

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of Duke )  
Energy Ohio, Inc. for Approval to Modify ) Case No. 10-241-GA-RDR  
Rider FBS and Rider EFBS. )

ENTRY

The Commission finds:

- (1) By entry issued March 21, 2007, in *In the Matter of the Joint Application of Cinergy Corp., on behalf of The Cincinnati Gas & Electric Company, and Duke Energy Holding Corp. for Consent and Approval of a Change of Control of The Cincinnati Gas and Electric Company*, Case No. 05-732-EL-MER (05-732), et al., the Commission approved a stipulation submitted by Duke Energy Ohio, Inc. (Duke) and other parties in that case. The stipulation, as approved, set the current rate of the Firm Balancing Service rider (Rider FBS). Rider FBS is a mechanism to recover the estimated portion of storage costs associated with daily balancing from choice suppliers/aggregators, and the money collected is then applied as a credit to the Gas Cost Recovery (GCR) mechanism. As a result of the stipulation in 05-732, Duke participated in a collaborative which resulted in the proposal of the Enhanced Firm Balancing Service rider (Rider EFBS). The current rate of Rider EFBS was approved in *In the Matter of the Application of Duke Energy Ohio, Inc. for an Increase in Rates*, Case No. 07-589-GA-AIR, et al., Opinion and Order (May 5, 2008).
- (2) On February 26, 2010, Duke filed an application to adjust Rider FBS and Rider EFBS.
- (3) On March 8, 2010, Interstate Gas Supply, Inc. (IGS) filed a motion to intervene in this case. In its motion to intervene, IGS asserts that, as a certified competitive natural gas supplier, approval of this application could cause IGS to pay substantially more to supply natural gas to its customers. Therefore, IGS states that it has a real, direct, and substantial interest in this proceeding. IGS further submits that its participation will contribute to the full, equitable, and expeditious resolution of this case. No one filed a memorandum contra the motion to intervene filed by IGS. The Commission finds that IGS has set forth reasonable grounds for intervention. Accordingly, IGS's motion to intervene should be granted.

- (4) The Commission notes that there is no indication, in this case, that Duke has served a copy of this application upon all gas suppliers and aggregators who would be affected by the proposed adjustments to Rider FBS and Rider EFBS. Accordingly, the Commission directs Duke to serve, within seven days of the issuance of this entry, a copy of this entry upon all suppliers and aggregators who currently take service under these tariffs.
- (5) Additionally, in order to accomplish a review of Duke's proposed adjustment to Rider FBS and Rider EFBS, the Commission finds that the following procedural schedule should be adopted:
  - (a) Motions to intervene shall be filed by May 26, 2010.
  - (b) Comments by staff and other interested parties shall be filed by May 26, 2010.
- (6) The Commission also finds that the instant case, which was originally docketed as Case No. 10-241-GA-ATA, is more appropriately docketed with the RDR purpose code, as it specifically addresses the modification of Rider FBS and Rider EFBS. Accordingly, now and hereafter, Case No. 10-241-GA-ATA should be designated as Case No. 10-241-GA-RDR.

It is, therefore,

ORDERED, That the motion to intervene filed by IGS be granted. It is, further,

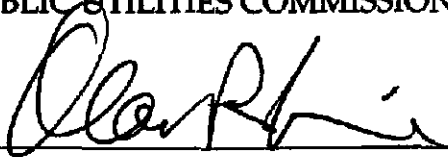
ORDERED, That Duke serve a copy of this entry on all gas suppliers and aggregators as directed in finding (4). It is, further,

ORDERED, That the procedural schedule set forth in finding (5) be observed. It is, further,

ORDERED, That Case No. 10-241-GA-ATA be, now and hereafter, designated as Case No. 10-241-GA-RDR. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO



Alan R. Schriber, Chairman




Paul A. Centolella

Valerie A. Lemmie



Steven D. Lesser



Cheryl L. Roberto

KLS:dah

Entered in the Journal

**MAY 05 2010**



Renee J. Jenkins  
Secretary