

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of Duke )  
Energy Ohio to True-up and Set the ) Case No. 10-518-EL-RDR  
Annually Adjusted Component of its )  
Standard Service Offer. )

ENTRY

The attorney examiner finds:

- (1) By opinion and order issued December 16, 2009, in *In the Matter of the Application of Duke Energy Ohio, Inc., to Adjust and Set the Annually Adjusted Component of its Market-Based Standard Service Offer*, Case No. 09-770-EL-RDR, the Commission approved a stipulation submitted by Duke Energy Ohio, Inc. (Duke) and other parties in that case. The stipulation, as approved, authorized Duke to implement new rates for its price-to-compare, annually adjusted component rider (Rider PTC-AAC). The stipulation further provides that environmental reagent costs should be removed from Rider PTC-AAC and recovered as part of the price to compare, fuel and purchased power rider (PTC-FPP). In order to true-up projected versus actual environmental reagent costs for 2009, Duke was to file an application by March 1, 2010, to provide for reconciliation during the period April 2010 to December 2010. The stipulation specified that the true-up will be subject to due process, including an opportunity for a hearing and Commission approval.
- (2) On April 16, 2010, Duke filed an application to true-up the environmental reagent costs and set a new price for Rider PTC-AAC.
- (3) In order to accomplish a review of Duke's proposed adjustment to Rider PTC-AAC, the attorney examiner finds that the following procedural schedule should be established:
  - (a) June 2, 2010 – Deadline for the filing of motions to intervene.
  - (b) June 2, 2010 – Deadline for the filing of comments on the application by Staff and intervenors.

- (c) June 11, 2010 - Deadline for all parties to file reply comments.
- (d) In the event all of the issues raised in the comments are not resolved, or if the Commission deems the application may be unjust or unreasonable, a hearing will be held and the following procedural schedule will be followed:
  - (i) June 18, 2010 - Duke's testimony will be due on this date.
  - (ii) June 25, 2010 - Deadline for Staff and intervenors to file testimony.
  - (iii) July 7, 2010 - The hearing will commence at 10:00 a.m., at the offices of the Commission, 180 East Broad Street, in Hearing Room 11-C, Columbus, Ohio 43215.
  - (iv) By 9:00 a.m. on July 6, 2010, the parties must file one of the following documents with the Commission:
    - (a) A stipulation signed by all or some of the parties;
    - (b) A statement that no stipulation will be forthcoming and the hearing should go forward on July 7, 2010; or
    - (c) A motion to continue the hearing. If one or more of the parties request a continuance of the hearing, they should notify the attorney examiner and the other parties to this case as soon as they are aware that a continuance is necessary. The movant should coordinate with the other parties and, in its motion, provide several possible alternative hearing dates for the examiner's consideration.

It is, therefore,

ORDERED, That the procedural schedule set forth in finding (3) be adopted. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

Katie L. Stenman

By: Katie L. Stenman  
Attorney Examiner

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dah

Entered in the Journal

**MAY 18 2010**

Renee J. Jenkins

Renee J. Jenkins  
Secretary