

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of Duke Energy Ohio, Inc., for an Increase in its Electric Distribution Rates.)	Case No. 12-1682-EL-AIR
)	
In the Matter of the Application of Duke Energy Ohio, Inc., for Tariff Approval.)	Case No. 12-1683-EL-ATA
)	
In the Matter of the Application of Duke Energy Ohio, Inc., for Approval to Change Accounting Methods.)	Case No. 12-1684-EL-AAM
)	

ENTRY

The Commission finds:

- (1) Duke Energy Ohio, Inc., (Applicant or Duke) is an electric company as defined by Section 4905.03(A)(3), Revised Code, and a public utility as defined by Section 4905.02, Revised Code, and, as such, is subject to the jurisdiction of this Commission pursuant to Sections 4905.04, 4905.05 and 4905.06 Revised Code.
- (2) The notice of intent to file an application for an increase in rates was received on June 7, 2012, pursuant to Section 4909.43(B), Revised Code, and in compliance with Rule 4901-7-01, Appendix A, Chapter I, Ohio Administrative Code (O.A.C.), of the Commission's Standard Filing Requirements, Sections A and B.
- (3) Duke's application for an increase in rates is governed by and must meet the requirements of Sections 4909.17 to 4909.19, and 4909.42, Revised Code.
- (4) Section 4909.15(C)(1) and (2), Revised Code, provides that the utility may propose a test period for determining the revenues and expenses that is any 12-month period beginning not more than six months prior to the date the application is filed and ending not more than nine months subsequent to the date the application is filed. Unless otherwise ordered by the Commission, the test period shall be that proposed by the utility. This section

also requires that the date certain be no later than the date of filing. The Applicant moves that its test period begin January 1, 2012, and end December 31, 2012, and that the date certain be March 31, 2012. The Commission finds that the Applicant's proposed test period and date certain should be approved.

- (5) The Applicant requests a waiver from Rule 4901-7-01, Appendix A, Chapter II, O.A.C., as it relates to requirements regarding the Applicant's natural gas utility operations. Duke states that information related to its natural gas utility operations is not relevant to these proceedings. Upon consideration of Duke's request, the Commission finds that the information referenced by Duke is necessary for our review in these cases and, therefore, Duke's waiver request should be denied.
- (6) Duke also requests a waiver from the standard filing requirements as they relate to information associated with electric generation, including fuel, as this information is not relevant to Duke's requested increase in distribution rates and production of this information would not further enable an efficient and effective review of Duke's application. Therefore, in the interest of administrative efficiency, Duke states that it requests waivers of the following supplemental filing requirements and supplement information provided at filing in Rule 4901-7-01, Appendix A, Chapter II, O.A.C.:
 - (a) (B)(1) - Five-year capital expenditures budget;
 - (b) (B)(2) - Five-year financial forecast;
 - (c) (B)(3) - Underlying assumptions;
 - (d) (B)(4) - Five-year projection of revenue requirements;
 - (e) (B)(5) - Balance sheet items;
 - (f) (B)(8) and (9) - Summary of corporate process and management policies, practices, and organization (to the extent that the Applicant's management policies and practices relate solely to its generation, fuel, wholesale power marketing, and other non-jurisdictional functions or businesses);

- (g) (C)(13) - Material and supplies; and
- (h) (C)(22) - Construction projects that are 75 percent complete.

Upon consideration of Duke's request for waiver of these requirements, the Commission finds that, because Duke's application is to increase rates for distribution service, the waiver requests are reasonable and should be granted.

- (7) The Applicant requests a waiver from the requirement to file under Rule 4901-7-01, Appendix A, Chapter II, Section F, O.A.C., integrated resource planning. Since the Applicant annually submits a long-term forecast and resource plan and these documents were filed on June 1, 2012, Duke's resource plan is already before the Commission. According to Duke, including it in the application would be unnecessarily duplicative and would detract from the efficient review and evaluation of this application. Upon consideration of this request, the Commission finds that it is reasonable, and therefore, should be granted as requested.
- (8) Duke also requests that a waiver be granted from the filing requirements set forth in Rule 4901-7-01, Appendix A, Chapter II, O.A.C., relating to payroll analysis by employee classification/payroll distribution. Duke states that its financial system has changed, and the distinction between exempt and non-exempt employees is no longer available and cannot be reasonably obtained from information the Applicant currently maintains. Duke commits to providing the payroll analysis of the two employee classifications of union and non-union. The Commission finds that this waiver request is reasonable and should be granted.
- (9) As a final matter, the Commission notes that, the granting of these waivers does not preclude the Staff from obtaining the information waived through data request if it is subsequently deemed necessary to complete the Staff's investigation effectively and efficiently.

It is, therefore,

ORDERED, That the test period for Duke shall begin January 1, 2012, and end December 31, 2012, and the date certain shall be March 31, 2012. It is, further,

ORDERED, That the appropriate method for making any changes to the date certain or test period shall be the filing of a new notice of intent to file an application for an increase in rates and withdrawal of the pending application. It is, further,

ORDERED, That the requests for waivers made by the Applicant are granted or denied as set forth in this Entry. It is further,


ORDERED, That a copy of the Entry be served upon all parties of record.

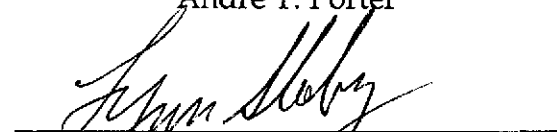
THE PUBLIC UTILITIES COMMISSION OF OHIO


Todd A. Snitchler, Chairman


Steven D. Lesser

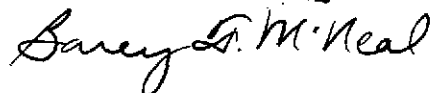

Andre T. Porter


Cheryl L. Roberto


Lynn Slaby

HW\jd

Entered in the Journal

JUL 02 2012


Barcy F. McNeal
Secretary