BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of Elegant Autowash, Inc.,	)	
Complainant,	)	
v.	)	Case No. 12-1302-EL-CSS
Duke Energy Ohio, Inc.,	)	
Respondent.	)	

ENTRY

The attorney examiner finds:

(1) On April 20, 2012, Elegant Autowash, Inc. (complainant) filed a complaint against Duke Energy Ohio, Inc. (Duke) alleging that, in January of 2012, it saw a substantial increase in its electric bill. Complainant explains that it noticed an increase of over 100 percent in its February and March electric bills, mostly coming from the generation rider. Complainant further explains that a sample customer cited in a Duke Webinar, with a comparable load factor and a kWh usage five times greater than complainant, had a generation charge that was less than complainant's charge. In an effort to investigate the difference, complainant contacted Duke, and Duke's customer service representative explained that credits generated under the Electric Security Stabilization Rider offset much of the load factor for higher usage customers. Complainant requests a fairer, more proportional method of cost allocation among customers for the new charge.

(2) On May 9, 2012, Duke filed its answer to the complaint, stating that it denies the allegations set forth in the complaint and denies that its actions were unjust, unreasonable, or otherwise in violation of any applicable law, regulation, Commission order, or tariff. Duke further

asserts that complainant has failed to set forth reasonable grounds for complaint.

(3) A settlement conference occurred as scheduled on October 11, 2012. The parties were unable to settle this matter after ongoing settlement discussions.

(4) By entry issued January 30, 2013, the attorney examiner directed the complainant to file a letter in this docket within 20 days of the date of this entry indicating acceptable potential hearing dates.

(5) On February 19, 2013, complainant filed a letter indicating that additional time will be necessary to prepare for a hearing in this matter, and requesting an additional six months for such preparation. Accordingly, the attorney examiner finds that this matter should be scheduled for hearing. The parties should adhere to the following procedural schedule:

(a) All direct expert testimony should be filed by August 13, 2013.

(b) A hearing will be held on August 20, 2013, at 10:00 a.m. Hearing Room 11-C, at the offices of the Commission, 180 East Broad Street, Columbus, Ohio 43215.

(6) As an additional matter, pursuant to Rule 4901-1-08, Ohio Administrative Code, corporations must be represented by an attorney-at-law.

(7) As is the case in all Commission complaint proceedings, the complainants have the burden of proving the allegations of the complaint. *Grossman v. Public Util. Comm.*, 5 Ohio St.2d 189 (1966).

It is, therefore,

ORDERED, That the parties adhere to the procedural schedule set forth in finding (5). It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/Katie Stenman

By: Katie L. Stenman
Attorney Examiner

JRJ/sc

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in

Case No(s). 12-1302-EL-CSS

Summary: Attorney Examiner Entry ordered the parties to adhere to the procedural schedule set forth in finding (5). - electronically filed by Sandra Coffey on behalf of Katie Stenman, Attorney Examiner, Public Utilities Commission of Ohio