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**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Duke)
Energy Ohio, Inc. for Approval of Tariff) Case No. 10-42-EL-ATA
for Rate TD-AM.)

**AMENDMENT
OF
APPLICATION OF DUKE ENERGY OHIO, INC.
FOR
APPROVAL OF TARIFF FOR RATE TD-AM**

I. Introduction

On January 12, 2010, Duke Energy Ohio, Inc. (Duke Energy Ohio) filed an application (application) for approval of a proposed tariff for rate TD-AM. Duke Energy Ohio hereby submits an amendment to that application. Duke Energy Ohio respectfully requests that the Commission approve its application, as amended herein.

II. Argument

As set forth in its application, Duke Energy Ohio convened a SmartGrid Collaborative pursuant to the terms of the approved stipulation in Case No. 08-920-EL-SSO. Notice of all of the meetings of the SmartGrid Collaborative has been sent to all parties in Case Nos. 08-920-EL-SSO and 07-589-GA-AIR. Currently active participants in the collaborative discussions include the Ohio Consumers' Counsel, Ohio Partners for Affordable Energy, and the Kroger Company. The SmartGrid Collaborative has continued to meet since the filing of the application and to strive toward agreement on numerous issues related to deployment of SmartGrid, including terms of the pilot tariff rate.

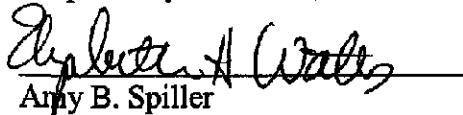
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Since the filing of the application in this docket, the SmartGrid Collaborative has had two additional meetings. As a result of discussions at the meeting on December 9, 2009, and the two subsequent meetings, the members of the SmartGrid Collaborative reached agreement on additional items, necessitating various revisions of the proposed tariff that was included in the application. Attached to this amendment is a copy of the revised tariff that is now proposed for approval by the Commission.

III. Conclusion

Duke Energy Ohio respectfully requests that the attached tariff be approved.

Respectfully submitted,



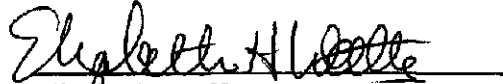
Amy B. Spiller
Associate General Counsel
Elizabeth H. Watts (Counsel of Record)
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155 East Broad Street,
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Columbus, Ohio 43215

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing was served via personal delivery or ordinary mail, postage prepaid, on the all parties of record this 19th day of February, 2010.


Elizabeth H. Watts

Duane W. Luckey
Assistant Attorney General
Public Utilities Commission of Ohio
180 East Broad Street
Columbus, OH 43215

RATE TD-AM

**OPTIONAL TIME-OF-DAY RATE FOR RESIDENTIAL SERVICE WITH ADVANCED METERING
(PILOT)**

APPLICABILITY

Applicable to electric 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 advanced meters with interval recording registers are installed on the customer's premises. The advanced meters must be commissioned, certified, and provide billable quality data. This rate is available to the first two hundred fifty (250) customers that request service under this rate. Eligible customers must receive generation service from Duke Energy Ohio, and they must have had a total annual electric bill of \$300 or more during the prior 12 months. This rate is not available to customers on income payment plans, budget billing, HEAP, or any other assistance plan.

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.

Rate TD-AM is offered on a pilot basis. The Company reserves the right to modify this rate, subject to approval by the Commission, as information regarding customer participation, load response, costs, and other pertinent information becomes available. If the Company changes the base generation charges or structure of this rate, customers who have not completed their initial term of service may continue taking service under Rate TD-AM or switch to Rate RS (Residential Service) or any other rate for which the customer is eligible.

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		
Single Phase	\$5.50 per month	\$5.50 per month
Three Phase	\$8.00 per month	\$8.00 per month

Filed pursuant to an Order dated February 2, 2010 in Case No. 2010-0042-EL-ATA before the Public Utilities Commission of Ohio.

Issued:

Effective:

Issued by Julie Janson, President

NET MONTHLY BILL (Contd.)

(b) Energy Charge

All Peak kilowatt-hours	\$0.022126 per kWh	\$0.022126 per kWh
Shoulder kilowatt-hours	\$0.022126 per kWh	\$0.022126 per kWh
Off Peak kilowatt-hours	\$0.022126 per kWh	\$0.022126 per kWh

2. Applicable Riders

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

- Sheet No. 51, Rider PTC-AAC, Annually Adjusted Component Rider
- Sheet No. 53, Rider PTC-FPP, Fuel and Economy Purchased Power Rider
- Sheet No. 54, Rider SRA-CD, Capacity Dedication Rider
- Sheet No. 56, Rider SRA-SRT, System Reliability Tracker
- Sheet No. 57, Rider TCR, Transmission Cost Recovery Rider
- Sheet No. 70, Rider DR, Storm Recovery 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
- Sheet No. 104, Rider DR-IM, Infrastructure Modernization Rider
- Sheet No. 105, Rider DR-ECF, Economic Competitiveness Fund Rider
- Sheet No. 106, Rider DR-SAWR, Energy Efficiency Recovery Rate
- Sheet No. 108, Rider UE-ED, Uncollectible Expense – Electric Distribution Rider

3. Price to Compare – Base Generation Charges (PTC-BG)

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

	<u>JAN 1, 2010 – DEC. 31, 2011</u>	
	<u>Summer Period</u>	<u>Winter Period</u>
Energy Charge		
On Peak kilowatt-hours	<u>\$0.1244060.115249</u> per kWh	<u>\$0.1064140.072915</u> per kWh
Shoulder kilowatt-hours	<u>\$0.0744560.075319</u> per kWh	<u>\$0.0242140.010365</u> per kWh
Off Peak kilowatt-hours	<u>\$0.0008540.008577</u> per kWh	<u>(\$0.002494)\$0.000472</u> 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 June 1 through September 30. The winter period is defined as October 1 through May 31.

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RATING PERIODS

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

- a) Summer On Peak Period - ~~44:00 a.m.~~12:00 p.m. to ~~6:00~~7:00 p.m. Monday through Friday, excluding holidays.
- b) Summer Shoulder Period - ~~89:00~~8:00 a.m. to ~~44:00 a.m.~~12:00 p.m. and ~~76:00~~6:00 p.m. to 10:00 p.m. Monday through Friday, excluding holidays.
- c) Winter On Peak Period - ~~87:00~~8:00 a.m. to ~~41:00 a.m.~~7:00 a.m. and ~~65:00~~5:00 p.m. to 10:00 p.m. Monday through Friday, excluding holidays.
- d) Winter Shoulder Period - ~~44:00~~6:00 a.m. to ~~7:00~~7:00 a.m. and ~~1:00~~1:00 p.m. to ~~65:00~~5:00 p.m. Monday through Friday, excluding holidays.
- e) 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.

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 one (1) year. After one year, customers may at their discretion remain on this rate for an additional one (1) year term or switch to another applicable rate.

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.

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- b) Summer Shoulder Period - 9:00 a.m. to 12:00 p.m. and 7:00 p.m. to 10:00 p.m. Monday through Friday, excluding holidays.
- c) Winter On Peak Period - 7:00 a.m. to 1:00 p.m. and 5:00 p.m. to 10:00 p.m. Monday through Friday, excluding holidays.
- d) Winter Shoulder Period - 6:00 a.m. to 7:00 a.m. and 1:00 p.m. to 5:00 p.m. Monday through Friday, excluding holidays.
- e) 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.

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