

## THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE APPLICATION  
OF DUKE ENERGY OHIO, INC. FOR  
AUTHORITY TO DEFER ENVIRONMENTAL  
INVESTIGATION AND REMEDIATION COSTS.

CASE No. 16-1106-GA-AAM

IN THE MATTER OF THE APPLICATION OF  
DUKE ENERGY OHIO, INC. FOR TARIFF  
APPROVAL.

CASE No. 16-1107-GA-UNC

### ENTRY

Entered in the Journal on October 27, 2016

{¶ 1} Duke Energy Ohio, Inc. (Duke or the Company) is a natural gas company as defined by R.C. 4905.03 and a public utility as defined by R.C. 4905.02 and, as such, is subject to the jurisdiction of this Commission, pursuant to R.C. 4905.04, 4905.05, and 4905.06.

{¶ 2} On November 12, 2009, the Commission authorized Duke to defer environmental investigation and remediation costs related to two former manufactured gas plant (MGP) sites in Ohio for potential recovery of reasonable and prudent costs in a future base rate proceeding. *In re Duke Energy Ohio, Inc.*, Case No. 09-712-GA-AAM, Finding and Order (Nov. 12, 2009) at 4.

{¶ 3} On November 13, 2013, the Commission authorized the recovery of such environmental investigation and remediation costs as had been incurred by the Company between 2008 and 2012. The Commission authorized Duke to recover and continue deferring environmental investigation and remediation costs. The Commission also established dates by which the deferral authority would end, absent the existence of exigent circumstances. Particularly, in respect to the costs applicable to the property designated as the East End site, the Commission determined that the Company could continue to defer and recover such reasonable and prudent costs through December 31, 2016. *In re Duke Energy Ohio, Inc.*, Case No. 12-1685-GA-AIR,

et al. (*Duke Rate Case*), Opinion and Order (Nov. 13, 2013) at 70-74. On rehearing, the Commission stated that Duke would be permitted to file an application for an extension of its deferral and related recovery authority in the event of exigent circumstances. *Duke Rate Case*, Entry on Rehearing (Jan. 8, 2014) at 4.

{¶ 4} On May 16, 2016, Duke filed an application in the above-captioned proceedings, requesting Commission authorization to continue to defer environmental investigation and remediation costs subsequent to December 31, 2016, and seek recovery of those costs utilizing the same mechanism and process as provided in the *Duke Rate Case*. Duke states in its application that its request is limited to an extension of the Rider MGP recovery mechanism for costs incurred in respect to the East End site. Duke also requests that the Commission authorize it to extend its current accounting procedures and permit Duke to defer income statement recognition of environmental investigation and remediation costs for the East End site after December 31, 2016.

{¶ 5} Accordingly, at this time, the attorney examiner finds it appropriate to set the following procedural schedule:

- (a) November 23, 2016 – Deadline for the filing of motions to intervene.
- (b) November 23, 2016 – Deadline for the filing of comments relating to Duke’s May 16, 2016 application.
- (c) December 2, 2016 – Deadline for the filing of reply comments.

{¶ 6} It is, therefore,

{¶ 7} ORDERED, That the procedural schedule set forth in Paragraph 5 be observed. It is, further,

{¶ 8} 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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**Case No(s). 16-1106-GA-AAM, 16-1107-GA-UNC**

Summary: Attorney Examiner Entry setting a procedural schedule in accordance with Paragraph 5. - electronically filed by Sandra Coffey on behalf of Megan Addison, Attorney Examiner, Public Utilities Commission of Ohio