not be approved until a customer-signed interval meter request work order has been executed and submitted approving the interval meter installation.

Customers are responsible for the incremental costs of the interval meters and the incremental costs associated with the installation of required interval metering. While the Company will install the meter, the Certified Supplier, on behalf of the customer, or the customer, must arrange for the installation of the communication link (analog telephone line, hard wired or cellular). The Company will be allowed access to the communication link for meter interrogation. The interval metering equipment will be maintained and owned by the Company. The charges for the installation of the interval metering equipment are specified on tariff Sheet No. 96 "Meter Service Charges." These charges may be paid over a period not to exceed twenty-four (24) months.

Upon the successful processing of an enrollment and/or drop DASR, the Company will notify the customers in writing with the name and phone number of the Certified Supplier, the previous Certified Supplier (if applicable), the effective service change date, the Company's toll-free telephone number, the right to request an actual meter read prior to the transfer of service and the right to rescind (if applicable).

4. Switching Rules

An enrollment DASR must be received by the Company at least twelve (12) calendar days before the effective date, which will be the customer's next regularly scheduled meter reading date, to enroll with or switch to a new Certified Supplier. Enrollment DASRs will be effective according to the following schedule:

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SECTION III - CUSTOMER CHOICE ENROLLMENT AND PARTICIPATION GUIDELINES (Contd.)

- (a) If an enrollment DASR is received twelve (12) or more days prior to the next regularly scheduled meter read date and no other enrollment DASR is currently pending, the enrollment DASR will be effective on the next regularly scheduled meter read date.
- (b) If an enrollment DASR is received less than twelve (12) days prior to the next regularly scheduled meter read date and no other enrollment DASR is currently pending, the enrollment DASR will be effective on the second regularly scheduled meter read date after the enrollment DASR is received.
- (c) If an enrollment DASR is currently pending, and another enrollment DASR is received, the first enrollment DASR will be effective and the second enrollment DASR will be rejected. There cannot be two pending enrollment DASRs for the same account at the same time.
- (d) If an enrollment DASR for an active electric service account is submitted for Company Consolidated billing, as described in Section 10 herein, and the Certified Supplier is participating in the Company's Purchase of Accounts Receivable (PAR) Program, the DASR will be rejected if the Company's account with the customer has an arrears of 30 days or more totaling \$50.00 or more.
- (e) If an enrollment DASR for an active electric service account is submitted for the Company Consolidated billing option known as Bill Ready and the account is currently involved in the Company's summary billing program, the DASR will be rejected until the Company's information system has the capability to accept such DASRs, which will occur by July 1, 2002. Prior to July 1, 2002, in order for an enrollment DASR to be accepted for a summary billing account, the Certified Supplier must submit the DASR with a billing option for either separate billing by the Company and the Certified Supplier or the Company Consolidated billing option known as Rate Ready.
- (f) If an enrollment DASR for an active electric service account is submitted for the Company Consolidated billing option known as Bill Ready and the account is currently involved in the Company's adjusted due date program, the DASR will be rejected until the Company's information system has the capability to accept such DASRs, which will occur by November 1, 2002. Prior to November 1, 2002, in order for an enrollment DASR to be accepted for an account with an adjusted due date, the Certified Supplier must submit the DASR with a billing option for either separate billing by the Company and the Certified Supplier or the Company Consolidated billing option known as Rate Ready.

For the purpose of switching rules, customers are divided into three categories; residential, small commercial and industrial, and large commercial and industrial. Residential customers are customers who use electricity for residential purposes. Small commercial and industrial customers are defined as customers who use electricity for nonresidential purposes, consume less than 700,000 kWh of electricity per year and are not part of a national account involving multiple facilities in one or more states. Large commercial and industrial customers are customers who use electricity for nonresidential purposes, consume greater than or equal to 700,000 kWh of electricity per year or are part of a national account involving multiple facilities in one or more states.

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SECTION III - CUSTOMER CHOICE ENROLLMENT AND PARTICIPATION GUIDELINES (Contd.)

Residential and small commercial and industrial customers, pursuant to Commission rules, have the right to rescind an enrollment. Any residential or small commercial and industrial enrollment, either with a Certified Supplier or with the Company, may be rescinded by contacting the Company within seven days from the postmark date on the notice advising of the enrollment. When the Company receives notice of a rescission, the impending enrollment will be cancelled and the residential or small commercial and industrial customer will remain with their current supplier.

Large commercial and industrial customers using at least 700,000 kWh annually or customers who are part of a national account and that receive the lower shopping credit, will have seven (7) days from the date of the postmark of the confirmation notice to notify the Company, in writing, that the customer chooses to rescind the enrollment due to a conditional contract with the Certified Supplier that is conditional on receiving the higher shopping credit. If the customer fails to notify the Company during the seven (7) day period, then the Company shall deem the enrollment to be final. The Company's switching practices, including the ability to rescind, have no effect on the contractual obligations existing between the Certified Supplier and the customer. Any disputes arising between the Certified Supplier and the customer regarding any provision of the contract must be resolved between the Certified Supplier and the customer.

The following rules apply to any customer receiving service under any rate constituting the Company's Standard Service Offer. The minimum stay provisions below are not currently effective, pending further Commission decision in Case No. 01-2053-EL-ATA. Nothing herein constitutes a waiver of Duke Energy Ohio's legal rights.

Residential Customers

- (a) Notwithstanding the following, the minimum stay provisions for residential customers is stayed until the Commission issues its Order in Case No. 01-2053-EL-ATA.
- (b) Beginning May 16, 2002 and throughout the Market Development Period, if a residential customer is on the Standard Offer Rate for any part of the period May 16 through September 15 (the stay out period), that residential customer must remain on the Standard Offer Rate until the following May 15. However, if the residential customer has not previously switched, the residential customer may switch at any time. Following the stay out period through the following May 15, returning residential customers may switch to another Certified Supplier at any time for the remainder of the Market Development Period; however, if the residential customer returns again to the Standard Offer Rate, the customer has the option of the minimum stay requirements or Rider AG, Optional Alternative Generation Service.
- (c) If a residential customer's Certified Supplier defaults or the residential customer opts out of a governmental aggregation program, the residential customer will return to the Company's Standard Offer Rate and may switch to another Certified Supplier at any time. A residential customer opting out of a governmental aggregation program must contact and inform the Company of the "opt out" decision so the Company is aware that the residential customer should not be subject to the minimum stay requirement.

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SECTION III - CUSTOMER CHOICE ENROLLMENT AND PARTICIPATION GUIDELINES (Contd.)

- (d) To avoid the above minimum stay requirement, residential customers may select the Company's Rider AG, Optional Alternative Generation Service. Rider AG, Optional Alternative Generation Service allows residential customers a minimum stay of one (1) billing cycle and contains market based rates. Market rates are based on the next month NYMEX Cinerity futures contract price, as of the fourth business day prior to the end of the current calendar month, adjusted for load factor and line losses or another publicly available index price, adjusted for load factor and line losses. In no event shall the market based price be below the Standard Offer Rate.

If a residential customer returns to the Company, the residential customer, absent an affirmative action, is placed on the Standard Offer Rate. The residential customer will be mailed a letter the day following the successful processing of a DASR returning the residential customer to the Company. The letter will state (1) the date by which the residential customer must choose Rider AG, Optional Alternative Generation Service, which is an alternative to the minimum stay period; (2) the residential customer will return to the Company's Standard Offer Rate if the residential customer does not choose Rider AG, Optional Alternative Generation Service; and (3) the minimum stay period during which the residential customer will be ineligible to switch if the residential customer returns to the Standard Offer Rate. The residential customer has until twelve (12) calendar days before his or her first meter read after his or her return to the Company to choose the Company's Rider AG, Optional Alternative Generation Service.

The above process provides the residential customer with more than the minimum required fourteen (14) days notice before the residential customer would be subject to a minimum stay. A returning residential customer who does not make such selection between service under Rider AG, Optional Alternative Generation Service or the Standard Offer Rate will remain on the Standard Offer Rate and be subject to the above minimum stay requirements. A returning residential customer who chooses Rider AG, Optional Alternative Generation Service in the appropriate time frame will be billed Rider AG, Optional Alternative Generation Service from the time of his or her initial return until the residential customer selects either a Certified Supplier or the Standard Offer Rate.

5. Certified Supplier Defaults

If a Certified Supplier defaults, the Company will notify the customers of the default. However, service to the affected customers will not be interrupted due to the default. The customers involved will return to the Company's Standard Offer Rate on their next regular scheduled meter read date, unless there is sufficient time to choose an alternative supplier.

6. Certified Supplier Drops Customer

If the Certified Supplier decides to discontinue service to a customer, the Certified Supplier will notify the customer in accordance with Commission rules and submit a Drop DASR to the Company at least twelve (12) calendar days in advance of the requested drop date, which will be the next regular scheduled meter read date. The Company will notify the customer when a Drop DASR is received.

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SECTION III - CUSTOMER CHOICE ENROLLMENT AND PARTICIPATION GUIDELINES (Contd.)

7. Return to Standard Offer Rate Due to Arrears

Prior to the effective date of an agreement for the Company to purchase the receivables of a Certified Supplier, a customer's electric service account actively enrolled with the Certified Supplier, billed on Company Consolidated billing, and having arrears of 30 days or more totaling \$50.00 or more must have the billing option changed by the Certified Supplier to separate billing by the Company and the Certified Supplier, as described in Section 10 herein, or the Company will return the account to the Company's Standard Offer Rate.

8. Requests for Customer Specific Usage Information

A customer or a Certified Supplier, acting as the customer's authorized agent, may request specific usage information. The customer specific usage request will include twelve (12) months of historical data (if available) including monthly kWh usage, meter read dates, and associated monthly maximum demand history, if applicable. This information will be provided to the customer or the Certified Supplier, acting as the customer's authorized agent, free of charge.

If the customer requests monthly interval metering data, the customer will be required to pay the charge specified on the tariff Sheet No. 95 "Meter Data Charges." Charges to Certified Suppliers for interval data are specified in P.U.C.O. Electric No. 20.

9. Customer Aggregation

Customers may be aggregated for purposes of negotiating the purchase of Competitive Retail Electric Services from a Certified Supplier. Customer aggregation is not restricted by the class of customer within an aggregated group. Accordingly, any customer may be represented by an aggregator. However, an aggregator is not a customer, but rather an agent for aggregated customers. Each aggregated customer will be treated as an individual customer of the Company for billing purposes under their otherwise applicable rate schedules, including the billing of applicable Generation Charges and Shopping Credits. Combination of meter registrations of aggregated customers will not be permitted. No charge of a tariff service will be affected by a customer's aggregation status, and aggregation of load cannot be used for qualification under a tariff.

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SECTION III - CUSTOMER CHOICE ENROLLMENT AND PARTICIPATION GUIDELINES (Contd.)

10. Bill Payment Option

A Certified Supplier must notify the Company which billing option is being chosen for its customers: (1) Company Consolidated billing or (2) separate billing by the Company and the Certified Supplier. When the Company Consolidated billing option is selected, the customer will receive one bill from the Company, which will include both the Company's and the Certified Supplier's charges stated separately. The customer is responsible for payment in full to the Company for both the Company and Certified Supplier charges when the Company performs consolidated billing. The billing option must be identified at the time the enrollment DSR is submitted to the Company. Regardless of the billing option selected by the Certified Supplier, the customer may still choose to have budget billing for bills rendered by the Company.

If a change DSR for a customer's electric service account actively enrolled with a Certified Supplier is submitted to change the billing option from separate billing by the Company and the Certified Supplier to Company Consolidated billing and the Certified Supplier is participating in the Company's Purchase of Accounts Receivable (PAR) Program, the Company will reject the change DSR if the Company's account with the customer has an arrearage of 30 days or more totaling \$50.00 or more.

If a change DSR for a customer's electric service account actively enrolled with a Certified Supplier is submitted to change the billing option from separate billing by the Company and the Certified Supplier or from the Company Consolidated billing option known as Rate Ready to the Company Consolidated billing option known as Bill Ready and the account is currently involved in the Company's summary billing program, the DSR will be rejected until the Company's information system has the capability to accept such DSRs, which will occur by July 1, 2002. Prior to July 1, 2002, in order for a billing option change DSR to be accepted for this situation, the change submitted must be from separate billing by the Company and the Certified Supplier to the Company Consolidated billing option known as Rate Ready or from the Company Consolidated billing option known as Rate Ready to separate billing by the Company and the Certified Supplier.

If a change DSR for a customer's electric service account actively enrolled with a Certified Supplier is submitted to change the billing option from separate billing by the Company and the Certified Supplier or from the Company Consolidated billing option known as Rate Ready to the Company Consolidated billing option known as Bill Ready and the account is currently involved in the Company's adjusted due date program, the DSR will be rejected until the Company's information system has the capability to accept such DSRs, which will occur by November 1, 2002. Prior to November 1, 2002, in order for a billing option change DSR to be accepted for this situation, the change submitted must be from separate billing by the Company and the Certified Supplier to the Company Consolidated billing option known as Rate Ready or from the Company Consolidated billing option known as Rate Ready to separate billing by the Company and the Certified Supplier.

For customers who have a maximum annual peak demand greater than or equal to 100 kW for the most recent twelve (12) month period, the required interval metering will be used to support the Certified Suppliers' billing options. If a customer has a maximum annual peak demand less than 100 kW and the Company must install special metering to support a Certified Supplier's billing option, the customer will be responsible for the incremental costs of upgrading the present meter plus all costs associated with the installation of that metering equipment. The charges for an interval meter will be at the tariffed rate, which may be paid over a period not to exceed twenty-four (24) months.

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SECTION III - CUSTOMER CHOICE ENROLLMENT AND PARTICIPATION GUIDELINES (Contd.)

If the Company is providing the consolidated bill option for the Certified Supplier, the Company will remit payments received for Certified Supplier charges including the associated taxes to the Certified Supplier.

All billed charges are grouped into categories and a payment priority is established for each. If a partial payment is received, the Company will apply the following payment priorities classification. Payments will be applied first to prior gas and electric Regulated Utility Charges, second to current gas and electric Regulated Utility Charges, third to prior electric Certified Supplier charges and gas supplier charges (if applicable), fourth to current electric Certified Supplier charges and gas supplier charges (if applicable), and then on a pro-rata basis for non-regulated products and services. When the priority classification is equal, payments will be applied to the oldest receivables first.

If the dual bill option is chosen, the customer will receive separate bills from the Company and the Certified Supplier for their respective charges. The Company and Certified Supplier shall be individually responsible for the collection of their respective charges.

Regardless of the bill option chosen by the Certified Supplier, customers who fail to pay in full their Regulated Utility Charges to the Company will be subject to the Company's late payment charge policy as it applies to those Regulated Utility Charges. The customer will also be subject to the rules and regulations governing the credit, collection and disconnection procedures in accordance with Sections 4901:1-17 and 4901:1-18 of the Ohio Administrative Code.

The Certified Supplier is ultimately responsible for the collection of any unpaid charges for services provided by them, as well as for developing their own credit and collection policies. However, in the course of following its collection procedures for Regulated Utility Charges, the Company may inform customers of such arrearages. In accordance with the rules and regulations governing the credit, collection and disconnection procedures specified in Sections 4901:1-17 and 4901:1-18 of the Ohio Administrative Code, the Certified Supplier may not physically disconnect customers for non-payment of Certified Supplier charges.

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SECTION IV - CUSTOMER'S AND COMPANY'S INSTALLATIONS

1. Nature and Use of Installation

All electric service entrance wiring and equipment furnished and installed by the customer for the purpose of connecting the premises with the Company's service, shall be suitable for the purposes thereof and shall be installed, owned and maintained by the customer at all times in conformity with the National Electrical Code, any other codes and regulations in effect in the area served and the standards contained in the latest revision of the Company's booklet entitled "Information & Requirements for Electric Service," copies of which are available at the Company's offices.

2. Installation of Meters

Electricity will be measured by a meter or meters to be owned and installed by the Company in the customer's meter base at a location approved by the Company. The Company will install upon the customer's premises one meter or one unified set of meters for each standard service connection. Meters for new single-family residences are to be located outside the residence.

3. Installation and Maintenance

Except as otherwise provided in these ELECTRIC SERVICE REGULATIONS, in service agreements or rate schedules, the Company will install and maintain its lines and equipment on its side of the point of delivery, but shall not be required to install or maintain any lines or equipment, except Company owned meters and metering equipment, on the customer's side of the point of delivery without cost to the customer. Only the Company's agents are authorized to connect the Company's service to the customer's service.

All meters and equipment furnished by and at the expense of the Company, which may at any time be on said premises, shall, unless otherwise expressly provided herein, be and remain the property of the Company, and the customer shall protect such property from loss or damage. No one except an agent of the Company shall be permitted to remove or handle same.

Subject to the rules, conditions and riders covering the installation of service connections and extensions, the Company will make one standard service connection to the customer's installation. If three phase service is required and an additional connection is necessary, both will be considered as one service connection.

The rates for each class of service provided for in the rate schedules contemplate the furnishing of service to one location or premises through one standard service connection. Where the customer is receiving service through more than one standard metering installation, the Company will calculate and render a separate bill for service furnished through each metering installation. If the Company elects to provide more than one standard service connection, the Company may, at its option, combine these connections and calculate and render one bill.

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SECTION IV - CUSTOMER'S AND COMPANY'S INSTALLATIONS (Contd.)

When a customer or private party requests the Company to relocate the Company's facilities or a customer's service entrance wiring, such requesting party shall pay all expenses related to such relocation.

When the Company relocates its facilities or a customer's service entrance wiring at the request of a governmental entity (or Administrating Agency) and if the relocation was related to a project financed through transportation improvement district funding, joint economic development district funding, tax increment funding, or similar quasi-public funding, then the governmental entity (or Administrating Agency) shall pay for the cost of relocating Company's facilities in direct proportion to the contributions received from the other funding sources.

4. Special Power Apparatus

In the case of hoists, elevators, welding machines or other installations, where the use of electricity is intermittent or subject to violent fluctuations, the Company reserves the right to use the input rating or the metered instantaneous demand of such equipment under maximum operating conditions for billing purposes, or to require the customer to provide at his own expense, suitable equipment to reasonably limit such intermittence or fluctuation that may affect the service provided to other customers.

5. Changes in Installations

As the Company's service drops, transformers, meters and other facilities used in supplying service to the customer have limited capacity, the customer should give notice to the Company, and obtain the Company's consent, before making any material changes or increases in the customer's installation. After receipt of such notice, the Company will give its written approval of the proposed change or increase, or it will inform the customer of the prerequisites to receipt of service for such change or increase. Any change affecting an estimated billing demand shall be reviewed by the Company's representative and shall become effective from the succeeding meter reading.

The customer shall be solely responsible for all damages sustained by the Company or any person due to the customer's failure to give reasonable advance notice to the Company of such change in the customer's installation.

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SECTION V - METERING

1. Meter Tests

The Company, for the mutual protection of the customer and the Company, will make periodic tests of the meter used in measuring electricity furnished to the customer, and will test a meter upon the written request of a customer. The Company owned meter will be tested and, if found inaccurate, restored to an accurate condition or a new meter will be substituted. Any meter tested and found to be registering not more than two percent (2%) fast or slow will be considered to be correct and accurate.

If a test of any meter is made at the request of a customer, with the result that such meter is found to be correct and accurate as defined above, the Company may charge the customer the expense of such test. However, for the first such meter test the Company will not charge the customer. If, during the subsequent thirty-six month period, the customer requests that a meter test be conducted and the meter is found to be within the tolerances described above, the customer will be billed for the expense of such meter test as specified on Sheet No. 96, Meter Service Charges.

2. Basis for Bill Adjustment

The Company will refund to the customer any overcharges if the meter is found to be registering more than two percent (2%) fast and the customer may be billed and will pay the undercharges if the meter is found to be registering more than two percent (2%) slow.

When a period of meter inaccuracy is discernible upon a review of the account history, or if a meter is found to register partially, or not at all, for any period, the overcharge or undercharge may be computed on the basis of a customer's metered consumption prior and/or subsequent to such period in accordance with the rates in effect during the period.

When a period of meter inaccuracy is unknown the overcharge will be determined on the basis of the meter test for the period since the customer's "on" date, the installation date of the inaccurate meter, or for residential customers a period of 365 days prior to the date the inaccuracy is corrected, whichever is less. However, the 365 day restriction for residential customers shall not apply in cases of meter tampering or theft of utility service, or where a physical act of a customer or its agent causes inaccurate or no recording of the electric meter reading, or inaccurate or no measurement of the electricity rendered.

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SECTION VI - BILLING AND PAYMENT

1. Billing Periods - Time and Place for Payment of Bills

Bills ordinarily are rendered at monthly intervals. Non-receipt of bills by the customer does not release or diminish the obligation of the customer with respect to payment thereof.

The word "month" as it pertains to the supply of service shall mean the period of approximately thirty (30) days between meter readings, as fixed and made by the Company. Meters are ordinarily read monthly, however, meters may be read more or less frequently in such instances as, when special readings are required, at the customer's request, or when the Company has been unable to obtain readings. If the Company has been unable to obtain a meter reading for a period of twelve (12) consecutive months, the Company may, at its option, refuse or disconnect service to the premises in accordance with Section I Paragraph 3, Company's Right to Refuse or Disconnect Service, of these ELECTRIC SERVICE REGULATIONS. The Company shall have the right to establish billing districts for the purpose of reading meters and rendering bills to customers at various dates. A change or revision of any rate schedule shall be applicable to all bills on which the final monthly meter reading was taken on or after the effective date of such change or revision, except as otherwise ordered by the Public Utilities Commission of Ohio.

Where the Company is unable to obtain a meter reading, estimated bills, so identified, will be rendered for an estimated amount to permit normal monthly payment, such payments to be credited to the next bill rendered.

When the Company is requested by the customer to terminate service, or when the Company discovers a customer has terminated service by moving from the premises served, or when the Company disconnects service due to nonpayment of the account or for other reasons, the Company will render a final bill addressed to the customer's forwarding address, if known, or to the last known address, for the entire balance of the account, including a bill calculation from the last read date, with special meter readings taken for combination gas and electric and gas only accounts and identified estimated meter readings being used for non-heating electric only accounts. Unpaid balances of previously rendered final bills may be transferred to the new account and included on initial or subsequent bills.

When the customer begins use of service, an initial bill is normally rendered for the period from the initial date of service to the first regular meter reading date for the billing district in which the premises is located, this period normally being less than one month, except that the bill is suspended if the period is less than eight (8) days.

All of the Company's rate schedules are established on a monthly basis which would include monthly billing periods in accordance with the Company's meter reading schedule. A normal meter reading period consists of the number of days between scheduled reads, that is, between twenty-seven (27) and thirty-five (35) days, plus or minus three (3) working days. Where billing amounts reflects a period of more than one (1) month, those amounts shall be prorated based on the normal scheduled meter reading dates and divided into increments of one (1) month or less. If the increments represents less than one (1) month, the appropriate billing components will be billed as a prorated portion of the period defined by the normal scheduled meter reading dates.

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SECTION VI - BILLING AND PAYMENT (Contd.)

Bills are due on the date indicated thereon as being the last day for payment of the net amount, and the due date shall not be less than twenty-one (21) days after the mailing of the bill. Bills are payable only at the Company's offices or authorized agencies for collection. If a partial payment is made, the amount will be applied to items of indebtedness in the same order as they have accrued.

2. Selection of Rate Schedule

When a prospective customer makes application for service, the Company will, upon request, assist in the selection of the Rate Schedule most favorable to customer for the service requested. The selection will be based on the prospective customer's statement as to the class of service desired, the amount and manner of use, and any other pertinent information.

A customer being billed under one of two or more optional rate schedules applicable to the customer's class of service may elect to be billed on any other applicable rate schedule by notifying the Company in writing, and the Company will bill the customer under such elected schedule from and after the date of the next meter reading. However, a customer having made such a change of rate schedule may not make another such change within the next twelve months, or as otherwise provided elsewhere in the applicable rate schedules.

3. Temporary Discontinuance of Service

If any residential customer notifies the Company in writing to discontinue service, the Company will make no minimum charge for any full meter reading period during the period of discontinuance; provided however, that the Company may charge and collect a sum of fifteen dollars (\$15.00) prior to reconnecting a service which was discontinued at the customer's request within the preceding twelve months.

(C)

4. Availability of Budget Billing

The Company has available to its customers a "Budget Billing Plan" which minimizes billing amount fluctuations over a twelve month period. The Company may exercise discretion, as permitted by Rule 4901:1-18-4 (C) of the Ohio Administrative Code, to restrict the availability of such a plan to a customers who:

- (a) Have no arrearages (other than amounts already incorporated in a previously agreed upon extended payment plan); and
- (b) Are not in default on a previously agreed upon extended payment plan.

5. Bill Adjustment

Overcharges will be refunded to the customer for the entire period of inaccurate billing if that period is discernible. If the period of inaccurate billing is not discernible, the shortest period encompassing the elapsed time since the customer's "on" date, the installation date of the inaccurate meter, or 365 days will form the basis for determining the refund amount.

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SECTION VI - BILLING AND PAYMENT (Contd.)

Undercharges may be billed and the customer shall pay the charges for the entire period of inaccurate billing when that period is discernible, except undercharges billed to residential customers shall be limited to a maximum of 365 days prior to the date the billing is corrected. There will be no maximum limit of time for cases involving tampering or theft of utility service, or where a physical act of a customer or its agent causes inaccurate or no recording of the meter reading, or inaccurate or no measurement of the electricity rendered.

6. Net Metering

Customer-generators of electricity are eligible to be billed on a "net-metering" basis. "Net metering" means measuring the difference in an applicable billing period between the electricity supplied by the Company and the electricity generated by a customer-generator that is fed back to the Company. Net metering is available to customer-generators as long as the total rated generating capacity of all customer-generators is less than one percent of the Company's aggregate customer peak demand in Ohio. Net metering is provided upon request and on a first-come, first-served basis.

In order to be billed on a net metering basis, a customer-generator must meet the following requirements:

- a. uses as its fuel either solar, wind, biomass, landfill gas, or hydropower, or uses a microturbine or a fuel cell;
- b. is located on a customer-generator's premises;
- c. operates in parallel with the electric utility's transmission and distribution facilities;
- d. is intended primarily to offset part or all of the customer-generator's requirements for electricity.

The customer-generator must provide a voltage wave shape that is a 60 Hertz sine wave that is clear, free from distortion, readable and otherwise compatible with Company's equipment. The voltage amplitude must be compatible with the service voltage delivered by the utility. Any characteristic of the net generator that degrades the quality of service provided to other Company customers will not be permitted.

Net metering shall be accomplished using a single meter capable of registering the amount (flow) of electricity which flowed in each direction during a billing period. If its existing electrical meter is not capable of measuring the flow of electricity in two directions, the customer-generator shall be responsible for all expenses involved in purchasing and installing a meter that is capable of measuring electricity flow in two directions. The Company, at its own expense and with the written consent of the customer-generator, may install one or more additional meters to monitor the flow of electricity in each direction.

The measurement of net electricity supplied or generated shall be calculated in the following manner:

The Company shall measure the net electricity produced and (or) consumed during the billing period, in accordance with normal metering practices. If the electricity supplied by the Company exceeds the electricity generated by the customer-generator and fed back to the Company during the billing period, the

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SECTION VI - BILLING AND PAYMENT (Contd.)

customer-generator shall be billed for the net electricity supplied by the Company in accordance with normal metering practices. If electricity is provided to the Company, the credits for that electricity shall appear in the next billing cycle. Bill charges or credits will be in accordance with the standard tariff that would apply if the customer were not a customer-generator.

A net metering system used by a customer-generator shall meet all applicable safety and performance standards established by the National Electrical Code, the Institute of Electrical and Electronics Engineers, and Underwriters Laboratories, Inc. The net generator must be equipped with protective control equipment that will promptly isolate the net generator from the utility service in the event of an electrical fault on the utility service, or if the utility service becomes unavailable. The Public Utilities Commission of Ohio may adopt rules relating to additional control and testing requirements for customer-generators which the Commission determines are necessary to protect public and worker safety and system reliability. The Company shall not require a customer-generator whose net metering system meets the above standards and requirements to do any of the following: comply with additional safety or performance standards, perform or pay for additional tests, or purchase additional liability insurance.

The net generator control must be compatible with the high speed automatic reclosing typically used on the utility service.

7. Market Development Period

The Market Development Period is the period of time which is designed to enable transition from a regulated market to a competitive market for procurement of electricity in the State of Ohio. The Market Development Period begins on January 1, 2001 for all customers and may be ended for a customer class by the Company when twenty-percent load switching has been achieved by that class. The customer classes are Residential, Commercial, Industrial, and Other Public Authorities. The Company assigns customers to one of these classes based upon the use of their facilities. The duration of the Market Development Period may differ for each customer class. The Market Development Period for residential customers will not end before December 31, 2005.

The switching amount will be determined by customer enrollment on a first-come, first-served basis; the percentage load switching by class (Residential, Commercial, Industrial, and Other Public Authorities) shall be calculated initially based upon 1999 actual sales, and beginning with calendar year 2001, shall be updated annually to reflect actual retail sales in the Company's service territory on a calendar year basis.

For the residential class, twenty-percent load switching will be achieved when the total annual kilowatt-hours of all residential customers who have switched to Certified Suppliers is twenty percent or more of the total annual kilowatt-hours of all residential customers. The kilowatt-hours associated with Percentage of Income Payment Program (PIPP) customers will not be included in the determination of the first 20% of the switching customers' load for the residential class if such customers are aggregated and bid out as a group.

For each non-residential class, twenty-percent load switching will be achieved when the total annual kilowatt demands of all customers in each class who have switched to Certified Suppliers is twenty percent or more of the total annual kilowatt demands of all customers in that class.

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SECTION VII - CREDIT AND DEPOSIT PROVISIONS

1. Disconnection for Nonpayment: Residential Customers

The Company will comply with the provisions of the disconnection rules set forth in Chapters 4901:1-10 and 4901:1-18 O.A.C. (Ohio Administrative Code) as amended.

2. Disconnection for Nonpayment: Non-Residential Customers

An account will be considered delinquent and be subject to the Company's disconnection procedures for non-payment if the Company's charges in any bill remains unpaid after the due date.

The Company will mail or otherwise give notice of impending disconnection for nonpayment to the customer prior to disconnection.

The Company may charge a landlord \$2.50 per notice in situations where a master metered apartment building is subject to disconnection and the Company is required to put a notice on each apartment unit. This provision is subject to 4901:1-18-07 of the Ohio Administrative Code.

3. Reconnection of Service

Reconnection of service that has been disconnected for nonpayment shall be made pursuant to the following provisions:

- (a) Upon payment or proof of payment, including any reconnection charge, for service that was previously disconnected, reinstatement of service shall be made by the close of the following regular Company working day.
- (b) If service is disconnected and the customer wishes to guarantee the reinstatement of service the same day on which payment is rendered, the customer must make payment in the Company's business office, or provide proof of payment, and notify the Company before 12:30 p.m. that reinstatement of service is requested the same day. If the Company is notified after 12:30 p.m. of a customer's desire for same day reinstatement of service, the after hour charges specified in PUCO Electric Sheet No. 92 will apply.
- (c) If a Company employee, whose original purpose was to disconnect the service, has provided the customer a means to avoid disconnection, service which otherwise would have been disconnected shall remain intact, and no reconnection charge shall be assessed. However, a collection charge of fifteen dollars (\$15.00) may be assessed.

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SECTION VII - CREDIT AND DEPOSIT PROVISIONS (Contd.)

- d) If a guarantor is required in order to re-establish service, the guarantor must sign an acknowledgment of willingness to accept the responsibility for payment of the customer's entire past due billed amount owed the Company in case of the customer's default.

4. Charge for Reconnection of Service

The Company may charge and collect in advance the dollar amount specified on Tariff Sheet No. 92, Charge for Reconnection of Service for reconnecting a customer's service after service is disconnected because of nonpayment of the bill when due or when service is discontinued because of unauthorized or fraudulent use, tampering with Company equipment, or denial of access to premises as set out in Section II Paragraph 8, Access to Premises.

5. Residential Tenant Rights

The Company will comply with the provisions of the disconnection rules set forth in Chapters 4901:1-10 and 4901:1-18 O.A.C. as amended.

6. Deposit Provision

The Company may require a Security Deposit of any customer, residential or non-residential, in addition to the requirement of payment for prior indebtedness, as set forth in Section II, 1. Supplying of Service, in compliance with the provisions of Section 4933.17 of the Ohio Revised Code and the rules set forth in Chapters 4901:1-10 and 4901:1-17 as amended. The Security Deposit may be requested prior to the rendering of utility service or at a later time.

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Duke Energy Ohio
139 East Fourth Street
Cincinnati, Ohio 45202

P.U.C.O. Electric No. 19
Sheet No. 27.1
Cancels and Supersedes
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SECTION VIII - APPLICATION OF SERVICE REGULATIONS

1. Application of ELECTRIC SERVICE REGULATIONS and Rate Schedules

All service agreements as presently in effect or that may be entered into in the future are made expressly subject to these ELECTRIC SERVICE REGULATIONS and any modifications or amendments thereto, and subject to all applicable existing rate schedules and any modifications, substitutions or amendments thereto.

2. Agents Cannot Modify Agreement

No agent has the right to amend, modify or alter the application, rates, terms, conditions, rules or regulations as filed with the Public Utilities Commission of Ohio, or to make any representation not contained in the Company's schedules, supplements thereto and revisions thereof, lawfully filed with said Commission.

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**DUKE ENERGY OHIO
SERVICE REGULATIONS**

SUPPLEMENT A

**RULES AND REGULATIONS
GOVERNING THE ESTABLISHMENT OF
CREDIT FOR RESIDENTIAL UTILITY SERVICE**

**Rule 4901:1-17 of the Ohio Administrative Code as
Adopted by The Public Utilities Commission of Ohio
in Case No. 03-888-AU-ORD**

4901:1-17-01 DEFINITIONS

4901:1-17-02 WRITTEN CREDIT PROCEDURES REQUIRED

4901:1-17-03 ESTABLISHMENT OF CREDIT

4901:1-17-03 APPENDIX: GUARANTOR AGREEMENT

4901:1-17-04 DEPOSIT TO REESTABLISH CREDITWORTHINESS

4901:1-17-05 DEPOSIT ADMINISTRATION PROVISIONS

4901:1-17-06 REFUND OF DEPOSIT AND RELEASE OF GUARANTOR

4901:1-17-07 RECORD OF DEPOSIT

4901:1-17-08 APPLICANT AND/OR CUSTOMER RIGHTS

4901:1-17-09 WAIVER REQUESTS

4901:1-17-01 Definitions.

As used in this chapter:

- (A) "Commercial mobile radio service (CMRS)" includes and is specifically limited to mobile telephone, mobile cellular telephone, paging, personal communication services, and specialized mobile radio service providers when serving as a common carrier in Ohio, consistent with rule 4901:1-6-01 of the Administrative Code. Fixed wireless is not considered as CMRS, consistent with rule 4901:1-6-01 of the Administrative Code.
- (B) "Regulated service" means a service offering regulated by the commission.
- (C) "Utility" or "public utility" means all persons, firms, or corporations engaged in the business of providing natural gas, telecommunications (excluding commercial mobile radio service), water or sewage disposal service to consumers as defined in division (G) of section 4929.01 of the Revised Code and divisions (A)(2), (A)(8) and (A)(14) of section 4905.03 of the Revised Code, respectively. Rules for the establishment of credit for electric distribution utilities are included in Chapter 4901:1-10 of the Administrative Code.

4901:1-17-02 Written credit procedures required.

Each public utility shall establish written credit procedures consistent with these rules that allow an applicant for residential service to establish, or an existing residential customer to reestablish, credit with the utility. The procedures should be equitable and administered in a nondiscriminatory manner. The utility, without regard to race, color, religion, gender, national origin, age, handicap, or disability, shall base its credit procedures upon the credit risk of the individual as determined by the utility without regard to the collective credit reputation of the area in which the residential applicant or customer lives.

4901:1-17-03 Establishment of credit.

- (A) Each utility may require an applicant for residential service to satisfactorily establish financial responsibility. If the applicant has previously been a customer of that utility, the utility may require the residential applicant to establish financial responsibility pursuant to paragraph (C) of rule 4901:1-17-04 of the Administrative Code. An applicant's financial responsibility will be deemed established if the applicant meets one of the following criteria:
 - (1) The applicant is the owner of the premises to be served or of other real estate within the territory served by the utility and has demonstrated financial responsibility.
 - (2) The applicant demonstrates that he/she is a satisfactory credit risk by means that may be quickly and inexpensively checked by the utility. In determining whether the applicant is a financially responsible person, the public utility may request from the applicant and shall consider information including, but not limited to, the following: name of employer, place of employment, position held, length of service, letters of reference, and names of credit cards possessed by the applicant.

- (3) The applicant demonstrates that he/she has had the same class and a similar type of utility service within a period of twenty-four consecutive months preceding the date of application, unless utility records indicate that the applicant's service was disconnected for nonpayment during the last twelve consecutive months of service, or the applicant had received two consecutive bills with past due balances during that twelve-month period and provided further that the financial responsibility of the applicant is not otherwise impaired.

When an applicant requests a copy of his/her payment history to satisfy paragraph (A)(3) of this rule, each utility shall provide a customer, at his/her request, written information reflecting the customer's payment history. The utility shall provide this information within five business days of this request.

- (4) The applicant makes a cash deposit to secure payment of bills for the utility's service as prescribed in rule 4901:1-17-05 of the Administrative Code.
- (5) The applicant furnishes a creditworthy guarantor to secure payment of bills in an amount sufficient for a sixty-day supply for the service requested. If a third party agrees to be a guarantor for a utility customer, he or she shall meet the criteria as defined in paragraph (A) of this rule or otherwise be creditworthy.

(a) Telecommunications service providers shall further comply with the provisions set forth in rule 4901:1-5-14 of the Administrative Code.

(b) For all utilities, including telecommunications service providers, the guarantor shall sign a written guarantor agreement that shall include, at a minimum, the information shown in the appendix to this rule. The company shall provide the guarantor with a copy of the signed agreement and shall keep the original on file during the term of the guaranty.

(c) For all utilities, including telecommunications providers, the company shall send all disconnection notifications for the guaranteed customer also to the guarantor, unless the guarantor affirmatively waives that right.

(d) For all utilities, including telecommunication providers, the company shall send a notice to the guarantor when the guaranteed customer requests a transfer of service to a new location. The transfer of service notice shall display all of the following information:

(i) The name of the guaranteed customer.

(ii) The address of the current guaranteed customer service location.

(iii) A statement that the transfer of service to the new location may affect the guarantor's liability.

(iv) A statement that, if the guarantor does not want to continue the guaranty at the new service location, the guarantor must provide thirty days' written notice to the company to end the guaranty.

- (B) The establishment of credit under the provisions of these rules, or the reestablishment of credit under the provisions of rule 4901:1-17-04 of the Administrative Code, shall not relieve the applicant or customer from compliance with the regulations of the utility

regarding advance payments and payment of bills by the due date, and shall not modify any regulations of the utility as to the discontinuance of service for nonpayment.

- (C) Upon default by a customer who has furnished a guarantor as provided in paragraph (A)(5) of this rule, the utility may pursue collection actions against the defaulting customer and the guarantor in the appropriate court, or if the guarantor is a customer of the same utility, that utility may transfer the defaulting customer's bill to the guarantor's. The defaulted amount transferred to the guarantor's bill shall not be greater than the amount billed to the customer for sixty days of service or two monthly bills. After thirty days from the transfer, the utility may make the guarantor subject to disconnection procedures, if the amount transferred still remains unpaid.
- (D) An applicant who owes an unpaid bill for previous residential service, whether the bill is owed as a result of service provided to that applicant or is owed under a guarantor agreement, shall not have satisfactorily established or reestablished his/her financial responsibility as long as the bill remains unpaid.

Rule 4901:1-17-03-Appendix: Guarantor Agreement

Guarantor Agreement

I, (name of guarantor), agree to be the guarantor for the (utility type) service provided by (name of utility company) for (customer's name) at the service address of (location).

As the guarantor for (customer's name), I agree to be obligated for charges for the (type of utility) services provided to the guaranteed customer, (customer's name), through the date of termination of the guaranty.

I understand that the company will send a notice to me when the customer requests to transfer service to a new location.

I understand that the company will also send to me all disconnection notifications sent to (name of customer), unless I affirmatively waive that right.

If (customer's name) defaults on the account, I will be held legally responsible for and agree to pay the defaulted amount. As guarantor, I understand that the defaulted amount may be transferred to my account and that my service may be subject to disconnection, if the transferred amount remains unpaid for thirty days. I understand that this amount will not be more than the amount of the bill for sixty days of service.

I understand that I may terminate this guarantor agreement upon thirty days' written notice to (name of company). I also understand that, if I terminate this guarantor agreement, (customer's name) may be required to reestablish creditworthiness when I terminate the guaranty.

I understand that the company shall annually review the account history of each customer who has provided a guarantor. Once (customer's name) satisfies the requirements for the release of a guarantor, as stated in Rule 4901:1-17-06, of the Ohio Administrative Code, (name of company) shall, within thirty days, notify me in writing that I am released from all further responsibility for the account.

I agree to be a guarantor for (customer's name).

(signature of guarantor)

I waive the right to receive all disconnection notices regarding (customer's name) guaranteed service.

(signature of guarantor)

4901:1-17-04 Deposit to reestablish creditworthiness.

- (A) A utility may require a customer to make a deposit or an additional deposit on an account, as set forth in this rule and pursuant to rules 4901:1-17-03 and 4901:1-17-05 of the Administrative Code, to reestablish creditworthiness for tariffed service based on the customer's credit history on that account with that company. After considering the totality of the circumstances, the utility may require a customer whose service has been disconnected to pay a deposit, the delinquent bill, and the reconnection charges prior to restoring service.
- (B) A utility may require a deposit if the customer account meets one of the following criteria:
 - (1) The customer has not made full payment or payment arrangements by the due date for two consecutive bills during the preceding twelve months.
 - (2) The customer has been issued a disconnection notice for nonpayment on two or more occasions during the preceding twelve months.
- (C) A utility may require a deposit if the applicant for service was a customer of that utility, during the preceding twelve months, and had service disconnected for nonpayment, a fraudulent practice, tampering, or unauthorized reconnection.

4901:1-17-05 Deposit administration provisions.

- (A) No public utility, as defined in this chapter, except telecommunications providers, shall require a cash deposit to establish or reestablish credit in an amount in excess of one-twelfth of the estimated charge for regulated service(s) provided by that distribution utility for the ensuing twelve months, plus thirty per cent of the monthly estimated charge. No telecommunications provider shall require a cash deposit to establish or reestablish credit in an amount in excess of that prescribed in rule 4901:1-5-13 of the Administrative Code. Each utility, upon request, shall furnish a copy of these rules to the applicant/customer from whom a deposit is required. If a copy of the rule is provided to a customer/applicant, the utility shall also provide the name, address, website address, and telephone number of the public utilities commission of Ohio.
- (B) Upon receiving a cash deposit, the utility shall furnish to the applicant/customer a receipt that displays all of the following information:

- (1) The name of the applicant/customer.
 - (2) The address of the premises to be served.
 - (3) The billing address for the service.
 - (4) The amount of the deposit and a statement that the rate of interest to be paid on the deposit will be not less than three per cent per annum if the deposit is held for one hundred eighty days or longer.
- (C) Each utility shall accrue interest at a rate of at least three per cent per annum per deposit held for one hundred eighty days or longer. Interest shall be paid to the customer when the deposit is refunded or deducted from the customer's final bill. A utility shall not be required to pay interest on a deposit it holds for less than one hundred eighty days. No utility shall be required to pay additional interest on a deposit after discontinuance of service, if the utility has made a reasonable effort to refund the deposit. A utility shall dispose of any unclaimed deposit, plus accrued interest, in conformity with Chapter 169. of the Revised Code.

4901:1-17-06 Refund of deposit and release of guarantor.

- (A) After discontinuing service, the utility shall promptly apply the customer's deposit, including any accrued interest, to the final bill. The utility shall promptly refund to the customer any deposit, plus any accrued interest, remaining. A transfer of service from one customer location to another within the service area of the utility does not prompt a refund of the deposit or a release of the guarantor.
- (B) The utility shall review each account holding a deposit or a guarantor agreement every twelve months and promptly refund the deposit, plus any accrued interest, or release the guarantor, if the account meets the following criteria:
- (1) The customer has paid his/her bills for service for twelve consecutive months without having had service disconnected for nonpayment.
 - (2) The customer has not had more than two occasions on which his/her bill was not paid by the due date.
 - (3) The customer is not then delinquent in the payment of his/her bills.
- (C) The utility shall promptly return the deposit, plus any accrued interest, upon the customer's request at any time the customer's credit has been otherwise established or reestablished, in accordance with this chapter of the Administrative Code.
- (D) Once the customer satisfies the requirements for release of the guarantor, pursuant to paragraph (B) of this rule, the utility shall notify the guarantor in writing, within thirty days, that the guarantor is released from all further responsibility for the account.

4901:1-17-07 Record of deposit.

Until the deposit is refunded or otherwise disposed of in accordance with applicable law, each utility holding a cash deposit shall maintain a record that displays all of the following information:

- (A) The name and current or last known billing address of each depositor.
- (B) The amount and date of the deposit.
- (C) Each transaction concerning the deposit.

4901:1-17-08 Applicant and/or customer rights.

- (A) Each public utility that requires a cash deposit shall notify the applicant/customer of all options available to establish credit as listed in paragraph (A) of rule 4901:1-17-03 of the Administrative Code.
- (B) If a public utility requires a cash deposit to establish or reestablish service and the customer expresses dissatisfaction with the utility's decision, the company shall inform the customer of the following:

- (1) The reason(s) for its decision.
- (2) How to contest the utility's decision and show creditworthiness.
- (3) The right to have the utility's decision reviewed by an appropriate utility supervisor.
- (4) The right to have the utility's decision reviewed by the commission staff, and provide the applicant/customer the local or toll-free numbers and/or TDD/TTY numbers, address, and the website address of the commission as stated below:

The public utilities commission of Ohio (PUCO) toll-free at 1-800-686-7826 or 1-614-466-3292, or for TDD/TTY toll-free at 1-800-686-1570 or 1-614-466-8180, from 8:00 a.m. to 5:00 p.m. weekdays, or the PUCO website at www.PUCO.ohio.gov.

- (C) Each public utility, upon request, shall provide in writing to the applicant/customer the information required by paragraph (B) of this rule.

4901:1-17-09 Waiver requests.

The public utilities commission of Ohio may waive any rule or any part of a rule contained in this chapter of the Administrative Code for good cause upon its own motion or upon application by a company.

The application for a waiver shall include the specific rule(s) requested to be waived. If the request is to waive only a part or parts of a rule, then the application should identify the appropriate paragraphs, sections, or subsections to be waived. The waiver request shall provide sufficient explanation by rule, including advantages and possible disadvantages, to allow the commission to thoroughly evaluate the waiver request.

**DUKE ENERGY OHIO
SERVICE REGULATIONS**

SUPPLEMENT B

**RULES, REGULATIONS AND PRACTICES
GOVERNING THE DISCONNECTION OF
GAS, NATURAL GAS, OR ELECTRIC
SERVICE TO RESIDENTIAL CUSTOMERS**

**Rule 4901:1-18 of the Ohio Administrative Code as
Adopted by The Public Utilities Commission of Ohio
in Case No. 03-888-AU-ORD**

4901:1-18-01	DEFINITIONS
4901:1-18-02	GENERAL PROVISIONS
4901:1-18-03	DELINQUENT BILLS
4901:1-18-04	EXTENDED PAYMENT PLANS AND RESPONSIBILITIES
4901:1-18-05	DISCONNECTION PROCEDURES FOR NATURAL GAS AND ELECTRIC COMPANIES.
4901:1-18-06	RECONNECTION OF SERVICE
4901:1-18-07	LANDLORD-TENANT PROVISIONS.
4901:1-18-07	APPENDICES & FORMS
4901:1-18-08	WAIVER REQUESTS
4901:1-18-09	RESIDENTIAL NATURAL GAS BILLS
4901:1-18-10	COMBINATION UTILITY COMPANIES
4901:1-18-11	INSUFFICIENT REASONS FOR REFUSING OR DISCONNECTING SERVICE
4901:1-18-12	RESTRICTIVE LANGUAGE PROHIBITION

4901:1-18-01 Definitions.

- (A) "Collection charge" means a tariffed charge assessed to a residential customer by a company for dispatching an employee or agent to a residence who is authorized to accept payment for utility service.
- (B) "Commission" means the public utilities commission of Ohio.
- (C) "Company" means a natural gas company as defined in division (G) of section 4929.01 of the Revised Code or an electric distribution utility as defined in division (A)(6) of section 4928.01 of the Revised Code.
- (D) "Consumer" means any person who is the ultimate user of electric or gas service.
- (E) "Customer" means any person who enters into a contractual agreement with the company to receive residential electric or gas service.
- (F) "Default" means the failure to make the required payment on an extended payment plan by the due date.
- (G) "Extended payment plan" means an agreement between the customer and the company that requires the customer to make payments over a set period of time to the company on unpaid amounts owed to the company.
- (H) "Household income" has the meaning attributed to it by the Ohio department of development, office of community services, in the administration of the home energy assistance program.
- (I) "Primary source of heat" means the energy that is the heat source for the central heating system of the residence or, if the residence is not centrally heated, the energy that makes up the bulk of the energy used for space heating.
- (J) "Secondary source of heat" means the energy that is the heat source for space heating other than that provided by the central heating system of the residence or, if the residence is not centrally heated, the energy that does not make up the bulk of the energy used for space heating or, if the residence is centrally heated using some other form of energy, the energy required to operate equipment needed for the proper functioning of the central heating system.

4901:1-18-02 General provisions.

Natural gas or electric companies under the jurisdiction of the commission may disconnect service to residential customers only for the following reasons:

- (A) For any violation of or refusal to comply with a contract and/or the general service rules and regulations on file with the commission that apply to the customer's service.
- (B) When a consumer uses electricity or gas in a manner detrimental to the service to other consumers.
- (C) When providing service is in conflict or incompatible with any order of the commission, court of law, laws of the state of Ohio or any political subdivision thereof, or of the federal government or any of its agencies.
- (D) When the customer has moved from the customer location.

- (E) When supplying electricity or gas creates a safety hazard to consumers or their premises, the public, or to the company's personnel or facilities or where, because of conditions beyond the consumer's premises, disconnection of the supply of electricity or gas is reasonably necessary. The company shall not restore service until the hazardous condition(s) has been corrected.
- (F) When a customer, consumer, or his/her agent:
 - (1) Prevents utility company personnel from reading the meter for a year or more, unless the company suspects tampering or other fraudulent activities.
 - (2) After notice and a reasonable period of time under the circumstances, continues to prevent company personnel from calibrating, maintaining, or replacing the company's meter, metering equipment, or other company property used to supply service.
 - (3) Resorts to any fraudulent practice to obtain electric or gas service, is the beneficiary of the fraudulent practice, or damages the company's meter, metering equipment or other property used to supply the service. Under the circumstances stated in this paragraph the company need not restore service until the consumer or customer has completed each of the following:
 - (a) Given assurance that the fraudulent or damaging practice has been discontinued.
 - (b) Paid to the company an amount estimated by the company to be reasonable compensation for unauthorized usage obtained and not paid for at the time of disconnection.
 - (c) Paid for any damage to property of the company including any cost to repair the damage.
 - (d) All other fees and charges authorized by tariff resulting from the fraudulent practice or tampering.
- (G) For repairs, provided that notice to consumers is given prior to scheduled maintenance interruptions in excess of six hours.
- (H) Upon the request of the customer.
- (I) For nonpayment, including nonpayment of security deposits applied to delinquent bills as a condition for continued service, only after the provisions and procedures set forth in the rules in this chapter have been complied with by the natural gas or electric company.

4901:1-18-03 Delinquent bills.

- (A) Individually metered residential service accounts will be considered delinquent and subject to the company's disconnection procedures for nonpayment if the account meets one of the following criteria:
 - (1) The customer has not made full payment or arrangements for payment by the due date, for any given bill containing a previous balance for regulated services provided by the distribution utility.
 - (2) The customer is in default on an extended payment plan.

- (3) The customer fails to make the initial payment on an extended payment plan.
- (B) The minimum payment necessary in order to avoid the disconnection procedures shall not be greater than the delinquent amount, i.e., that portion of the bill that represents a previous balance for regulated services provided by the distribution utility.

4901:1-18-04 Extended payment plans and responsibilities.

- (A) Upon contact by a customer whose account is delinquent or who desires to avoid a delinquency, the company shall inform the customer that it will make extensions or other extended payment plans appropriate for both the customer and the company. The company may require the customer to demonstrate an inability to pay. If the customer proposes payment terms, the company may exercise discretion in the acceptance of the payment terms based upon the account balance, the length of time that the balance has been outstanding, the customer's recent payment history, the reasons why payment has not been made, and any other relevant factors concerning the circumstances of the customer, including health, age, and family circumstances. If the customer fails to propose payment terms acceptable to the company, the company shall then advise the customer of the availability of one of the extended payment plans as set forth in paragraphs (A)(1) and (A)(2) of this rule and of the availability of the extended payment plan set forth in paragraph (B) of this rule for a customer whose income qualifies him/her for such a plan. A customer who is in default on an extended payment plan other than one set forth in paragraphs (A)(1), (A)(2), or (B) of this rule is eligible for an extended payment plan as set forth in paragraphs (A)(1), (A)(2), and (B) of this rule provided he/she meets the qualifications for those plans. A customer who is in default on one of the extended payment plans set forth in paragraph (A)(1) or (A)(2) of this rule is eligible for the extended payment plan set forth in paragraph (B) of this rule provided he/she meets the qualifications for that plan.

If a customer informs the company of a medical problem, the company shall inform the customer of the medical certification program as provided in paragraph (C) of rule 4901:1-18-05 of the Administrative Code.

Each company shall offer the customer at least one of the following extended payment plans:

- (1) A plan that requires six equal monthly payments on the arrearages in addition to full payment of current bills.
- (2) A plan that requires payment of one-third of the balance due each month (arrearages plus current bill). This plan shall be offered during the winter heating season as required by paragraph (B)(3) of rule 4901:1-18-05 of the Administrative Code.
- (B) No company shall disconnect the service of any residential customer for nonpayment or refuse to reconnect, because of an arrearage, the service of a residential customer who has requested to transfer his/her service from one address to another as long as that customer meets each of the following qualifications:
 - (1) The customer has a household income for the past three months, which if annualized, would equal one hundred fifty per cent of the federal poverty level or less or, if the household income for the past three months annualized is more than one hundred fifty per cent of the federal poverty level, the customer has a household income for the past twelve months equal to one hundred fifty per cent of the federal poverty level or less.

- (2) For usage during any billing period all or part of which is within the winter period as defined by paragraph (B) of rule 4901:1-18-05 of the Administrative Code, the customer pays at least one of the following amounts:
 - (a) Ten per cent of his/her monthly household income to the jurisdictional company that provides the customer with his/her primary source of heat and pays at least five per cent of his/her monthly household income to the jurisdictional company that provides the customer a secondary source of heat.
 - (b) Fifteen per cent of his/her monthly household income to the jurisdictional company that provides both primary and secondary source of heat.
 - (c) Fifteen per cent of his/her monthly household income to the jurisdictional electric company that provides the totality of energy used for heating purposes to his/her residence.
 - (d) Ten per cent of his/her monthly household income to the jurisdictional company that provides the primary source of heat when a non-jurisdictional utility company or other person provides the secondary source of heat.
 - (e) Five per cent of his/her monthly household income to the jurisdictional company that provides the secondary source of heat when a non-jurisdictional utility company or other person provides the primary source of heat.
 - (3) For usage during any billing period, no part of which is within the winter period as defined by paragraph (B) of rule 4901:1-18-05 of the Administrative Code, the customer pays that percentage of his/her income required by paragraph (B)(2) of this rule or the current bill for actual non winter usage, whichever is greater.
 - (4) The customer applies for all public energy assistance for which he/she is eligible.
 - (5) The customer applies for all weatherization programs for which he/she is eligible.
 - (6) The customer provides proof to the jurisdictional company or the Ohio department of development, whichever is appropriate, no less often than once in every twelve months that he/she meets the household income requirements of paragraph (B)(1) of this rule. For customers determined to have zero income under paragraph (B)(1) of this rule, the jurisdictional company may require the customer to verify the household income no more than once every ninety days.
 - (7) The customer signs a waiver permitting the affected jurisdictional company to receive information from any public agency or private agency providing income or energy assistance and from any employer whether public or private.
- (C) For purposes of paragraphs (B)(1) and (B)(2) of this rule, any money provided to the jurisdictional company from the regular home energy assistance program (HEAP), or similar program, on behalf of the customer as energy assistance shall not be considered as household income or counted as part of the monies paid by the customer to meet the percentage of income requirement. Any money provided to the jurisdictional company on an irregular or on an emergency basis by a public or private agency for the purpose of paying utility bills shall not be considered as household income. These monies shall first be applied to the customer's current monthly payment obligation as determined in accordance with paragraph (B)(2) of this rule, with any money in excess of the amount necessary to satisfy the current monthly payment obligation being applied to either the

amount the customer is in default on an extended payment plan or, if no such default exists, then to the customer's arrearages.

- (D) The company shall provide an optional uniform payment plan (budget plan) on an annual basis for any customer who is not in default on a previously agreed upon extended payment plan. Arrearages need not be included in the optional uniform payment plan (budget plan).
- (E) A customer's failure to make any payment provided for under paragraph (A) or (B) of this rule shall entitle the company to disconnect service in accordance with the procedures set forth in rule 4901:1-18-05 of the Administrative Code.
- (F) The company shall furnish upon the request of the customer entering into an extended payment plan a written, typed, printed, or computer-generated copy of the plan and, if the extended payment plan was arranged by a company employee, the name of that employee.

4901:1-18-05 Disconnection procedures for natural gas and electric companies.

- (A) If a residential customer is delinquent in paying for regulated services provided by the distribution utility, the company may, after proper and reasonable notice of pending disconnection of service (not less than fourteen days), disconnect the customer's service during normal company business hours in compliance with all of the following conditions:
 - (1) No disconnections for nonpayment shall be made after twelve-thirty p.m. on the day preceding a day on which all services necessary for the customer to arrange and the company to perform reconnection are not regularly performed.
 - (2) On the day of disconnection of service, the company shall provide the customer with personal notice. If the customer is not at home, the company shall provide personal notice to an adult consumer. If neither the customer nor an adult consumer is at home, the company shall attach written notice to the premises in a conspicuous location prior to disconnecting service.
 - (3) Third-party or guarantor notification.
 - (a) Each company shall permit a residential customer to designate a third party to receive notice of the pending disconnection of the customer's service or of any other credit notices sent to the customer. If the customer has a guarantor, the guarantor shall receive notice of the pending disconnection of the guaranteed customer's service or of any other credit notices sent to the guaranteed customer, except where the guarantor has affirmatively waived the right to receive notices pursuant to rule 4901:1-17-03 of the Administrative Code. The company shall notify the third party or the guarantor at least fourteen days prior to disconnecting the customer's service.
 - (b) The company shall inform the third party that his/her receipt of such notices does not constitute acceptance of any liability by the third party for payment for service provided to the customer unless the third party has also agreed, in writing, to be a guarantor for the customer.
 - (c) In compliance with division (E) of section 4933.12 and division (D) of section 4933.121 of the Revised Code, if the company plans to disconnect the residential utility service of a customer for the nonpayment of his/her bill, and that customer resides in a county in which the department of job and family

services has provided the company with a written request for prior notification of residential service disconnection, then the company shall provide the appropriate county department of job and family services with a listing of those customers whose service will be disconnected for nonpayment at least twenty-four hours before the action is taken.

- (d) Upon the request of a property owner or the agent of a property owner, each company shall provide the property owner or the agent of a property owner with at least three-days advance notice when service to his/her property is to be disconnected either at the request of a residential customer who is a tenant or for nonpayment.
- (4) Employees or agents who disconnect service at the premises may or may not, at the discretion of the company, be authorized to make extended payment arrangements. Company employees or agents who disconnect service shall be authorized to complete one of the following:
 - (a) Accept payment in lieu of disconnection.
 - (b) Dispatch an employee to the premises to accept payment.
 - (c) Make available to the customer another means to avoid disconnection.
- (5) The following information shall be either clearly displayed on the disconnection notice or included in documents accompanying the disconnection notice:
 - (a) The delinquent billing account number, the total amount required to prevent disconnection of the regulated services provided by the distribution utility and any security deposit owed at the time of the notice.
 - (b) The earliest date when disconnection may occur.
 - (c) The local or toll-free number and address of the company's office for customers to contact about their account.
 - (d) A statement that the commission staff is available to render assistance with unresolved complaints, the current address, local or toll-free number and the TDD/TTY number of the commission's public interest center, and the commission's website.
 - (e) A statement that the customer's failure to pay the amount required at the company's office or to one of its authorized agents by the date specified in the notice may result in a security deposit and a charge for reconnection being required. The statement shall also include the amount of the security deposit and the reconnection charge.
 - (f) If applicable, a statement that the failure to pay charges for non-tariffed and/or non-regulated products or services may result in the loss of those products and/or services.
 - (g) An explanation of the payment plans and options available to a customer whose account is delinquent, as provided in this rule and rule 4901:1-18-04 of the Administrative Code, and, when applicable, rule 4901:1-18-10 of the Administrative Code.

- (h) If disconnection of service is to occur, as a result of nonpayment, a statement that a medical certification program and forms are available from the company.
 - (i) A statement that a listing of the company's authorized payment agents is available by calling the company's toll-free customer service number.
- (B) The company shall not disconnect service to residential customers for nonpayment during the period of November first through April fifteenth unless, in addition to the other requirements of this rule, the company completes each of the following:
 - (1) Makes contact with the customer or other adult consumer at the premises ten days prior to disconnection of service by personal contact, telephone, or hand-delivered written notice.
 - (2) Informs the customer or adult consumer that sources of federal, state, and local government aid for payment of utility bills and for home weatherization are available at the time the company delivers the notice required in paragraph (B)(1) of this rule, and provides sufficient information to allow the customer to further pursue available assistance.
 - (3) Informs the customer of the right to enter into a payment plan as set forth in paragraph (A)(2) of rule 4901:1-18-04 of the Administrative Code, unless the customer qualifies for the payment plan set forth in paragraph (B) of rule 4901:1-18-04 of the Administrative Code, in which event the company shall inform the customer of the availability of both plans. The company may require reasonable verification of the customer's household income, including but not necessarily limited to verification by the local agency providing governmental aid in paying utility bills. If the customer does not respond to the notice described in paragraph (B)(1) of this rule, or refuses to accept a payment plan or fails to make the initial payment on a payment plan referenced in this paragraph, the company may disconnect service after the ten-day notice expires.
- (C) Medical Certification
 - (1) The company shall not disconnect service for nonpayment if the disconnection of service would be especially dangerous to health. The health condition must be certified in accordance with this rule.
 - (2) When the disconnection of service would make operation of necessary medical or life-supporting equipment impossible or impractical, the company shall not disconnect service for nonpayment, if the customer establishes an inability to pay the amount due in full and enters into and makes payments in accordance with an extended payment plan. The necessary medical or life-supporting equipment must be certified in accordance with this rule.
 - (3) The electric distribution company shall give notice of availability of medical certification to its residential customers by means of bill inserts or special notices at the beginning of the winter heating period and at the beginning of the summer cooling period. The natural gas company shall give notice of the availability of medical certification to its residential customers by means of bill inserts or special notices at the beginning of the winter heating period.
 - (4) The company shall provide application forms for health care professionals or local board of health physicians for certification upon request of any residential consumer.

- (5) Any consumer who is a permanent resident of the premises where the service is rendered may qualify for certification.
- (6) The condition shall be certified to the company by a licensed physician, physician assistant, clinical nurse specialist, certified nurse practitioner, certified nurse-midwife, or local board of health physician.
 - (a) The certification required by paragraphs (C)(1) and (C)(2) of this rule shall be in writing and shall include the name of the person to be certified, a statement that the person is a permanent resident of the premises in question, the name, business address, and telephone number of the certifying party, the nature of the condition, and a signed statement by the certifying party that disconnection of service will be especially dangerous to health.
 - (b) Initial certification by the certifying party may be by telephone if written certification is forwarded to the company within seven days.
 - (c) In the event service has been disconnected within twenty-one days prior to certification of special danger to health for a qualifying resident, service shall be restored to that residence if proper certification is made in accordance with the foregoing provisions and the customer agrees to an extended payment plan.
 - (d) Certification shall prohibit disconnection of service for thirty days. Certification may be renewed two additional times (thirty days each) by a licensed physician, physician assistant, clinical nurse specialist, certified nurse practitioner, certified nurse-midwife, or local board of health physician by providing an additional certificate to the company. The total certification period is not to exceed ninety days per household in any twelve-month period.
 - (e) Upon renewal of certification, company personnel shall personally contact the customer and advise the customer of the governmental assistance programs that may be available. In the event that the best efforts of the company fail to result in personal contact, the company shall provide assistance information by mail.
 - (f) If a medical certificate is used to avoid disconnection, the customer shall enter into an extended payment plan prior to the end of the medical certification period or be subject to disconnection. The initial payment on the plan shall not be due until the end of the certification period.
- (D) Upon request of the customer, the company shall provide an opportunity for review of the initial decision to disconnect the service. The company shall review the circumstances surrounding the disconnection, escalate the review to an appropriate supervisor if requested, and inform the customer of the decision upon review as soon as possible. At the customer's request, the company shall respond in writing.
- (E) The company when contacted by the commission's public interest center shall respond to an inquiry concerning a pending disconnection or actual disconnection within two business days. At the request of commission staff, the company shall respond in writing. Commission staff will notify the customer of the company's response.

- (F) The company shall include in its tariff its current standard practices and procedures for disconnection, including the applicable collection and reconnect charges. The company shall submit a sample disconnection notice for approval.

4901:1-18-06 Reconnection of service.

The company shall reconnect service that has been disconnected for nonpayment pursuant to the following provisions:

- (A) Upon payment or proof of payment, including any reconnection charge, of the amount owed for the service that was previously disconnected or of an amount sufficient to cure the default on any extended payment plan described in Rule 4901:1-18-04 of the Administrative Code, including any reconnection charge, the company shall reconnect service by the close of the following regular company working day. The amount sufficient to cure the default includes all amounts that would have been due and owing under the terms of the applicable extended payment plan, absent default, on the date on which service is reconnected.
- (B) If service is disconnected and the customer wishes to guarantee the reconnection of service the same day on which payment is rendered:
- (1) The customer must provide proof of payment, and notify the company no later than twelve-thirty p.m. that reconnection of service is requested the same day.
 - (2) The company may require the customer to pay or agree to pay the company's approved tariff charges for reconnection of service if reconnection of service occurs after normal company business hours. The company may collect this fee prior to reconnection or with the customer's next monthly billing.
- (C) The company shall not assess a reconnection charge unless the company has actually disconnected the service. The company may, however, assess a collection charge if a collection charge is part of the company's approved tariff.
- (D) If the company requires a guarantor in order to reestablish service, the guarantor shall sign an acknowledgment that he/she is willing to accept the responsibility to secure payment of the customer's bill in an amount sufficient for a sixty-day supply of service.

4901:1-18-07 Landlord-tenant provisions.

A company may disconnect utility service of individuals whose utility services are included in rental payments and of consumers residing in a multi-unit dwelling (i.e., tenants who receive master-metered services) for which the customer is the landlord, only in accordance with the following:

- (A) The company shall give a notice of disconnection of service to the landlord/agent at least fourteen days before the disconnection would occur. If, at the end of the fourteen-day notice period, the customer has not paid or made payment arrangements for the bill to which the fourteen-day notice relates, the company shall then make a good faith effort by mail, or otherwise, to provide a separate ten-day notice of pending disconnection to the landlord/agent, and to each unit of a multi-unit dwelling (i.e., each tenant who receives master-metered service). This ten-day notice shall be in addition to the fourteen-day notice given to the landlord/agent. This notice requirement shall be complied with throughout the year. In a multi-unit dwelling, written notice shall also be placed in a conspicuous place.
- (B) The company shall also provide the following information in its ten-day notice:

- (1) A summary of the remedies tenants may choose to prevent disconnection or to have service reconnected.
 - (2) A statement to inform tenants that a list of procedures and forms to prevent disconnection or to have service reconnected are available from the company upon request. A model form of the tenants' ten-day notice is attached as appendix A to this rule.
- (C) The company shall inform any consumer inquiring about the notice, posted pursuant to paragraph (A) of this rule, of the amount due for the current month's bill and that the disconnection of service may be prevented if the consumer(s) makes a single payment to the company in the amount of the current month's bill.
- (D) The company shall credit to the appropriate account any payment made by tenants equal to or exceeding the landlord's current bill for those premises. The company is under no obligation to accept partial payment from individual tenants. The company may choose to accept only a single payment from a representative acting on behalf of all the tenants.
- (E) No company shall disconnect service to master-metered premises when all of the following actions take place:
 - (1) A tenant delivers to the company a copy of the written notice required by division (A) of section 5321.07 of the Revised Code, signed by fifty per cent or more of the tenants of the occupied dwelling units, which notice shall designate the imminent disconnection of utility service (as shown by the disconnection notices received) as a reason for the notice.
 - (2) A tenant informs the company in writing of the date of the last day on which rent may be paid before a penalty is assessed or the date on which default on the lease or rental agreement can be claimed.
 - (3) The tenants timely invoke the remedies provided in divisions (B)(1) and (B)(2) of section 5321.07 of the Revised Code, including but not limited to:
 - (a) Depositing all rent that is due and thereafter becomes due to the landlord, with the clerk of the municipal or county court having jurisdiction, and
 - (b) Applying to the court for an order to use the rent deposited to remedy the condition or conditions specified in the tenant's notice to the landlord (including but not necessarily limited to payment to the company rendering the disconnection notice).
- (F) Each company that delivers notice pursuant to paragraph (A) of this rule shall provide to each tenant, upon request, the procedures to avoid disconnection or to have service reconnected as described in appendix B to this rule. The forms referenced in appendix B to this rule shall be made available by the company and also will be available on the commission's website at www.puc.state.oh.us/PUCO/forms/index.cfm or by contacting the commission's public interest center toll-free (in Ohio) at 1-800-686-7826 or TDD/TTY at 1-800-686-1570. The company shall also identify for the tenant any resources in the community where he/she can obtain assistance in pursuing his/her claim, including but not limited to:
 - (1) The telephone number(s) of the local legal services program (in cities over one hundred thousand served by that company),

- (2) The toll-free number(s) for the Ohio state legal services association,
 - (3) The toll-free number(s) of the office of consumers' counsel,
 - (4) The telephone number(s) of the local bar association, and
 - (5) The telephone number(s) of the local tenant organization(s).
- (G) If a company disconnects service to consumers whose utility services are included in rental payments or who are residing in master-metered premises, the company, upon inquiry, shall inform the consumer that service will be reconnected upon payment of the amount due for the current month's bill plus any reconnection charge if the payment is made within fourteen days of disconnection. The company shall continue service at the premises as long as the tenant's representative continues to pay for each month's service (based upon actual or estimated consumption) by the due date of the bill for that service. The company shall also reconnect service for those consumers who, within fourteen days of the disconnection of service, invoke the provisions of section 5321.07 of the Revised Code, as specified in paragraph (E) of this rule. If the consumers choose to have their service reconnected by paying the current month's bill and payment is not made by the due date each month, the company shall post the notice in a conspicuous location on the premises and make a good faith effort by mail or otherwise to notify each household unit of a multi-unit dwelling or tenant receiving service in the master-metered premises of the impending service disconnection. The company is not required to reconnect service pursuant to this paragraph where the landlord resides on the premises.
- (H) The company shall only provide service to a master-metered premise if the customer is the landlord/owner of the premises. Company acceptance of new applications for service to master-metered premises requires the landlord/owner to provide to the company an accurate list specifying the individual mailing addresses of each unit served at the master-metered premises.
- (I) The company may charge the landlord/owner of the master-metered premises a reasonable fee, as set forth in the company's tariffs, designed to pay the company's incurred cost for providing the notice to tenants required by paragraph (A) of this rule.
- (J) The company has the burden of collecting any amounts in arrears.
- (K) If a customer, who is a property owner or the agent of a property owner, requests disconnection of service when residential tenants reside at the premises, the company shall perform both of the following actions:
- (1) Provide at least a ten-day notice prior to the disconnection of service by mail to the residential tenants or by posting the notice in conspicuous places on the premises.
 - (2) Inform such customer of the customer's liability for all utility service consumed during the ten-day notice period.
- (L) Notwithstanding any notice requirement of a company under paragraph (K) of this rule and paragraph (A)(3)(d) of rule 4901:1-18-05 of the Administrative Code, a company will not be found to have violated these rules if:
- (1) The company uses reasonable efforts to determine the status of the customer/consumer as either a property owner, the agent of a property owner, or a tenant; or

- (2) The customer/consumer misrepresents the status of the customer/consumer as either a property owner, or the agent of a property owner, or tenant.

4901:1-18-07 Appendices & Forms

4901:1-18-08 Waiver requests.

The public utilities commission of Ohio may waive any rule or any part of a rule contained in this chapter of the Administrative Code for good cause upon its own motion or upon application by a company.

The application for a waiver shall include the specific rule(s) requested to be waived. If the request is to waive only a part or parts of a rule, then the application should identify the appropriate paragraphs, sections, or subsections to be waived. The waiver request shall provide sufficient explanation by rule, including advantages and possible disadvantages, to allow the commission to thoroughly evaluate the waiver request.

4901:1-18-09 Residential natural gas bills.

- (A) This rule applies to natural gas company bills that do not include any retail gas supplier charges. Requirements for natural gas consolidated billing appear in rule 4901:1-29-12 of the Administrative Code.

- (B) Bills issued by or for the natural gas company shall be accurate and rendered at regular intervals and shall contain clear and understandable form and language. Each bill shall display the following information:

- (1) The customer's name, billing address, service address, and account number.
- (2) The natural gas company's name and its payment address.
- (3) The natural gas company's twenty-four hour, local or toll-free telephone number for reporting service emergencies.
- (4) A statement that customers with bill questions or complaints should call or write the natural gas company first. The bill shall list the natural gas company's local or toll-free telephone number(s) and the address where a question or complaint may be sent.
- (5) The following text:

"If your questions are not resolved after you have called (name of company), you may call the Public Utilities Commission of Ohio (PUCO) toll-free at 1-800-686-7826 or 1-614-466-3292, or for TDD/TTY toll-free at 1-800-686-1570 or 1-614-466-8180, from 8:00 a.m. to 5:00 p.m. weekdays, or visit the PUCO website at www.PUCO.ohio.gov.

Residential customers may also call the Ohio Consumers' Counsel (OCC), toll-free at 1-877-742-5622 from 8:30 a.m. to 5:30 p.m. weekdays, or visit the OCC website at www.pickocc.org."

- (6) A rate schedule, if applicable.
- (7) The dates of the service period covered by the bill.
- (8) The billing determinants, if applicable:

- (a) Beginning meter reading(s),
 - (b) Ending meter reading(s),
 - (c) Demand meter reading(s),
 - (d) Multiplier(s),
 - (e) Consumption, and/or
 - (f) Demand(s).
- (9) The gas cost recovery rate expressed in dollars and cents per MCF or CCF.
- (10) The total charge attributable to the gas cost recovery rate expressed in dollars and cents.
- (11) The identification of estimated bills.
- (12) The due date for payment.
- (13) The total charges for current billing period.
- (14) Any late payment charge or gross and net charges, if applicable.
- (15) Any unpaid amounts due from previous bills, customer credits, and total amounts due and payable.
- (16) The current balance of the account, if the residential customer is billed according to a budget plan.
- (17) The current gas and electric charges separately, if the customer is billed for gas and electric service on the same bill.
- (18) If applicable, each charge for non-tariffed, non-regulated service(s).
- (19) Any nonrecurring charge(s).
- (20) Any payment(s) or credit(s) applied to the account during the current billing period.
- (21) If applicable, the percentage of income payment program (PIPP) billing information:
- (a) Current PIPP payment,
 - (b) PIPP payments defaulted (i.e., past due),
 - (c) Total PIPP amount due, and
 - (d) Total account arrearage.
- (22) An explanation of codes and abbreviations used.

- (23) If applicable, the name of the selected competitive retail natural gas supplier or governmental aggregator and a statement that such provider is responsible for billing the gas supplier charges.
 - (24) The customer's historical consumption during each of the preceding twelve months, with a total and average consumption for such twelve-month period.
 - (25) A prominently displayed "apples-to-apples" notice, if the company has a choice program.
 - (26) A statement, either appearing directly on the bill, in a bill insert, or as a separate mailing, of any payment arrangement agreed upon by the customer and the company.
 - (27) Other information required by Ohio law or commission rule or order.
- (C) A natural gas company proposing any new bill format shall file its proposed bill format with the commission for approval. If the commission does not act upon an application for sample bill approval within forty-five days, the sample bill shall be approved.
 - (D) Each natural gas company shall maintain an appropriate listing of its customer service number(s) in the directory of each certified local telephone service provider operating in the natural gas company's service area.
 - (E) Each natural gas company shall, upon request, provide customers with an updated list of the name and street address/location of the nearest payment center and/or local authorized agent, and alternative methods available for payment of customer bills. Customers shall not be charged more than two-times the cost of a first-class postage stamp for processing their payments by cash, check or money order at authorized agent locations.
 - (F) When a customer pays a bill at the natural gas company's business office or to an authorized agent of the company, the payment, including any partial payment, shall be immediately credited to the customer's account where feasible and in any event be credited to the customer's account as of the date received at the business office or by the agent. No natural gas company shall disconnect service to a customer who pays to the company or an authorized agent of the company the total amount due (or an amount agreed upon between the natural gas company and the customer to prevent disconnection) on the account by the close of business on the disconnection date listed on the disconnection notice. Payment received by an authorized agent of the natural gas company shall constitute receipt of payment by the company.
 - (G) Each natural gas company shall establish a written policy for its personnel at its business offices and for its authorized agents to handle billing disputes, requests for payment arrangements, and reporting payments to prevent disconnection of service. If these matters cannot be handled by an agent authorized to accept payments, the agent shall provide customers with the natural gas company's local or toll-free number.
 - (H) Any natural gas company wishing to issue billing statements online shall comply with each of the following requirements:
 - (1) A customer shall not be required to use online billing.
 - (2) No enrollment or usage fees shall be assessed to a customer who chooses to receive bills and/or customer information online.

- (3) The online billing statement shall include all requirements listed in paragraph (B) of this rule.
- (4) The company shall maintain a secure and encrypted site that is to be accessed only by the customer of record after completing a secure registration process.
- (5) Any fees to accept online payments shall be clearly disclosed in payment window(s).
- (6) Any payment made online shall be treated as a payment made at the company business office and shall be posted to the account in accordance with paragraph (F) of this rule. The time needed to post the payment to the account shall be clearly stated.
- (7) If a customer chooses to use online billing, the customer shall not be restricted to making payments online in the future. All payment methods shall continue to be available to the customer.

4901:1-18-10 Combination utility companies.

- (A) The residential customers and consumers of a combination utility company that provides both natural gas and electric service shall have the same rights pursuant to Chapter 4901:1-18 of the Administrative Code as customers and consumers who are served by separate natural gas and electric companies. In the event of disconnection or pending disconnection of both gas and electric services, a residential customer of a combination utility company has the right to choose to retain or have reconnected both utility services or one service, either gas or electric.
- (B) A combination utility company shall apply the payments from residential customers to their gas and electric accounts separately and shall apportion the payments based on the total balance for each service, including any arrearage plus the current month's charge(s). For purposes of applying these payments:
 - (1) For customers billed only for services provided by the combination utility company, the company shall apply payments first to past due amounts, then to current regulated charges, and finally to any non-regulated charges.
 - (2) For customers billed by the combination utility company for any competitive services provided by either a competitive retail natural gas supplier and/or a competitive retail electric provider, the company shall apply payments as provided for in paragraph (J) of rule 4901:1-29-12 and paragraph (H) of rule 4901:1-10-33 of the Administrative Code.
- (C) Whenever a residential customer receiving both gas and electric service from a combination utility company has received a disconnection of service notice, the company shall give the customer each of the following options:
 - (1) An extended payment plan for both gas and electric as provided for in rule 4901:1-18-04 of the Administrative Code.
 - (2) An extended payment plan to retain either gas or electric service as chosen by the customer. Such extended payment plan shall include an extended payment plan as provided in rule 4901:1-18-04 of the Administrative Code.
- (D) If a residential customer of a combination utility company who has entered into one extended payment plan for both gas and electric service receives a disconnection of service notice and notifies the company of an inability to pay the full amount due under

such plan, the company shall offer the customer, if eligible pursuant to paragraph (A) of rule 4901:1-18-04 of the Administrative Code, another payment plan to maintain both services. The company shall give the customer the opportunity to retain only one service by paying the defaulted payment plan portion attributable to that service and by continuing payment on the portion of the extended payment plan attributable to that service subject to paragraph (B) of rule 4901:1-18-05 of the Administrative Code.

- (E) If both the gas and electric service of a residential customer of a combination utility have been discontinued for nonpayment, the company shall reconnect both services, or either service, as designated by the customer, pursuant to rule 4901:1-18-06 of the Administrative Code.
- (F) The combination utility company shall in its disconnection of service notice, as provided for in Chapter 4901:1-18 of the Administrative Code, advise combination residential customers of their rights to select the service(s) for retention or reconnection as provided for in paragraphs (C), (D), and (E) of this rule. The notice shall state with specificity the conditions under which customers may exercise their rights and shall state the telephone number and business address of a company representative to be contacted to inquire about those rights.
- (G) For a customer who has received a disconnection of service notice and who contacts the combination utility company, the company shall inform the customer of the total past due amount for each service, and with respect to the extended payment plans available under this rule, the monthly payment due on the past due amount for each service.

4901:1-18-11 Insufficient reasons for refusing or disconnecting service.

The company shall not refuse service to or disconnect service to any applicant/customer for any of the following reasons:

- (A) Failure to pay for service furnished to a former customer unless the former customer and the new applicant for service continue to be members of the same household.
- (B) Failure to pay a nonresidential account.
- (C) Failure to pay any amount which is in bona fide dispute. Where the customer has registered a complaint with the commission's public interest center or filed a formal complaint with the commission which reasonably asserts a bona fide dispute, the company shall not disconnect service if the customer pays either the undisputed portion of the bill, if known or can reasonably be determined, or the amount billed for the same billing period in the previous year.
- (D) Failure to pay any non-regulated service charges.

4901:1-18-12 Restrictive language prohibition.

Except as provided in rules 4901:5-37 and 4901:5-25-06 of the Administrative Code or other commission-approved curtailment provisions, no natural gas company or electric distribution utility shall deny service to a prospective customer or discontinue service to a present customer because the company would be or is providing only auxiliary, stand-by or emergency service as an alternative energy source.

Upon application to and approval by the commission, a natural gas company or electric distribution utility may file a separate applicable tariff containing rates which reflect the costs incurred by that company to provide such services.

RATE RS

RESIDENTIAL SERVICE

APPLICABILITY

Applicable to electric service other than three phase 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 distribution lines are adjacent to the premises to be served.

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	\$ <u>4.50</u> per month	\$ <u>4.50</u> per month	(I)
(b) Energy Charge			
First 1,000 kilowatt-hours	\$ <u>0.019949</u> per kWh	\$ <u>0.019949</u> per kWh	(R)
Additional kilowatt-hours	\$ <u>0.019949</u> per kWh	\$ <u>0.019949</u> per kWh	(R)

Filed pursuant to an Order dated April 30, 2008 in Case No. 03-93-EL-ATA before the Public Utilities Commission of Ohio.

Issued: May 1, 2008

Effective: May 5, 2008

Issued by Sandra P. Meyer, President

Duke Energy Ohio
139 East Fourth Street
Cincinnati, Ohio 45202

P.U.C.O. Electric No. 19
Sheet No. 30.10
Cancels and Supersedes
Sheet No. 30.9
Page 2 of 3

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

(D)

(D)

(D)

Effective January 1, 2006 the following additional riders apply:

(D)

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. 56, Rider SRT, System Reliability Tracker

Sheet No. 59, Rider RSS, Rate Stabilization Surcredit Rider

(D)

Sheet No. 103, Rider MSR-E, Merger Savings Credit Rider-Electric

(D)

3. Generation Charges

The following generation charges are applicable to all customers except those customers who receive their energy from a Certified Supplier:

	<u>Summer Period</u>	<u>Winter Period</u>
Energy Charge		
First 1,000 kilowatt-hours	\$0.044180 per kWh	\$0.044180 per kWh
Additional kilowatt-hours	\$0.055978 per kWh	\$0.016669 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.

Filed pursuant to an Order dated April 30, 2008 in Case No. 03-93-EL-ATA before the Public Utilities Commission of Ohio.

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Sheet No. 30.10
Cancels and Supersedes
Sheet No. 30.9
Page 3 of 3

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.

TERMS AND CONDITIONS

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

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 April 30, 2008 in Case No. 03-93-EL-ATA before the Public Utilities Commission of Ohio.

Issued: May 1, 2008

Effective: May 5, 2008

Issued by Sandra P. Meyer, President

RATE ORH

OPTIONAL RESIDENTIAL SERVICE WITH ELECTRIC SPACE HEATING

APPLICABILITY

Applicable to electric service, other than three phase service, used for all domestic purposes in private residences and single occupancy apartments where permanently connected electric heating equipment is installed and in regular use as the primary source of qualified space heating in the entire territory of the Company where distribution lines are adjacent to the premises to be served. In addition, the customer will be required to pay an amount equal to the current installed cost of demand metering equipment in excess of the current installed cost of standard watt-hour metering equipment. All metering equipment shall remain the property of the Company. The Company shall be responsible for the installation, operation, maintenance, testing, replacement and removal of metering equipment.

This rate is only available as Company demand meters are installed on the customer's premises. Due to the limited availability of metering equipment and Company personnel, a demand meter will be installed as metering equipment and Company personnel are available.

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	\$4.50 per month	\$4.50 per month	(I)
(b) Energy Charge			
First 1,000 kilowatt-hours	\$0.023426 per kWh	\$0.023426 per kWh	(R)
Additional kilowatt-hours	\$0.027749 per kWh	\$0.012939 per kWh	(R)
In excess of 150 times Customer's			
Monthly Demand	\$0.027749 per kWh	\$0.008723 per kWh	(R)

Filed pursuant to an Order dated April 30, 2008 in Case No. 03-93-EL-ATA before the Public Utilities Commission of Ohio.

Issued: May 1, 2008

Issued by Sandra P. Meyer, President

Effective: May 5, 2008

Duke Energy Ohio
139 East Fourth Street
Cincinnati, Ohio 45202

P.U.C.O. Electric No. 19
Sheet No. 31.10
Cancels and Supersedes
Sheet No. 31.9
Page 2 of 3

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

Effective January 1, 2006 the following additional riders apply:

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. 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

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3. Generation Charges

The following generation charges are applicable to all customers except those customers who receive their energy from a Certified Supplier:

	<u>Summer Period</u>	<u>Winter Period</u>
Generation Charges		
Energy Charge		
First 1,000 kilowatt-hours	\$0.039442 per kWh	\$0.039440 per kWh
Additional kilowatt-hours	\$0.047266 per kWh	\$0.020417 per kWh
In excess of 150 times Customer's Monthly Demand	\$0.047266 per kWh	\$0.012771 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 the period represented by the Company's billing for the eight (8) revenue months of January through May and October through December.

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DEMAND

Customer's monthly demand will be the kilowatts as determined from the Company's demand metering equipment for the fifteen (15) minute period of customer's greatest use in each month during the winter period.

Minimum demand shall be ten (10) kilowatts.

QUALIFIED SPACE HEATING

"Qualified" space heating is the heating of residential living quarters primarily through the regular use of permanently connected electric heating equipment, the installation of which meets the Company's specifications.

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.

TERMS AND CONDITIONS

This rate is available upon application in accordance with the Company's Service Regulations and the minimum contract period shall be one (1) year terminable thereafter on thirty (30) days written notice by either the customer or the Company.

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 Company's Service Regulations currently in effect, as filed with the Public Utilities Commission of Ohio.

Filed pursuant to an Order dated April 30, 2008 in Case No. 03-93-EL-ATA before the Public Utilities Commission of Ohio.

Duke Energy Ohio
139 East Fourth Street
Cincinnati, Ohio 45202

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RATE HEC

(D)

HOME ENERGY CHECK-UP SERVICE PROGRAM

PROGRAM DESCRIPTION

Upon request of an eligible customer, the Company shall provide an on-site energy audit for a charge of \$15.00. The customer shall remit the amount prior to the performance of the audit.

Company will provide only one (1) Energy Audit hereunder for an eligible customer for the same premises. Successors will be classified as an eligible customer.

In the case of duplicate audits, the customer shall be provided an estimate of those direct costs which the utility intends to assess, and shall pay the total direct costs.

If the service requested by the customer is not performed, all money remitted by the customer for the HEC Program shall be refunded to such customer.

ELIGIBLE CUSTOMER

An eligible customer means any single family residence or multi-family unit, individually or centrally heated, serving up to four (4) units.

Filed pursuant to an Entry dated March 29, 2006 in Case No. 06-407-GE-ATA before the Public Utilities Commission of Ohio.

Issued: March 31, 2006

Effective: April 3, 2006

Issued by Sandra P. Meyer, President

RATE TD

OPTIONAL TIME-OF-DAY RATE FOR RESIDENTIAL SERVICE

APPLICABILITY

Applicable to electric service other than three phase service for all domestic purposes in private residences and single occupancy apartments in the entire territory of the Company where distribution lines are adjacent to the premises to be served. This rate is available only as Company demand meters with programmable time-of-day registers are installed on the customer's premises.

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.

NET MONTHLY BILL

Computed in accordance with the following charges:

	<u>Summer Period</u>	<u>Winter Period</u>	
1. Distribution Charges			
(a) Customer Charge	\$13.00 per month	\$13.00 per month	(I)
(b) Energy Charge			
On Peak kilowatt-hours	\$0.037141 per kWh	\$0.029514 per kWh	(R)
Off Peak kilowatt-hours	\$0.006479 per kWh	\$0.006474 per kWh	(R)
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			
<u>Sheet No. 80, Rider RGR, Residential Generation Rider</u>			(D)
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			
<u>Sheet No. 85, Rider SC, Shopping Credit Rider</u>			(D)
Sheet No. 86, Rider USR, Universal Service Fund Rider			
<u>Sheet No. 89, Rider AG, Optional Alternative Generation Rider</u>			(D)
<u>Effective January 1, 2006 for residential customers, the following additional riders apply:</u>			(D)
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. 56, Rider SRT, System Reliability Tracker			(D)
<u>Sheet No. 59, Rider RSS, Rate Stabilization Surcredit Rider</u>			(D)
<u>Sheet No. 103, Rider MSR-E, Merger Savings Credit Rider-Electric</u>			

Filed pursuant to an Order dated April 30, 2008 in Case No. 03-93-EL-ATA before the Public Utilities Commission of Ohio.

Issued: May 1, 2008

Effective: May 5, 2008

Issued by Sandra P. Meyer, President

NET MONTHLY BILL (Contd.)

3. Generation Charges

The following generation charges are applicable to all customers except those customers who receive their energy from a Certified Supplier:

	<u>Summer Period</u>	<u>Winter Period</u>
Energy Charge		
On Peak kilowatt-hours	\$0.090079 per kWh	\$0.070811 per kWh
Off Peak kilowatt-hours	\$0.013156 per kWh	\$0.013161 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.

RATING PERIODS

The rating periods applicable to the above kilowatt-hour charges are as follows:

- Summer On Peak Period - 11:00 a.m. to 8:00 p.m. Monday through Friday, excluding holidays.
- Winter On Peak Period - 9:00 a.m. to 2:00 p.m. and 5:00 p.m. to 9:00 p.m. Monday through Friday, excluding holidays.
- Off Peak Period - All hours Monday through Friday not included above plus all day Saturday and Sunday as well as New Year's Day, President's Day, Good Friday, Memorial Day, Independence Day, Labor Day, Columbus Day, Veteran's Day, Thanksgiving Day and Christmas Day or on the day nationally designated to be celebrated as such with the exception that if the foregoing holidays occur on a Sunday, the following Monday is considered a holiday.

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 for services received from a Certified Supplier.

TERMS AND CONDITIONS

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

The initial term of service under this rate is three (3) years. If the customer desires to cancel service under this tariff within three (3) years, a termination fee may be charged by the Company. The termination fee will be determined by applying the above Customer Charge times the remaining months of the initial service agreement.

Filed pursuant to an Order dated April 30, 2008 in Case No. 03-93-EL-ATA before the Public Utilities Commission of Ohio.

Issued: May 1, 2008

Effective: May 5, 2008

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Duke Energy Ohio
139 East Fourth Street
Cincinnati, Ohio 45202

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TERMS AND CONDITIONS (Contd.)

Where the Company is denied access to read the customer's time-of-day meter for more than two (2) consecutive months, the Company may, after notifying the customer, place the customer on the Company's standard residential rate. If the Company moves the customer to the standard rate, the customer shall not be billed for the termination fee.

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 Company's Service Regulations currently in effect, as filed with the Public Utilities Commission of Ohio.

Filed pursuant to an Order dated April 30, 2008 in Case No. 03-93-EL-ATA before the Public Utilities Commission of Ohio.

Issued: May 1, 2008

Effective: May 5, 2008

Issued by Sandra P. Meyer, President

RATE CUR

COMMON USE RESIDENTIAL SERVICE

APPLICABILITY

Applicable to electric service other than three phase service for separately metered common use areas of multi-occupancy buildings in the entire territory of the Company where distribution lines are adjacent to the premises to be served.

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	\$ <u>4.50</u> per month	\$ <u>4.50</u> per month	(I)
(b) Energy Charge			
First 1,000 kilowatt-hours	\$ <u>0.019949</u> per kWh	\$ <u>0.019949</u> per kWh	(R)
Additional kilowatt-hours	\$ <u>0.019949</u> per kWh	\$ <u>0.019949</u> per kWh	(R)
2. Applicable Riders			
The following riders are applicable pursuant to the specific terms contained within each 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. 56, Rider SRT, System Reliability Tracker			
Sheet No. 57, Rider TCR, Transmission Cost Recovery Rider			
Sheet No. 58, Rider DRI, Distribution Reliability Investment Rider			(D)
<u>Sheet No. 59, Rider RSS, Rate Stabilization Surcredit Rider</u>			
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			(D)
<u>Sheet No. 85, Rider SC, Shopping Credit Rider</u>			
Sheet No. 86, Rider USR, Universal Service Fund Rider			
<u>Sheet No. 89, Rider AG, Optional Alternative Generation Rider</u>			(D)
<u>Sheet No. 103, Rider MSR-E, Merger Savings Credit Rider</u>			(D)

Filed pursuant to an Order dated April 30, 2008 in Case No. 03-93-EL-ATA before the Public Utilities Commission of Ohio.

Issued: May 1, 2008

Effective: May 5, 2008

Issued by Sandra P. Meyer, President

Duke Energy Ohio
139 East Fourth Street
Cincinnati, Ohio 45202

P.U.C.O. Electric No. 19
Sheet No. 34.4
Cancels and Supersedes
Sheet No. 34.3
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NET MONTHLY BILL (Contd.)

3. Market Price Generation Charges – Market Based Standard Service Offer

The Generation Charges listed below are applicable to all customers except those customers that switch to a Certified Supplier for their generation service.

	<u>Summer Period</u>	<u>Winter Period</u>
Energy Charge		
First 1,000 kilowatt-hours	\$0.044180 per kWh	\$0.044180 per kWh
Additional kilowatt-hours	\$0.055978 per kWh	\$0.016669 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 for services received from a Certified Supplier.

TERMS AND CONDITIONS

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

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 April 30, 2008 in Case No. 03-93-EL-ATA before the Public Utilities Commission of Ohio.

Issued: May 1, 2008

Effective: May 5, 2008

Issued by Sandra P. Meyer, President

RATE RS3P

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, three 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	<u>\$6.50</u> per month	<u>\$6.50</u> per month	(I)
(b) Energy Charge			
First 1,000 kilowatt-hours	<u>\$0.019949</u> per kWh	<u>\$0.019949</u> per kWh	(R)
Additional kilowatt-hours	<u>\$0.019949</u> per kWh	<u>\$0.019949</u> per kWh	(R)

Filed pursuant to an Order dated April 30, 2008 in Case No. 03-93-EL-ATA before the Public Utilities Commission of Ohio.

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Duke Energy Ohio
139 East Fourth Street
Cincinnati, Ohio 45202

P.U.C.O. Electric No. 19
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Cancels and Supersedes
Original Sheet No. 35
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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

(D)

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

(D)

Sheet No. 86, Rider USR, Universal Service Fund Rider

Sheet No. 89, Rider AG, Optional Alternative Generation Rider

(D)

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. 56, Rider SRT, System Reliability Tracker

Sheet No. 59, Rider RSS, Rate Stabilization Surcredit Rider

(D)

Sheet No. 103, Rider MSR-E, Merger Savings Credit Rider-Electric

(D)

3. Generation Charges

The following generation charges are applicable to all customers except those customers who receive their energy from a certified supplier.

	<u>Summer Period</u>	<u>Winter Period</u>
Energy Charge		
First 1,000 kilowatt-hours	\$0.044180 per kWh	\$0.044180 per kWh
Additional kilowatt-hours	\$0.055978 per kWh	\$0.016669 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 April 30, 2008 in Case No. 03-93-EL-ATA before the Public Utilities Commission of Ohio.

Issued: May 1, 2008

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Issued by Sandra P. Meyer, President

Duke Energy Ohio
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Cincinnati, Ohio 45202

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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 April 30, 2008 in Case No. 03-93-EL-ATA before the Public Utilities Commission of Ohio.

Issued: May 1, 2008

Effective: May 5, 2008

Issued by Sandra P. Meyer, President

RATE DS

SERVICE AT SECONDARY DISTRIBUTION VOLTAGE

APPLICABILITY

Applicable to electric service for usual customer load requirements is available to a customer only where the Company specifies service at the standard secondary system voltage and where the Company determines that facilities of adequate capacity are available and adjacent to the premises to be served and the Company determines that the customers average monthly demand is greater than 15 kilowatts. Electric service must be supplied at one point of delivery.

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 or three phase, at Company's standard distribution voltage.

NET MONTHLY BILL

Computed in accordance with the following charges provided, however, that the minimum monthly load factor, expressed as hours-use per month, shall not be less than 71 kWh per kW. When applicable, the minimum monthly load factor shall be achieved by calculating the billing demand as the monthly kWh usage divided by 71 (kilowatt of demand is abbreviated as kW and kilowatt-hours are abbreviated as kWh):

1. Distribution Charges

(a) Customer Charge per month

Single Phase Service

\$ 7.50

(I)

Single and/or Three Phase Service

\$ 15.00

(I)

(b) Demand Charge

All kilowatts

\$ 3.7908 per kW

(I)

2. Applicable Riders

The following riders are applicable pursuant to the specific terms contained within each 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. 56, Rider SRT, System Reliability Tracker

Sheet No. 57, Rider TCR, Transmission Cost Recovery Rider

Sheet No. 58, Rider DRI, Distribution Reliability Investment Rider

Sheet No. 59, Rider RSS, Rate Stabilization Surcredit Rider

(D)

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

(D)

Sheet No. 86, Rider USR, Universal Service Fund Rider

Sheet No. 103, Rider MSR-E, Merger Savings Credit Rider-Electric

(D)