

NC

D8-1225-EL-CSS

22

FILE



The Public Utilities
Commission of Ohio

Case Number

Public Utilities Commission of Ohio
Attn: Docketing
180 E. Broad St.
Columbus, OH 43215

Formal Complaint Form

SZL Limited
Customer Name

9675 Montgomery Rd.
Customer Address

Cincinnati, OH 45242
City State Zip

Against

4560-0707-23-3
Account Number

Customer Service Address (if different from above)

Duke Energy
Utility Company Name

City State Zip

Please describe your complaint. (Attach additional sheets if necessary)

Please see letter and Attchments.

RECEIVED-DOCKETING DIV
2008 NOV 13 AM 9:59
PUCO

[Signature]
Signature

(513) 791-5588
Customer Telephone Number

This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business

Technician [Signature] Date Processed 11-13-08

Tuesday, November 11, 2008

The Public Utilities Commission of Ohio.
Attn: Docketing
180 E Broad Street
Columbus, OH 43215-3793

SZL Ltd. Formal Complaint
Case ID :SVAM092208CJ

SZL Ltd. (a customer to Duke Energy) purchased a vacant building at 9675 Montgomery Road, Cincinnati, OH.45242 on May 8, 2008 to be converted into an office building for an A/E Design firm.. At that time the electric service was switched to SZL's account. Prior to that the building stood unoccupied for about 5 years after the previous owner, Bally's Fitness vacated it.

The building has a 1200 A, 208/120/3 phase service, supplied from a utility company owned transformer. This transformer is dedicated to our building; no other users are connected to it. A main disconnect, located in the electric room cuts off all the power to the structure.

We received the first electric bill for the period of May 8 thru May 23. (15 days). The demand charge shown was 17.01 kW. It appeared to be too high, since the only load that was generated was by the interior lights used during our pre-design visits. We paid that bill.

The second bill covering from May 23 till June 24 (32 days) showed 38.0 kW demand. In addition, the energy charge went from 2,584 kWh to 7,898 kWh. In July, the demand jumped to 38.4 kW, with the energy charges going to 2,856 kWh.

By this time we established the fact that the meter is acting irrationally: it was registering usage when the building was abandoned, main disconnect in the off position, recording unrealistically high demand, where there was no load that could generate those demands. (The only intermittent loads could be generated by the incandescent and HID lights in the building, The elevator was not working, 4 of the 5 existing rooftop units were non functional, the one remaining could not operate in cooling mode, only the 5 HP fan motor was operational. The unit could not be used for heating either, since the gas was turned off by the utility company. The total installed lighting – if all the lights were turned on at the same time was 9600 W. The parking lights were vandalized, there was no parking light on the property).

We obtained the meter printouts from Duke for all, but the first month. (By-the-way: Duke was and is extremely co-operative with us, providing all the information we requested). The 38.0 kW peak demand, according to their records was reached on June 4, 2008 at 19:15 Hrs. There was no possible way to generate the 38.0 kW demand.

The interesting thing is that the building was locked up from May 8 until July 15, when the construction started. Besides the short time periods when contractors were visiting the building for pre-bid site visits, there was no electric use in the building

Other abnormalities were noticed, and after talking to Duke representatives, they agreed to replace the meter and install a new one. The change-out happened on August 18, and as the attached invoice indicates (Exhibit #1), the total electric use recorded dropped drastically. By this time the construction of our new office space was in full swing, yet both the demand and the energy charges suddenly were reduced. Clearly, the previous meter was providing erroneous readouts.

Despite all these proofs Duke sent us a letter (Exhibit #2, dated August 26, but not received by us until October 20) stating that the meter was good.

On September 19, 2008 I filed a formal complaint with PUCO (File ID#:WEBID39890) As a result, a local representative took the case over for Duke. (Mr. Bill Fleissner 513-287-7233). (Exhibit #3)

On October 2, 2008 I sent a letter to Mr. Bill Fleissner explaining all the irregularities we identified with the previous meter. (Exhibit #4).

On October 7, 2008, Mr. Fleissner sent a letter stating that the programming in their computer was wrong, but assured us that the program fault did not influence the loads, just the time of the readings. (Exhibit #5).

On October 23, 2008 Mr. Fleissner informed us that their ruling stands and the charges remain. I informed him, that based on the evidence (the billing records) I am filing a formal complaint with PUCO and requested that the charges for the months in question be suspended and the service not to be turned off. He consented, and we've been paying the monthly electric charges except for the month of July.

In addition to the issues raised in my letter there is one more interesting statistics: The average daily energy use.

In May the average daily consumption recorded: 172.26 kWh/day (The building is closed up).

In June, the average daily consumption recorded: 246.81 kWh/day (The building is closed up)

In July, the average daily consumption recorded: 95.20 kWh/day (Construction started on July 15).

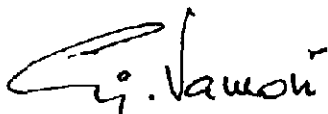
In August the average daily consumption recorded: 43.36kWh/day with the original meter, 31.25 kWh/day with the new meter.

In September, the average daily consumption recorded: 28.25 kWh/day. (Construction in full swing)

Other anomaly noticed was that after the meter change in August, the next billing showed only 17.03 kW demand (down from the previous month's 38.40 kW despite the fact, that the construction now is in full swing, new lights were installed and used constantly)). The September bill indicated 12.73 kW (yet it was still billed at the DS01 rate, instead of the lesser, below 15 kW rate). Following month in October, the charge went up again to a base of 38.4 kW (at an 85% ratchet). I was unable to get an explanation for either problem.

The time period involvement in this discussion starts May 8, 2008 and continues until the present day.

Our claim is that Duke Energy overcharging us based on readings obtained from a faulty meter. We do not contest the energy charges since the meter was changed, but we are still being charged for the high demand that was recorded by the bad meter. The rate charged is unreasonable.

A handwritten signature in black ink, appearing to read "S. J. Vamosi".

Stephen J. Vamosi P.E.
Managing Partner for SZL Ltd.

Attachments.

Copy: George Jonson Esq. w/Attachments



EXH. #1.

Account Number 4560-0707-23-3 10 18

For less detailed billing information on
your monthly bill, check box on right ☐

Due Date	Amount Due
Jun 18, 2008	\$ 1,103.83

\$ _____ \$ _____
HeatShare Contribution Amount Enclosed
(for Customer Assistance)



00009902 CGE1 ZA 08149 - ZIPCODE 18 YYNNN 102

SZI Limited
9900 Carver Rd Ste 100
Cincinnati OH 45242-5523

PO Box 9001076
Louisville KY 40290-1076

400 00001103830 45600707233 061820086 00001109812

1 PLEASE RETURN THE TOP PORTION WITH YOUR PAYMENT. 1

Page 1 of 2

Name / Service Address	For inquiries Call	Account Number
SZI Limited 9675 Montgomery Rd Cincinnati OH 45242	Duke Energy <i>Business Service Ctr</i> <i>Commercial Loc # 1-800-774-1202</i>	513-421-9500 4560-0707-23-3

Mail Payments To	Account Information
PO Box 9001076 Louisville KY 40290-1076	Payments after May 27 not included Bill prepared on May 27, 2008 Next meter reading Jun 24, 2008

PLEASE NOTE: A service deposit is being charged to your account as a result of your request for new service(s). If your deposit has not yet been paid, please pay the stated deposit amount, by the due date indicated, in order to avoid disconnection.

ED10 meter

Meter Number	Reading Date From To	Days	Meter Reading Previous Present	Multi	Usage	Actual kWh
Elec 106072981	May 08 May 23	15			2,584	32.90
			On Peak			

Electric - Commercial
Usage - 2,584 kWh 17.01 kW
Duke Energy - Rate DS01 \$ 398.83
Current Electric Charges \$ 398.83

Current Billing
Amt Due - Previous Bill \$ 0.00
Balance Forward <i>486.00</i> 0.00
Current Electric Charges <i>utilities</i> 398.83
Deposit Amt Due <i>sec deposit</i> 705.00
Current Amount Due \$ 1,103.83

previous owner \$700/mo electric

Charges for meter(s) not shown on this bill will be billed at a later date.

In a recent ruling by the PUCO, Rider RSC is now included in your generation charges and is avoidable when you are served by an electric supplier. For nonresidential customers only, Rider IMF can be waived by switching to an electric supplier and agreeing not to return to Duke service until after December 31, 2008. These changes do not affect the amount of your bill.

We want to reward your business for saving energy. Duke Energy will provide incentive checks for companies that install qualifying high-efficiency equipment at their facilities. Learn more by accessing the Smart Saver Incentive link at www.duke-energy.com.

Printed on recyclable paper.

Business Service Center
Linda ext 6471

Due Date	Amount Due	After Jun 18, 2008
Jun 18, 2008	\$ 1,103.83	\$ 1,109.81

Name	Service Address	Account Number
Szl Limited	9675 Montgomery Rd Cincinnati OH 45242	4580-0707-23-3

Explanation of Current Charges		
Electric Meter - 106072981	Duke Energy Rate DS01 - Distribution Service	
kWh Usage - 2,584	Distribution-Customer Chg	\$ 7.76
On Peak	Delivery Charges	
Actual kW - 32.90	Distribution-Demand Chg	
Actual kVa - 34.50	17.01 kW @ \$ 3.79080000	64.48
Power Factor - 95.6%	Rider TCR	32.85
	Delivery Riders	13.04
	Total Delivery Charges	\$ 110.37
Billed kW - 17.01	Generation Charges	
May 08 - May 23 15 Days	Generation-Demand Chg	
	17.01 kW @ \$ 7.65740000	130.25
	Generation Energy Chg	
	2,584 kWh @ \$ 0.01957600	50.58
	Rider FPP	30.72
	Rider AAC	24.78
	Generation Riders	44.37
	Total Generation Charges	\$ 280.70
		\$ 398.83
	Total Current Electric Charges	\$ 398.83

DS01

11am - 8pm

Name / Service Address	For Inquiries Call	Account Number
Szl Limited 9675 Montgomery Rd Cincinnati OH 45242	Duke Energy 513-421-9500	4560-0707-23-3 ✓

Mail Payments To	Account Information
PO Box 9001076 Louisville KY 40290-1076	Payments after Jun 25 not included Last payment received Jun 18 Bill prepared on Jun 25, 2008 Next meter reading Jul 24, 2008

Meter	Number	Reading Date	From	To	Days	Meter Reading	Multi	kWh-E	Actual
						Previous	Present	Usage	kW

Elec 106072981 May 23 Jun 24 32

On Peak

7,898

38.00

ADG 246.8 kWh

DEMAND

DS RATE
DM -

Electric - Commercial		
Usage -	7,898 kWh	38.00 kW
Duke Energy - Rate DS01		\$ 995.24
Current Electric Charges		\$ 995.24

Current Billing	
Amt Due - Previous Bill	\$ 1,103.83
Payment(s) Received	1,103.83cr
Balance Forward	0.00
Current Electric Charges	995.24
Current Amount Due	\$ 995.24

We want to reward your business for saving energy. Duke Energy will provide incentive checks for companies that install high-efficiency lighting, motors, pumps and other qualifying equipment. Learn more by accessing the Smart Saver Incentive link at www.duke-energy.com.

Printed on recyclable paper.

pd ✓ #1010

68600

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Due Date	Amount Due	After
Jul 17, 2008	\$ 995.24	Jul 17, 2008
		\$ 1,010.17

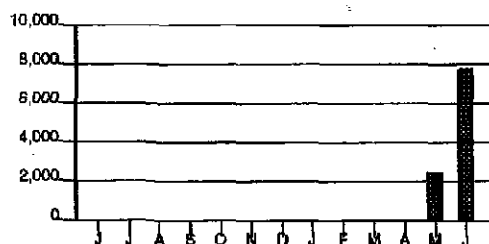


visit us at www.duke-energy.com

Name	Service Address	Account Number
Szl Limited	9675 Montgomery Rd Cincinnati OH 45242	4560-0707-23-3

Explanation of Current Charges		
Electric	Duke Energy	
Meter - 106072981	Rate DS01 - Distribution Service	
kWh Usage - 7,898	Distribution-Customer Chg	\$ 15.00
On Peak	Delivery Charges	
Actual kW - 38.00	Distribution-Demand Chg	
Actual kVa - 39.10	38.00kW @ \$ 3.79080000	144.05
Power Factor - 97.1%	Rider TCR	70.82
	Delivery Riders	39.27
	Total Delivery Charges	\$ 254.14
May 23 - Jun 24	Generation Charges	
32 Days	Generation-Demand Chg	
	38.00kW @ \$ 7.65740000	290.98
	Generation Energy Chg	
	7,898 kWh @ \$ 0.01957600	154.61
	Rider FPP	93.88
	Rider AAC	61.05
	Generation Riders	125.58
	Total Generation Charges	\$ 726.10
		920.24
	Total Current Electric Charges	\$ 995.24

kWh Electric Usage



Calculations based on most recent 12 month history

Total Usage 10,482
Average Usage 5,241

	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN
Electric	0	0	0	0	0	0	0	0	0	0	0	2,584	7,898

Account Number 4560-0707-23-3

10 18

For less detailed billing information on your monthly bill, check box on right

☐

Due Date	Amount Due
Aug 18, 2008	\$ 742.60

\$ _____ \$ _____
HeatShare Contribution Amount Enclosed
(for Customer Assistance)



00011966 CGE1 ZA 08208 - ZIPCODE 18 YYNNN 1oz

Szl Limited
9900 Carver Rd Ste 100
Cincinnati OH 45242-5523

PO Box 9001076
Louisville KY 40290-1076

400 00000742600 45600707233 081820082 00000753742

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Page 1 of 2

Name / Service Address	For Inquiries Call	Account Number
Szl Limited 9675 Montgomery Rd Cincinnati OH 45242	Duke Energy 513-421-9500	4560-0707-23-3

Mail Payments To	Account Information
PO Box 9001076 Louisville KY 40290-1076	Payments after Jul 25 not included Last payment received Jul 15 Bill prepared on Jul 25, 2008 Next meter reading Aug 22, 2008

Meter	Number	Reading Date	Days	Meter Reading	Multi	Usage	Actual kW
Elec	106072981	Jun 24 Jul 24	30	On Peak		2,856	38.40

Electric - Commercial	Current Billing
Usage - 2,856 kWh 38.40 kW	Amt Due - Previous Bill \$ 995.24
Duke Energy - Rate DS01 \$ 742.60	Payment(s) Received 995.24cr
Current Electric Charges \$ 742.60	Balance Forward 0.00
	Current Electric Charges 742.60
	Current Amount Due \$ 742.60

The Public Utility Commission of Ohio approved adjustment to Rider SRT (part of the "Generation Riders") and Rider FPP effective June 30, 2008.

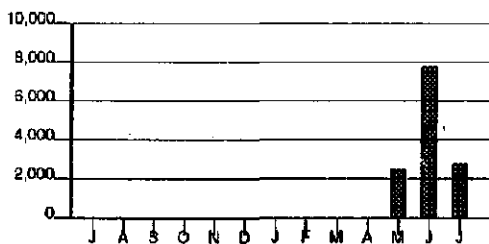
Due Date	Amount Due	After
Aug 18, 2008	\$ 742.60	Aug 18, 2008
		\$ 753.74

ANOMALIES

Name	Service Address	Account Number
Szl Limited	9675 Montgomery Rd Cincinnati OH 45242	4560-0707-23-3

Explanation of Current Charges		
Electric	Duke Energy	
Meter - 106072981	Rate DS01 - Distribution Service	
kWh Usage - 2,856	Distribution-Customer Chg	\$ 15.00
On Peak	Delivery Charges	
Actual kW - 38.40	Distribution-Demand Chg	
Actual kVa - 40.70	38.40kW @ \$ 3.79080000	145.57
Power Factor - 94.3%	Rider TCR	71.58
	Delivery Riders	14.85
	Total Delivery Charges	\$ 231.98
Jun 24 - Jul 24	Generation Charges	
30 Days	Generation-Demand Chg	
	38.40kW @ \$ 7.65740000	294.04
	Generation Energy Chg	
	2,856kWh @ \$ 0.01957600	55.91
	Rider FPP	34.20
	Rider AAC	47.95
	Generation Riders	63.52
	Total Generation Charges	\$ 495.62
		\$ 742.60
	Total Current Electric Charges	\$ 742.60

kWh Electric Usage



Calculations based on most recent 12 month history

Total Usage 13,338
Average Usage 4,446

	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL
Electric	0	0	0	0	0	0	0	0	0	0	2,584	7,898	2,856

DISCONNECT NOTICE

Account Number 4560-0707-23-3

10 18

For less detailed billing information on your monthly bill, check box on right ☐

Due Date	Amount Due
Sep 19, 2008	\$ 1,088.65

\$ _____ \$ _____
HeatShare Contribution Amount Enclosed
(for Customer Assistance)

200-774-1202

0000103 CGE4 ZA 08241 - OHDNPC 14 YNNYNY 10z

Szl Limited
9900 Carver Rd
Suite 100
Cincinnati, Ohio 45242

PO Box 9001084
Louisville KY 40290-1084

410 00001088653 45600707233 091920085 00001104985

DISCONNECT NOTICE

↑ PLEASE RETURN THE TOP PORTION WITH YOUR PAYMENT. ↑

Page 1 of 2

Name / Service Address	For Inquiries Call	Account Number
Szl Limited 9675 Montgomery Rd Cincinnati OH 45242	Duke Energy 513-651-5100	4560-0707-23-3

Mail Payments To	Account Information
PO Box 9001084 Louisville KY 40290-1084	Payments after Aug 28 not included Bill prepared on Aug 28, 2008 Next meter reading Sep 23, 2008

IMPORTANT- Your service may be disconnected if your past due amount of \$742.60 is not paid before 09/12/2008. A reconnection charge will be required. For questions, please call the number shown above.

If your service is disconnected for non payment, in addition to a reconnection charge, you will be required to pay an additional deposit in the amount of \$255.00 before service is restored.

Meter	Number	Reading Date From To	Days	Meter Reading Previous Present	Multi	Usage	Actual kW
Elec	106072981	Jul 24 Aug 18	25			1,084	43.36 kW
Elec	106997453*	Aug 18 Aug 22	4			125	31.25 kW
On Peak							17.30

* New Meter

Electric - Commercial	Current Billing
Usage - 1,209 kWh 17.03 kW*	Amt Due - Previous Bill \$ 742.60
Duke Energy - Rate DS01 \$ 334.91	Late Payment Charge(s) 11.14
Current Electric Charges \$ 334.91	Balance Forward 753.74
* Billing Demand has been reduced to attain minimum load factor of 71 hours use.	Current Electric Charges 334.91
	Current Amount Due \$ 1,088.65

PLEASE NOTE: One of your meters/recorders has been replaced.

PATTI #446

pd 9/29
✓ # 1025

\$334.91

Sept & Oct bills pd on 1 check

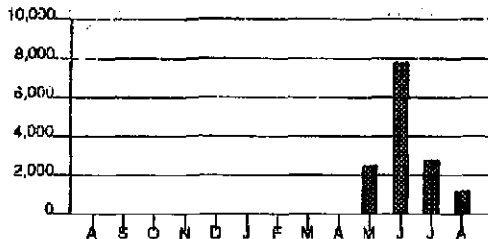
DISCONNECT NOTICE

Due Date	Amount Due	After Sep 19, 2008
Sep 19, 2008	\$ 1,088.65	\$ 1,104.98

Name	Service Address	Account Number
Szl Limited	9675 Montgomery Rd Cincinnati OH 45242	4560-0707-23-3

Explanation of Current Charges		
Electric	Duke Energy	
Meter - 106072981	Rate DS01 - Distribution Service	
kWh Usage - 1,084	Distribution-Customer Chg	\$ 15.00
Jul 24 - Aug 18	Delivery Charges	
25 Days	Distribution-Demand Chg	
Meter - * 106997453	17.03 kW @ \$ 3.79080000	64.56
kWh Usage - 125	Rider TCR	31.74
On Peak	Delivery Riders	6.50
Actual kW - 17.30	Total Delivery Charges	\$ 102.80
Actual kVa - 17.40	Generation Charges	
Power Factor - 99.4%	Generation-Demand Chg	
Billed kWh - 1,209	17.03 kW @ \$ 7.65740000	130.41
Billed kW - 17.03*	Generation Energy Chg	
Aug 18 - Aug 22	1,209 kWh @ \$ 0.01957600	23.67
4 Days	Rider FPP	14.48
	Rider AAC	21.11
	Generation Riders	27.44
	Total Generation Charges	\$ 217.11
* Meter Change		\$ 334.91
* Billing demand has been reduced to attain minimum load factor of 71 hours use.		
Total Current Electric Charges		\$ 334.91

kWh Electric Usage



Calculations based on most recent 12 month history
Total Usage 14,547
Average Usage 3,637

	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG
Electric	0	0	0	0	0	0	0	0	0	2,584	7,998	2,866	1,209



Account Number 4560-0707-23-3

10 18

For less detailed billing information on
your monthly bill, check box on right☐

Due Date	Amount Due
Oct 16, 2008	\$ 1,342.82

\$ _____ \$ _____
HeatShare Contribution Amount Enclosed
(for Customer Assistance)



00012746 CGE1 ZA 08268 - ZIPCODE 18 YNNYNN 1oz

Szl Limited
9900 Carver Rd Ste 100
Cincinnati OH 45242-5523

PO Box 9001076
Louisville KY 40290-1076

400 00001342827 45600707233 101620085 00001362968

↑ PLEASE RETURN THE TOP PORTION WITH YOUR PAYMENT. ↑

Page 1 of 2

Name /Service Address	For inquiries Call	Account Number
Szl Limited 9675 Montgomery Rd Cincinnati OH 45242	Duke Energy For Account Services, please contact Business Service Center	1-800-774-1202 4560-0707-23-3

Mail Payments To	Account Information
PO Box 9001076 Louisville KY 40290-1076	Payments after Sep 24 not included Bill prepared on Sep 24, 2008 Next meter reading Oct 22, 2008

Meter	Number	Reading Date From To	Days	Meter Reading Previous Present	Multi	Usage	Actual kW
Elec	106997453	Aug 22 Sep 23	32	On Peak		904 28.25 kWh / 07	6.20

Electric - Commercial		
Usage -	904 kWh	12.73 kW*
Duke Energy - Rate DS01		\$ 254.17
Current Electric Charges		\$ 254.17
* Billing Demand has been reduced to attain minimum load factor of 71 hours use.		

Current Billing	
Amt Due - Previous Bill	\$ 1,088.65
Balance Forward	1,088.65
Current Electric Charges	254.17
Current Amount Due	\$ 1,342.82

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pd ✓ #1025
9/29
\$ 254.17
Sept/Oct bills pd on 1 check

Due Date	Amount Due	After Oct 16, 2008
Oct 16, 2008	\$ 1,342.82	\$ 1,362.96

visit us at www.duke-energy.com



Bill Payment Made Easy

e-Bill - View and pay your bill for free at www.duke-energy.com

BillPayer 2000® Automatically pay from your checking account for 30¢/transaction - enroll at 1-800-991-7771

Speedpay® Pay by phone 1-877-596-5088 with credit card or check a convenience fee will be charged.

PAYMENT OF BILLS

In order to avoid paying a late charge, please mail your payment to Duke Energy several days before the due date. Or, if you prefer, you may pay by phone through Speedpay, pay online with e-Bill, or pay automatically through BillPayer 2000®. Payments can also be made at a Duke Energy office or Pay Agent location. For more information about our bill payment options, please visit us at www.duke-energy.com or call 1-800-544-6900.

Disconnection of your utility service(s) will not result from failure to pay any non-tariffed or non-regulated products or services.

Under state law, the amount you are being billed for gas includes: (1) 4.89% State Excise Tax, (2) natural gas distribution taxes that have been in effect since 2001 and are currently at \$.01593 for the first 1,000 CCF, \$.00877 for the next 19,000 CCF and \$.00411 for all additional CCF and, (3) Assessments to assist in the support of the operations of the PUCO and the Office of the Consumers Counsel that have been in effect since 1912 and 1977 respectively.

Under state law, the amount you are being billed for electric includes: (1) kilowatt-hour taxes that have been in effect since 2001 and are currently at \$.00465 for the first 2,000 kWh, \$.00419 for the next 13,000 kWh and \$.00363 for all additional kWh and, (2) Assessments to assist in the support of the PUCO and the Office of the Consumers Counsel that have been in effect since 1912 and 1977 respectively.

EXPLANATION OF BILL LANGUAGE

(The following terms will not appear on every bill)

CCF	Gas usage, measured in hundreds of cubic feet.
CR	Credited amount.
Current Charges (Gas and Electric)	Total of all charges based on usage during the current billing period for gas and electric services.
Customer Charge	The fixed monthly basic distribution charge to partially cover costs for billing, meter reading, service line maintenance, and equipment.
Delivery Charges (Electric)	Charges for the operating expenses of delivering energy.
Delivery Riders (Electric)	Charges to recover various costs associated with Duke Energy's electric operations and to fund Ohio energy-related programs.
Distribution Charge	Charge for the use of local wires, transformers, substations, and other equipment used to deliver electricity to your home/business.
Estimated (E) and Actual Readings	An actual reading is a reading we take from your meter. On the months we are unable to read your meter, we calculate your bill based on your past usage. Adjustments may be needed later, when we take an actual meter reading. If you would like to read your own meter to avoid estimated bills, please call us.
Fixed Delivery Service Charge	The fixed costs for delivering gas, which do not change with usage.
Gas Cost Information	The GAS COST RECOVERY (GCR) rate is the cost (per 100 cubic feet) of gas we purchase from our suppliers. This rate varies periodically as gas prices to us increase or decrease. Duke Energy makes no profit on this charge since it is based on the actual costs we pay our suppliers for the gas we purchase and resell. The GCR rate is approved by the Public Utilities Commission of Ohio.

Generation Charges	Charges associated with the production of electricity.
Generation Riders (Electric)	Charges to recover certain costs related to the production of electricity.
Kilowatt-hour (kWh)	The unit of measure for the electricity you use. For example, you use one kWh of electricity to light a 100 watt light bulb for 10 hours.
Late Payment Charge	A 1.5% late charge is added to the overdue amount of the regulated portion of your bill if you do not pay by the bill due date.
Meter Multiplier	A factor that the meter reading usage is multiplied by in order to obtain the correct energy usage.
Rate	Code that identifies the gas delivery or electric distribution billing tariff used to calculate the bill.
Rider ACC	Charges to recover changes in environmental compliance, homeland security and tax costs.
Rider FPP	Charges to recover the cost of fuel and purchase power.
Rider TGR	Charges to recover transmission costs assessed by the regional transmission organization.
Supplier Charges	Charges from a Gas and / or Electric Supplier other than Duke Energy.
Usage	Amount of energy used during the billing period.
Usage-Based Charge	Charges to recover various costs associated with Duke Energy's gas operations and to fund Ohio energy-related programs.

BILLING OR SERVICE INQUIRES OR COMPLAINTS

If you have a question or complaint about your bill or service, call us at (513) 421-9500, or from a toll area call 1-800-544-6900. Persons who have a hearing impairment may call our TDD/TTY toll free number, 1-800-752-3254. You may also write to our Customer Services Department at P.O. Box 960, Mail Drop 309C, Cincinnati, 45201. In addition, you may contact us by fax at (513) 287-2376, or by e-mail at www.duke-energy.com.

If your complaint is not resolved after you have called Duke Energy Ohio, or for general utility information, residential and business consumers may contact the Public Utilities Commission of Ohio for assistance at 1-800-686-7826 (toll free) or for TTY at 1-800-686-1670 (toll free), from 8:00 a.m. to 5:00 p.m. weekdays, or at www.puco.ohio.gov.

Residential customers may also contact the Ohio Consumers Counsel for assistance with complaints and utility issues at 1-877-742-5622 (toll free) from 8:00 a.m. to 5:00 p.m. weekdays, or at www.pickccc.org.

To obtain information about competitive gas offers, visit www.puco.ohio.gov or call 1-800-298-7271.

BUSINESS HOURS

OFFICE HOURS:

Cincinnati - 8:00 a.m. - 5:00 p.m. Monday - Friday
Newport - 8:00 a.m. - 5:00 p.m. Monday - Friday

SERVICE EMERGENCY NUMBERS

Gas Trouble - (513) 651-4466 OR 1-800-634-4300
Electric Trouble - (513) 651-4182 OR 1-800-543-5599

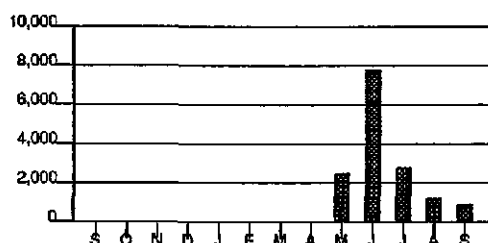


visit us at www.duke-energy.com

Name	Service Address	Account Number
Szl Limited	9675 Montgomery Rd Cincinnati OH 45242	4560-0707-23-3

Explanation of Current Charges		
Electric Meter - 106997453	Duke Energy Rate DS01 - Distribution Service	
kWh Usage - 904	Distribution-Customer Chg	\$ 15.00
On Peak	Delivery Charges	
Actual kW - 6.20	Distribution-Demand Chg	
Actual kVa - 6.50	12.73 kW @ \$ 3.79080000	48.26
Power Factor - 95.6%	Rider TCR	23.72
	Delivery Riders	4.88
Billed kW - 12.73	Total Delivery Charges	\$ 76.86
Aug 22 - Sep 23 32 Days	Generation Charges	
	Generation-Demand Chg	
	12.73 kW @ \$ 7.65740000	97.48
	Generation Energy Chg	
	904 kWh @ \$ 0.01957600	17.70
	Rider FPP	10.82
	Rider AAC	15.79
	Generation Riders	20.53
	Total Generation Charges	\$ 162.31
		\$ 254.17
Total Current Electric Charges		\$ 254.17

kWh Electric Usage



Calculations based on most recent 12 month history
Total Usage 15,451
Average Usage 3,090

	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP
Electric	0	0	0	0	0	0	0	0	2,584	7,898	2,856	1,209	904



DISCONNECT NOTICE

Account Number 4560-0707-23-3

10 18

For less detailed billing information on
your monthly bill, check box on right☐

Due Date	Amount Due
Nov 14, 2008	\$ 1,433.47

\$ _____ \$ _____
HeatShare Contribution Amount Enclosed
(for Customer Assistance)

00000119 CGE4 ZA 08297 - OHDNPC 18 YNNYNY 102

Szl Limited
9900 Carver Rd
Suite 100
Cincinnati, Ohio 45242

PO Box 9001084
Louisville KY 40290-1084

410 00001433474 45600707233 111420084 00001454978

DISCONNECT NOTICE

PLEASE RETURN THE TOP PORTION WITH YOUR PAYMENT. 1

Page 1 of 2

Name / Service Address	For Inquiries Call	Account Number
Szl Limited 9675 Montgomery Rd Cincinnati OH 45242	Duke Energy 1-800-774-1202 For Account Services, please contact Business Service Center	4560-0707-23-3

Mail Payments To	Account Information
PO Box 9001084 Louisville KY 40290-1084	Payments after Oct 23 not included Last payment received Oct 02 Bill prepared on Oct 23, 2008 Next meter reading Nov 21, 2008

IMPORTANT- Your service may be disconnected if your past due amount of \$742.60 is not paid before 11/10/2008. A reconnection charge will be required. For questions, please call the number shown above.

If your service is disconnected for non payment, in addition to a reconnection charge, you will be required to pay an additional deposit in the amount of \$340.00 before service is restored.

Meter	Number	Reading Date	Days	Meter Reading	Multi	Usage	Actual
		From To		Previous Present			kW
Elec	106997453	Sep 23 Oct 22	29			2,981	23.50
				On Peak			

Electric - Commercial	Current Billing
Usage - 2,981 kWh 32.64 kW*	Amt Due - Previous Bill \$ 1,342.82
Duke Energy - Rate DS01 \$ 690.87	Cancel Late Pmt Charge 11.14cr
Current Electric Charges \$ 690.87	Payment(s) Received 589.08cr
* Based on 85% of Previous Maximum Actual	Balance Forward 742.60
Demand of 38.40 kW Billed in Jul 08.	Current Electric Charges 690.87
	Current Amount Due \$ 1,433.47

The Public Utility Commission of Ohio approved adjustments to Rider SRT and Rider FPP effective September 29, 2008.

Sincere thanks during the storm outage. Hurricane Ike caused the largest number of outages in the area's history. For those of you who experienced power outages, thank you for your patience as we worked to restore your service.

DISCONNECT NOTICE

Due Date	Amount Due	After
Nov 14, 2008	\$ 1,433.47	Nov 14, 2008
		\$ 1,454.97

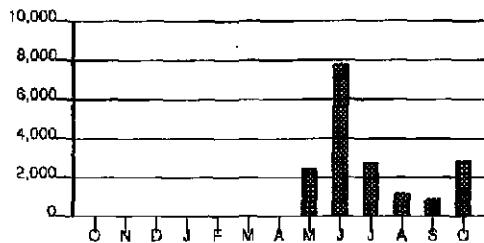


Name	Service Address	Account Number
Szl Limited	9675 Montgomery Rd Cincinnati OH 45242	4560-0707-23-3

Customers adding generating equipment connected to their home's wiring must comply with the technical specifications contained in Rate IS, *Interconnection Service*. Customers with on-site generation fueled by solar, wind, biomass, landfill gas or hydropower, or use a micro turbine or a fuel cell may request net metering (Rate NM) from DE-Ohio. This rate requires DE-Ohio to provide a credit on the customer's bill for generation in excess of the customer's use.

Explanation of Current Charges		
Electric	Duke Energy	
Meter - 106997453	Rate DS01 - Distribution Service	
kWh Usage - 2,981	Distribution-Customer Chg	\$ 15.00
On Peak	Delivery Charges	
Actual kW - 23.50	Distribution-Demand Chg	
Actual kVa - 25.80	32.64 kW @ \$ 3.79080000	123.73
Power Factor - 91.2%	Rider TCR	60.83
	Delivery Riders	15.45
Billed kW - 32.64	Total Delivery Charges	\$ 200.01
Sep 23 - Oct 22	Generation Charges	
29 Days	Generation-Demand Chg	
	32.64 kW @ \$ 7.65740000	249.94
	Generation Energy Chg	
* Based on 85% of Previous	2,981 kWh @ \$ 0.01957600	58.36
Maximum Actual Demand of	Rider FPP	65.13
38.40 kW Billed in Jul 08	Rider AAC	42.24
	Generation Riders	60.19
	Total Generation Charges	\$ 475.86
		\$ 690.87
	Total Current Electric Charges	\$ 690.87

kWh Electric Usage



Calculations based on most recent 12 month history
Total Usage 18,432
Average Usage 3,072

	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT
Electric	0	0	0	0	0	0	0	2,584	7,899	2,856	1,209	904	2,981



EXHIBIT #2.

METER OPERATIONS

Duke Energy Corporation
424 Gest St.
Cincinnati, OH 45203

August 26, 2008

SZL Limited
9675 Montgomery Rd.
Montgomery, Ohio 45242

Subject: Test of Electric Meter at 9675 Montgomery Rd.

Dear Customer:

At your request, we conducted accuracy testing on the electric meter located at 9675 Montgomery Rd. on August 18, 2008.

The Public Utilities Commission of Ohio regulations state that any electric meter which tests between 98 percent and 102 percent is considered accurate.

Based on the test results below, your meter did register within the Commission guidelines for accuracy. The results are provided for "full load," which simulates when you are using a lot of electricity in your home, and for light load, which is similar to when most of your appliances are turned off. The average value is also provided for your information.

Meter number: 106072981

100.00 percent proof on a full load
100.07 percent proof on a light load
100.07 percent proof on average

If you need additional assistance, please contact us at 513-421-9500.

At Duke Energy, we value you as a customer and appreciate the opportunity to serve you.

Sincerely,

J.R. Rainear
Customer Service Department

EXHIBIT # 3

Thank You

Thank you for your input

Please print this page or write down the following information.

Your web form submission has been given the following identifying number:

WEBID:39890

You submitted this information on:

09-19-2008 at 10:36 AM (PUCO local time)

Your input is important to the PUCO. Thank you for taking the time to fill out this form.

The information you provided has been sent to the PUCO Consumer Call Center. The PUCO Consumer Call Center reviews all submissions and will respond as quickly as possible.

Thursday, October 02, 2008

Duke Energy
Attn.: Mr. Bill Fleissner

139 East 4th Street
Room 575 Clipay
Cincinnati, Ohio 45202

Re: Billings for SZL Ltd. at 9675 Montgomery Road
Cincinnati, OH 45242

Account No: 4560-421-23-3.

Dear Mr. Fleissner:

Per our discussion last Thursday, regarding my filing with PUCO about the discrepancies we identified in our billings for the past five months, I am submitting all of the information I have collected for your review.

A representative of PUCO has contacted me to see if any follow up has been done after they sent the file to Duke. I informed her that I am in contact with you and we are trying to find a resolution.

Just to recap the chain of events:

SZL Ltd purchased the building at 9675 Montgomery Rd. on May 8, 2008. At that time we had the electric service switched to our name. The building was practically abandoned for several years; the owners were trying to sell it unsuccessfully.

After we took ownership of the building, from May 8 until July 21 (the end of the first billing period) the building was locked up and not used. During this time we had only the interior lights on occasionally, when contractors were visiting the premises in preparation for the bidding. We also spent some daytime hours to measure up the floors for the upcoming design process. There was no heating or air conditioning (the units were inoperable, except for one that has a 5 HP fan motor). None of the units had the AC on. The elevator was shut down, the parking lights were not working (they have been vandalized), and the 1200A main disconnect was in the off position. Despite all of this, the detailed printout I obtained from Duke (included in the attached package) is showing 6-7 kW usage even in the middle of the night. (See 5.23.08)

At 8.45 AM the usage jumps to 29.99 kW then to 32.95 kW. While it is possible that some visitors were in the building at that time, the extra usage can be attributed only to additional lights. (A difference of about 3 kW).

The total installed light fixtures capacity (based on our original take-off) could not possibly exceed 10 kW, even if all interior lights were on. I need to receive any explanation yet to tell me how 32.95 kW was used in this building during this time.

For the next billing cycle (May 24-June 24) the energy charges jumped from an average of 172.26 kWh/day to 246.8 kWh/day with no possible explanation. (The building is still closed up, main disconnect off).

The next billing came in (June 24-July 24) at 95.2 kWh/day. This reduction is significant, since there was no change in the building use. The building is still closed up; the only electric use is occasional lights being turned on.

The actual start date of the construction was July 24, 2008, which coincides with the starting date of the next billing cycle. (July 24-August 22). On Aug. 18, the meter was changed at our request. Prior to the change, the daily usage recorded was an average of 43.3 kWh/day, (despite the fact that the building is now under construction); after the change it dropped to 31.35 kWh/day. (Any explanation?). Although the building now is open for 9-10 Hrs/day, electric tools are being used, construction lights are on etc., the meter reading drops drastically without any reason, along with the associated demand. The energy use dropped to 12.7%, the demand to 33.2% of the peak charges.

This past week we received the last bill (Aug.22-Sep 23). This is the first full month's bill with the new meter. This time the average energy use is 28.25 kWh/day and the demand is 6.20 kW (16% of the max reported demand during the months of no-use).

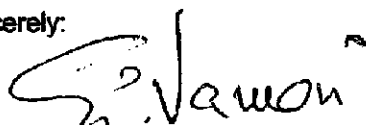
There were other anomalies: For example, on 7.21.08 from 14.15 to 16.00 Hrs the meter registered 0 use. Similarly, on 7.22.08 from 15.15 to 16.45 Hrs the readings were 0 kW and 0 kVAR. The interesting fact is that the building was occupied at these times (and other times similar), with the same lights and power tools in use as any other times. This clearly indicates that the meter was registering erroneously.

I am contesting the meter readings prior to the change. I understand, that Duke is claiming the meter "checked out". This claim was never supported by any facts, documents or otherwise. The factual numbers I am presenting will stand up with PUCO and the courts.

We paid our electric bills for the months of May, June, August and September. The total electric charges from May 8th till Sep 23 were \$2,725.75. If I apply the reduction percentages we saw on the last bill, then we were overcharged by Duke to the amount of \$2,461.71.

One more item: According to the last billing we received, despite the fact that the demand charges were reduced to 6.20 kW (actual), we were still charged the DS01 rate which I understand applies to demands larger than 15 kW. I would like to get an explanation for this charge rate too.

Sincerely:

A handwritten signature in black ink, appearing to read "S. J. Vamosi".

Stephen J. Vamosi P.E. (for SZL Ltd.)

Steve Vamosi

From: Fleissner, William E [william.fleissner@duke-energy.com]
Sent: Tuesday, October 07, 2008 10:50 AM
To: Steve Vamosi
Subject: SZL Limited
Attachments: SZL Limited Interval Data.xls

Stephen,

I just wanted to get back with you and let you know that yesterday I received the information that you sent. I still need to compare that information to the interval data.

I have also attached what I pulled today from our interval database showing your interval data since you took over the account. This data is slightly different from what you originally received. Here is why. The data was originally pulled using our old software program that retrieved the data from our database. This program required us to put what time zone the account was located. I believe that the wrong time zone was put in when the data was pulled. The original data was off by two hours. This could have been the cause of their being no usage when the contractors were working.

I hope to compare your information against the attached data to see how things fall out. I will let you know what I find when I am done.

In the mean time if you have any questions please feel free to call me. Thanks.

Bill Fleissner
Duke Energy's Business Service Center
139 4th E EY575
Cincinnati, OH 45202
513-287-7233 Local
1-800-774-1202 X7233 Long Distance
william.fleissner@duke-energy.com