

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

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In the Matter of the :  
Application of Duke Energy:  
Ohio, Inc. for Approval :  
of its 2010 Advanced and :  
Renewable Energy Baseline : Case No. 11-2515-EL-ACP  
and Benchmarks Pursuant :  
to Section 4928.64(B) of :  
the Ohio Revised Code. :

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PROCEEDINGS

before Ms. Katie L. Stenman, Hearing Examiner, at the  
Public Utilities Commission of Ohio, 180 East Broad  
Street, Room 11-D, Columbus, Ohio, called at 10:00  
a.m. on Thursday, April 26, 2012.

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APPEARANCES:

Mike DeWine, Ohio Attorney General  
Public Utilities Section  
By Mr. Thomas G. Lindgren  
Assistant Attorney General  
180 East Broad Street, 6th Floor  
Columbus, Ohio 43215

On behalf of the Staff of the Public  
Utilities Commission of Ohio.

Duke Energy Business Services  
By Ms. Elizabeth H. Watts  
Ms. Amy B. Spiller  
139 East Fourth Street  
Cincinnati, Ohio 45202

On behalf of Duke Energy Ohio, Inc.

Office of the Ohio Consumers' Counsel  
By Mr. Terry Etter  
Assistant Consumers' Counsel  
10 West Broad Street, Suite 1800  
Columbus, Ohio 43215

On behalf of Residential Utility  
Customers.

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INDEX

- - -

WITNESSES

PAGE

Andrew S. Ritch

Direct examination by Ms. Watts

6

- - -

COMPANY EXHIBITS

ID'D

REC'D

1 - Direct Testimony of Andrew S. Ritch  
on behalf of Duke Energy Ohio, Inc.

5

8

2 - Application

8

8

- - -

STAFF EXHIBITS

ID'D

REC'D

1 - Staff report

9

9

- - -

JOINT EXHIBITS

ID'D

REC'D

1 - Stipulation and Recommendation

5

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Thursday Morning Session,  
April 26, 2012.

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EXAMINER STENMAN: The Public Utilities Commission of Ohio has called for hearing, at this time and place, case number 11-2515-EL-ACP being In the Matter of the Application of Duke Energy Ohio, Inc. for Approval of its 2010 Advanced and Renewable Energy Baseline and Benchmarks Pursuant to Section 4928.64(B) of the Ohio Revised Code.

My name is Katie Stenman and I'm the attorney examiner assigned by the Commission to hear the case.

At this time I'd like to start by taking the appearances of the parties, starting with the company.

MS. WATTS: Thank you, your Honor. On behalf of Duke Energy Ohio, Amy Spiller and Elizabeth Watts. We are at 139 East Fourth Street, 1303-Main, Cincinnati, Ohio 45202.

EXAMINER STENMAN: Thank you.

MR. ETTER: Thank you, your Honor. On behalf of residential utility customers, the Office of the Ohio Consumers' Counsel, Bruce J. Weston, and Terry L. Etter, Assistant Consumers' Counsel. We are

1 at 10 West Broad Street, Suite 1800, Columbus, Ohio  
2 43215.

3 EXAMINER STENMAN: Thank you.

4 MR. LINDGREN: On behalf of the staff of  
5 the Commission, Ohio Attorney General Mike DeWine, by  
6 Thomas G. Lindgren, Assistant Attorney General, 180  
7 East Broad Street, 6th Floor, Columbus, Ohio 43215.

8 EXAMINER STENMAN: Thank you.

9 I understand we have a stipulation.

10 MS. WATTS: We do, your Honor. At this  
11 time I'd ask that the stipulation be marked as Joint  
12 Exhibit 1, please.

13 EXAMINER STENMAN: It will be so marked.

14 (EXHIBIT MARKED FOR IDENTIFICATION.)

15 MS. WATTS: And, your Honor, we have a  
16 witness here today to testify with respect to that  
17 stipulation.

18 EXAMINER STENMAN: Okay.

19 MS. WATTS: May I approach, your Honor?

20 EXAMINER STENMAN: You may.

21 MS. WATTS: Your Honor, may I ask that  
22 Mr. Ritch's testimony be marked as Duke Energy  
23 Exhibit 1, please.

24 EXAMINER STENMAN: It will be so marked.

25 (EXHIBIT MARKED FOR IDENTIFICATION.)

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ANDREW S. RITCH

being first duly sworn, as prescribed by law, was  
examined and testified as follows:

DIRECT EXAMINATION

By Ms. Watts:

Q. Sir, would you state your name, please.

A. Andrew S. Ritch.

Q. And, Mr. Ritch, where are you employed?

A. Duke Energy Corporation.

Q. And do you have before you what has now  
been marked as Joint Exhibit 1 and Duke Energy  
Exhibit 1?

A. Yes, I do; both.

Q. Would you kindly identify what Joint  
Exhibit 1 is?

A. Joint Exhibit 1 is a Stipulation and  
Recommendation that was reached regarding case  
No. 11-2515-EL-ACP.

Q. And are you familiar with that document?

A. Yes, I am.

EXAMINER STENMAN: Actually, let me stop  
you a minute. I didn't swear the witness. I was too  
busy taking notes.

Will you raise your right hand.

1 (Witness sworn.)

2 MS. WATTS: Thank you for the "already  
3 given" part.

4 Q. (By Ms. Watts) Mr. Ritch, would you also  
5 identify, please, what has been marked as Duke Energy  
6 Exhibit 1?

7 A. It's my direct testimony in support of  
8 the case by the same number.

9 Q. And did you prepare that testimony?

10 A. Yes, I did.

11 Q. And if I were to ask you the questions  
12 contained therein today, would your responses be the  
13 same?

14 A. Yes, they would.

15 Q. And are they true to the best of your  
16 knowledge?

17 A. Yes, they are.

18 Q. Do you have any additions or corrections?

19 A. I do not.

20 MS. WATTS: Mr. Ritch is available for  
21 cross-examination.

22 EXAMINER STENMAN: Thank you.

23 Mr. Etter, any questions?

24 MR. ETTER: No questions, your Honor.

25 EXAMINER STENMAN: Mr. Lindgren?

1 MR. LINDGREN: No questions, your Honor.

2 EXAMINER STENMAN: Thank you, Mr. Ritch.

3 MS. WATTS: Your Honor, we would ask that  
4 Joint Exhibit 1 and Duke Energy Exhibit 1 be accepted  
5 and moved into evidence.

6 EXAMINER STENMAN: Will you also be  
7 marking your application in the case?

8 MS. WATTS: I would like to mark the  
9 application. And, I apologize, I do not have the  
10 date it was filed.

11 EXAMINER STENMAN: April 15th, 2011.

12 MS. WATTS: I believe that's correct.

13 EXAMINER STENMAN: And that will be Duke  
14 Exhibit 2?

15 MS. WATTS: Yes.

16 (EXHIBIT MARKED FOR IDENTIFICATION.)

17 MS. WATTS: And we would move that into  
18 evidence as well.

19 EXAMINER STENMAN: Any objection to the  
20 admission of Joint Exhibit 1 or Duke Exhibit 1 or 2?

21 MR. ETTER: No objection.

22 MR. LINDGREN: No objection.

23 EXAMINER STENMAN: Hearing none, they  
24 will be admitted.

25 (EXHIBITS ADMITTED INTO EVIDENCE.)



1 MS. WATTS: We have nothing further.

2 EXAMINER STENMAN: Thank you.

3 Mr. Lindgren, with respect to the Staff  
4 Report?

5 MR. LINDGREN: Yes, your Honor, I would  
6 move the admission of the Staff Findings and  
7 Recommendations that were filed on March 20th of  
8 2012.

9 EXAMINER STENMAN: Staff Exhibit 1?

10 MR. LINDGREN: Yes, please.

11 (EXHIBIT MARKED FOR IDENTIFICATION.)

12 EXAMINER STENMAN: Any objections?

13 MS. WATTS: No objection.

14 MR. ETTER: No objection.

15 EXAMINER STENMAN: Staff Exhibit 1 will  
16 be admitted.

17 (EXHIBIT ADMITTED INTO EVIDENCE.)

18 EXAMINER STENMAN: Is there anything else  
19 to come before us today?

20 MS. WATTS: Nothing, your Honor.

21 EXAMINER STENMAN: All right. Hearing  
22 nothing, we are adjourned. Thank you.

23 (The hearing adjourned at 10:10 a.m.)

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CERTIFICATE

I do hereby certify that the foregoing is a true and correct transcript of the proceedings taken by me in this matter on Thursday, April 26, 2012, and carefully compared with my original stenographic notes.

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Carolyn M. Burke, Registered  
Professional Reporter, and  
Notary Public in and for the  
State of Ohio.

My commission expires July 17, 2013.

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**This foregoing document was electronically filed with the Public Utilities**

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**Case No(s). 11-2515-EL-ACP**

Summary: Transcript of Duke Energy Ohio, Inc. hearing held on 04/26/12 electronically filed by Mrs. Jennifer Duffer on behalf of Armstrong & Okey, Inc. and Burke, Carolyn M. Mrs.