

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of Duke)
Energy Ohio, Inc., for Approval of an)
Alternative Rate Plan Pursuant to R.C.) Case No. 14-1622-GA-ALT
4929.05 for an Accelerated Service Line)
Replacement Program.)

ENTRY

The attorney examiner finds:

- (1) On September 17, 2014, Duke Energy Ohio, Inc. (Duke) filed a notice of intent to file an application for approval of an alternative rate plan under R.C. 4929.05.
- (2) On January 20, 2015, Duke filed its application, along with supporting exhibits, pursuant to R.C. 4929.05, 4929.051(B), 4929.11, and 4909.18. In its application, Duke states that it seeks approval of an accelerated service line replacement (ASRP) program. Duke argues the risks associated with service lines are great, given their close proximity to high population areas, and replacement of these lines could potentially take decades without acceleration. Therefore, Duke asserts that its application should be considered not for an increase in rates.
- (3) By Entry issued March 18, 2015, the attorney examiner, among other things, set April 17, 2015 as the deadline for the filing of motions to intervene, and set April 24, 2015 and May 8, 2015 as the deadlines for the filing of comments and reply comments, respectively. The attorney examiner also noted in the March 18, 2015 Entry that, in the event the Commission determined that a hearing should be held in this matter, an additional procedural schedule would be issued, which would establish deadlines for the filing of testimony.
- (4) By subsequent Entry issued April 14, 2015, the attorney examiner set the deadline for the filing of the Staff Report for June 5, 2015, and objections to such report to be filed by July 6, 2015.

- (5) The Ohio Consumers' Counsel (OCC) filed a motion to intervene on March 4, 2015. In its memorandum in support, OCC asserts that the interests of Ohio's residential customers may be adversely affected by this case and that OCC's position is directly related to the merits of this case. Further, OCC asserts that its intervention will not unduly prolong or delay this proceeding and will significantly contribute to the full development and resolution of factual issues. No memoranda contra OCC's motion to intervene were filed. The attorney examiner finds that the motion to intervene is reasonable and should be granted.
- (6) Ohio Partners for Affordable Energy (OPAE) also filed a motion to intervene on March 10, 2015. In its memorandum in support, OPAE asserts that Duke's application may have significant impacts on low-income bill payment and weatherization clients, as well as nonresidential customers. OPAE argues that, as a non-profit corporation that advocates for affordable energy policies for low-income Ohioans, it has a direct interest in this proceeding. Moreover, OPAE contends that its participation in this case will not cause undue delay, will not unjustly prejudice any existing party, and will contribute to the just and expeditious resolution of the issues raised. OPAE also states that other parties in this proceeding will not adequately represent its interests. No memoranda contra OPAE's motion to intervene were filed. The attorney examiner finds that the motion to intervene is reasonable and should be granted.
- (7) OPAE and OCC filed comments on April 24, 2015, and Duke filed reply comments on May 8, 2015.
- (8) On June 5, 2015, Staff filed its report in this proceeding. Duke, OCC, and OPAE filed objections to the Staff Report on July 6, 2015.
- (9) In light of the issues raised in the comments, reply comments, and various objections to the Staff Report, the attorney examiner finds it appropriate to set this matter for hearing and establish the following procedural schedule:
 - (a) October 23, 2015 - Deadline for the filing of testimony on behalf of Duke.

- (b) November 6, 2015 - Deadline for the filing of testimony on behalf of Staff and intervenors.
 - (c) November 16, 2015 - The evidentiary hearing shall commence at 10:00 a.m., at the offices of the Commission, 180 East Broad Street, 11th Floor, Hearing Room 11-C, Columbus, Ohio.
- (10) In the event Duke comes to an agreement with some or all of the parties in this case on some or all of the facts or issues in this case, the attorney examiner finds it appropriate to set forth a schedule for the filing of such stipulations prior to the commencement of the hearing in this case. Accordingly, Duke must file any applicable stipulation before 10:00 a.m. on November 12, 2015.

It is, therefore,

ORDERED, That the motions to intervene filed by OCC and OPAE be granted. It is, further,

ORDERED, That the procedural schedule set forth in Finding (9) be observed. It is, further,

ORDERED, That a copy of this Entry be served upon all parties and interested persons of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/Megan Addison

By: Megan J. Addison
Attorney Examiner

JRJ/sc

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Commission of Ohio Docketing Information System on

8/28/2015 2:53:14 PM

in

Case No(s). 14-1622-GA-ALT

Summary: Attorney Examiner Entry granting the motions to intervene filed by OCC and OPAE and setting forth a procedural schedule in accordance with Finding (9). - electronically filed by Sandra Coffey on behalf of Megan Addison, Attorney Examiner, Public Utilities Commission of Ohio