

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of Duke )  
Energy Ohio, Inc. for Authority to Establish )  
a Standard Service Offer Pursuant to R.C. ) Case No. 14-841-EL-SSO  
4928.143 in the Form of an Electric Security )  
Plan, Accounting Modifications, and Tariffs )  
for Generation Service. )

In the Matter of the Application of Duke )  
Energy Ohio, Inc. for Authority to Amend ) Case No. 14-842-EL-ATA  
its Certified Supplier Tariff, P.U.C.O. No. )  
20. )

ENTRY

The attorney examiner finds:

- (1) Duke Energy Ohio, Inc. (Duke) is a public utility as defined in R.C. 4905.02 and, as such, is subject to the jurisdiction of this Commission.
- (2) On May 29, 2014, Duke filed an application for a standard service offer (SSO) pursuant to R.C. 4928.141. This application is for an electric security plan (ESP) in accordance with R.C. 4928.143 that will begin on June 1, 2015.
- (3) On April 2, 2015, the Commission issued its Opinion and Order, approving Duke's proposed ESP, with certain modifications (*ESP 3 Order*).
- (4) R.C. 4903.10 states that any party who has entered an appearance in a Commission proceeding may apply for a rehearing with respect to any matters determined therein by filing an application within 30 days after the entry of the order upon the Commission's journal.
- (5) On May 1, 2015, applications for rehearing were filed by Direct Energy Services, LLC; Ohio Partners for Affordable Energy; Constellation NewEnergy, Inc. and Exelon Generation Company, LLC; and Retail Energy Supply Association.

On May 4, 2015, applications for rehearing were filed by Ohio Energy Group; Industrial Energy Users-Ohio; the City of Cincinnati; the Environmental Law & Policy Center and Ohio Environmental Council; the Ohio Consumers' Council; IGS Energy; the Ohio Manufacturers' Association; Sierra Club; and Duke.

- (6) Pursuant to Ohio Adm.Code 4901-1-35(B), any party may file a memorandum contra to an application for rehearing within ten days of the filing of the application.
- (7) On May 7, 2015, Duke filed a motion for an extension of time to file memoranda contra. Duke notes that, because applications for rehearing were filed on separate dates, it now has two separate due dates in order to file memoranda contra. To avoid filing two, similar memoranda, Duke requests the deadline to file memoranda contra to the May 1, 2015 applications for rehearing be extended to coincide with the deadline for the May 4, 2015 applications for rehearing.
- (8) Duke also filed a motion for expedited treatment, noting the short time frames involved. Ohio Adm.Code 4901-1-12(C) permits an immediate ruling on requests for extensions of time to file pleadings that are five days or less. The motion should be granted.
- (9) In order to prevent the unnecessary filing of similar documents and to ensure an equitable process, the attorney examiner finds Duke's request is reasonable and should be granted. Therefore, Duke's deadline to file memoranda contra to the applications for rehearing is May 14, 2015.

ORDERED, That Duke's motion for extension of time to file memoranda contra and motion for expedited treatment be granted. It is, further,

ORDERED, That Duke's deadline to file memoranda contra is May 14, 2015. It is, further,

ORDERED, That a copy of this Entry be served upon each party of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/Nicholas Walstra

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By: Nicholas Walstra  
Attorney Examiner

sef/vrm

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

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**in**

**Case No(s). 14-0841-EL-SSO, 14-0842-EL-ATA**

Summary: Attorney Examiner Entry granting Duke's motion for extension of time to file memoranda contra and motion for expedited treatment; electronically filed by Vesta R Miller on behalf of Nicholas Walstra, Attorney Examiner, Public Utilities Commission of Ohio