

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of Application of Duke Energy)
Ohio, Inc. for Approval of a Market Rate Offer)
to Conduct a Competitive Bidding Process for)
a Standard Service Offer to Conduct a)
Competitive Bidding Process for a Standard) Case No. 10-2586-EL-SSO
Service Offer Electric Generation Supply,)
Accounting Modifications, and Tariffs for)
Generation Service.)

ENTRY

The attorney examiner finds:

- (1) Duke Energy Ohio, Inc. (Duke) is a public utility as defined in Section 4905.02, Revised Code, and, as such, is subject to the jurisdiction of this Commission.
- (2) On November 15, 2010, Duke filed an application for a standard service offer (SSO) pursuant to Section 4928.141, Revised Code. This application is for a market rate offer in accordance with Section 4928.142, Revised Code.
- (3) At this time, the attorney examiner finds it appropriate to set the following procedural schedule:
 - (a) Monday, November 22, 2010 - A technical conference will be held to allow interested persons the opportunity to better understand Duke's application. The conference will be held at 9:00 a.m., at the offices of the Commission, 180 East Broad Street, 11th Floor, Hearing Room 11-B, Columbus, Ohio.
 - (b) Tuesday, December 7, 2010 - Staff may file comments regarding any initial recommendations on Duke's application for an SSO that Staff might have, at that time, or for such alternative SSO as Staff deems appropriate.
 - (c) Tuesday, December 7, 2010 - Deadline for the filing of motions to intervene.

- (d) Monday, December 13, 2010 - A prehearing conference will be held at 10:00 a.m., at the offices of the Commission, 180 East Broad Street, 11th Floor, Hearing Room 11-A, Columbus, Ohio.
 - (e) Tuesday, December 21, 2010 - Deadline for the filing of testimony on behalf of the intervenors.
 - (f) Tuesday, December 28, 2010 - Deadline for the filing of testimony on behalf of Staff.
 - (g) Tuesday, January 4, 2011 - The evidentiary hearing shall commence at 9:00 a.m., at the offices of the Commission, 180 East Broad Street, 11th Floor, Hearing Room 11-A, Columbus, Ohio.
- (4) Duke should publish notice of the evidentiary hearing one time in a newspaper of general circulation in each county in Duke's service area. The notices should not appear in the legal notice sections of the newspapers. The notice should read as follows:

LEGAL NOTICE

The Public Utilities Commission of Ohio has scheduled an evidentiary hearing in Case No. 10-2586-EL-SSO, *In the Matter of Application of Duke Energy Ohio, Inc. for Approval of a Market Rate Offer to Conduct a Competitive Bidding Process for a Standard Service Offer Electric Generation Supply, Accounting Modifications, and Tariffs for Generation Service*, pursuant to Section 4928.142, Revised Code. In this proceeding, the Commission will consider Duke's application, filed on November 15, 2010, requesting approval of a market rate offer for the supply of standard service offer electric generation service beginning January 12, 2012.

The evidentiary hearing will commence on January 4, 2011, at 9:00 a.m., at the offices of the Commission, 180 East Broad Street, 11th Floor, Hearing Room 11-A, Columbus, Ohio.

Further information may be obtained by contacting the Public Utilities Commission of Ohio, 180 East Broad Street, Columbus, Ohio 43215-3793, viewing the Commission's web page at <http://www.puc.state.oh.us>, clicking on the link to the Docketing Information System, and entering Case No. 10-2586-

EL-SSO or contacting the Commission's call center at 1-800-686-7826.

- (5) In light of the time frame for this proceeding, the attorney examiner requires that, in the event that any motion is made in this proceeding, any memoranda contra shall be filed within three business days after the service of such motion, and a reply memorandum to any memorandum contra will not be accepted. Parties shall provide service of pleadings via hand delivery, facsimile, or e-mail.
- (6) In addition, the attorney examiner finds that the response time for discovery shall be shortened to seven calendar days. Unless otherwise agreed to by the parties, discovery requests and replies shall be served by hand delivery, facsimile, or e-mail. An attorney serving a discovery request shall attempt to contact the attorney upon whom the discovery request will be served in advance to advise him/her that a request will be forthcoming.

It is, therefore,

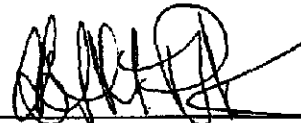
ORDERED, That the procedural schedule set forth in finding (3) be observed. It is, further,

ORDERED, That Duke publish notice of the evidentiary hearing as set forth in finding (4). It is, further,

ORDERED, That the parties comply with the directives set forth in findings (5) and (6). It is, further,

ORDERED, That a copy of this entry be served upon all parties of record in Case No. 08-920-EL-SSO and all other interested persons of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

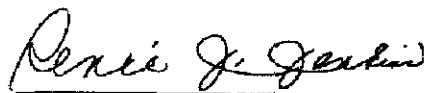


By: Christine M.T. Pirik
Attorney Examiner

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Entered in the Journal

NOV 16 2010



Renee J. Jenkins
Secretary