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BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

RECEIVED-DOCKETING DIV

In the Matter of the Application of Duke )  
Energy Ohio for Approval of a Market )  
Rate Offer to Conduct a Competitive )  
Bidding Process for Standard Service )  
Offer Electric Generation Supply, )  
Accounting Modifications, and Tariffs for )  
Generation Service. )

2010 DEC -3 AM 9:58

Case No. 10-2586-EL-SSO PUCO

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MOTION  
OF  
DUKE ENERGY OHIO, INC.  
REGARDING  
SUFFICIENCY OF NOTICE

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Duke Energy Ohio, Inc., (Duke Energy Ohio) is an electric utility, providing a generation services to customers under standard service offer (SSO) that was approved in Case No. 08-732-EL-SSO. That SSO, according to its terms, expires on December 31, 2011.

On November 15, 2010, Duke Energy Ohio filed an Application in the above-referenced proceeding, asking for the Commission's approval of a new SSO. As a part of that Application, Duke Energy Ohio included the text of a proposed legal notice, pursuant to Ohio Administrative Code (O.A.C.) 4901:1-35-04(B). On November 16, 2010, the Attorney Examiner issued an entry, ordering Duke Energy Ohio to publish notice of the scheduled evidentiary hearing, with the text of the notice set forth in that entry. The text of both of those notices, proposed and ordered, included a statement that the new SSO of Duke Energy Ohio would begin on January 12, 2012.

As this date is a typographical error, Duke Energy Ohio would respectfully request that the following text for the Legal Notice, with the commencement date corrected, be found to be substantially in compliance with the Attorney Examiner's order:

## LEGAL NOTICE

The Public Utilities Commission of Ohio has scheduled an evidentiary hearing in Case No. 10-2586-EL-SSO, *In the Matter of the 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 generation service beginning January 1, 2012.

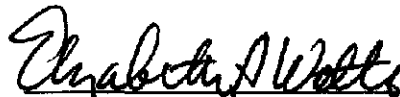
The evidentiary hearing will commence on January 4, 2011, at 9:00 a.m., at the offices of the Commission, 180 East Broad Street, 11<sup>th</sup> Floor, Hearing Room 11-A, Columbus, Ohio.

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.

WHEREFORE, Duke Energy Ohio respectfully requests that the Commission grant this motion and allow it to publish the legal notice, as set forth herein.

Respectfully submitted,

DUKE ENERGY OHIO, INC.



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CERTIFICATE OF SERVICE

I certify that a copy of the foregoing was served on the following parties, this 3rd day of December, 2010, via electronic mail delivery.

  
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