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BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

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In the Matter of Protocols for the
Measurement and Verification of Energy
Efficiency and Peak Demand Reduction
Measures

)
) Case No. 09-512-GE-UNC
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COMMENTS OF DUKE ENERGY OHIO TO
APPENDIX B QUESTIONS ON POLICY ISSUES THAT MAY AFFECT THE APPROACH
AND SCOPE OF A TECHNICAL REFERENCE MANUAL

On April 23, 2008, the Ohio legislature adopted Amended Substitute Senate Bill No. 221 (SB 221), which became effective on July 31, 2008. Among the provisions of SB 221 was the requirement in Section 4928.66, Revised Code, for the Commission to take certain actions related to the implementation of energy efficiency and peak-demand reduction programs by the electric utilities. In furtherance of that policy, the Commission now intends to establish protocols for the measurement and verification of energy efficiency and peak-demand reduction measures which will be incorporated into a Technical Reference Manual (TRM). In its June 24, 2009 Entry the Commission specified some of the content of the TRM and recognized that the TRM would evolve over time. The Commission's Entry included Appendices A and B and interested parties were invited to comment on both. Listed below are the brief responses of Duke Energy Ohio to the questions posed in the **Appendix B** of the June 24, 2009 Entry.

Comments

Duke Energy Ohio supports the Commission's proposed concept concerning a TRM and is committed to working diligently with Staff, other utilities, mercantile customers and interested parties to implement the policy. However, the Commission has provided scant information

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concerning exactly how the TRM is to be used. Among the many questions unanswered, there is a concern that it is a moving target. It would work as a disincentive to cooperation if the parties move diligently forward toward compliance, only to find that the targets are changed midstream. It would be helpful to have more information and a better understanding of the Commission's intentions with regard to application of the TRM once it is created.

With regard to the items listed for inclusion on Tables 1 and 2, Duke Energy Ohio submits that the concepts included are reasonable. Although it is important to recognize that some information may not exist or be relevant for inclusion for all energy efficiency measures. However, the overall format and list of details is appropriate.

With respect to the timing of this process, Duke Energy Ohio cautions that the present schedule which was ordered in the Commission's June 24, 2009 Entry is not reasonable and not likely to result in a quality product of use to the Commission. The Entry encourages electric and gas utilities to review and consider the TRMs and protocols from other states, and then to collectively, and along with other interested parties, to collaborate and attempt to reach consensus in order to submit proposed predetermined values and protocols for all measures in the format designated by Staff by September 15, 2009. Such a process is simply unworkable given the number of participants, the material that must be covered and the likelihood of immediate agreement among the interested Parties. Duke Energy Ohio urges the Commission Staff to reconsider the time table and to take a lead role in moving this part of the Commission's agenda forward as expeditiously as possible.

The Commission also expressed an interest in soliciting input on alternative approaches that should be used to characterize the electric demand savings from energy efficiency measures in the TRM. At this time, Duke Energy Ohio does not have additional suggestions for energy

efficiency measurement and verification beyond the use of the approaches included in the International Performance Measurement and Verification Protocol (IPMVP).

Duke Energy Ohio appreciates the opportunity to provide comments in this matter. For the reasons stated above, Duke Energy Ohio respectfully requests that the Commission consider the comments provided herein.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Elizabeth H. Watts", is written over the printed name.

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