

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE APPLICATION OF
DUKE ENERGY OHIO, INC. FOR A
WAIVER.

CASE NO. 16-1096-EL-WVR

ENTRY ON REHEARING

Entered in the Journal on May 3, 2017

I. SUMMARY

{¶ 1} The Commission grants the application for rehearing filed by Communities United for Action, the Ohio Consumers' Counsel, and Pro Seniors, Inc. for the limited purpose of further consideration of the matters specified in the application.

II. DISCUSSION

{¶ 2} Duke Energy Ohio, Inc. (Duke or the Company) is an electric distribution utility (EDU) as defined by R.C. 4928.01(A)(6) and a public utility as defined in R.C. 4905.02, and, as such, is subject to the jurisdiction of this Commission.

{¶ 3} On May 13, 2016, Duke filed an application for a temporary waiver of Ohio Adm.Code 4901:1-18-06(A)(2), which requires the utility to provide a residential customer with personal notice on the day of disconnection. According to Duke, in order to disconnect service, and meet the requirements of Ohio Adm.Code 4901:1-18-06(A)(2), the Company currently must send a technician to the property, where that technician can, impliedly, give the customer a final opportunity to make a payment to avoid disconnection. However, Duke noted that with advancements in technology the company is currently able to remotely disconnect and reconnect electric service for customers with advanced metering infrastructure (AMI). Thus, Duke requested a waiver of the requirement to provide physical notice on the day of disconnection and instead sought to start a three-year pilot program through which the company would use alternative efforts to inform customers of possible disconnections. Thereafter, on July 22, 2016, Duke amended its application. Duke's

amended application shortened the pilot program from three years to two years. Duke also proposed that, in addition to what is described in its initial application, it would send customers a telephone or text message two business days before a scheduled disconnect. Thus, the Company's proposed notifications would be: a text or phone message the day of disconnection; a text or phone message two business days before disconnection; an extension of the mailed 10-day disconnection notice from only during the winter heating season to year-round; and a one-time bill insert informing customers of the change in process. Further, compared to what it submitted in its original application, Duke proposed to expand the data it would collect and share with Staff during the term of the pilot.

{¶ 4} Ohio Partners for Affordable Energy (OPAE), the City of Cincinnati, the Ohio Consumers' Counsel (OCC), Communities United for Action (CUFA), and Pro Seniors, Inc. (PSI) intervened in the case. Comments regarding the application were filed by Cincinnati, OPAE, Staff, and, jointly, by OCC, CUFA, and PSI (collectively, the Consumer Groups). Reply comments were filed by Duke, Cincinnati, OPAE, and the Consumer Groups.

{¶ 5} On March 8, 2016, the Commission issued an Opinion and Order granting Duke's motion for waiver.

{¶ 6} On April 7, 2017, the Consumer Groups filed an application for rehearing. Thereafter, on April 13, 2017, Duke filed a memorandum contra the Consumer Groups' application for rehearing.

{¶ 7} R.C. 4903.10 states that any party who has entered an appearance in a Commission proceeding may apply for rehearing with respect to any matters determined in that proceeding, by filing an application within 30 days after the entry of the order upon the journal of the Commission.

{¶ 8} The Commission finds that the application for rehearing filed by the Consumer Groups should be granted for the limited purpose of further consideration of the matters specified in the application.

III. ORDER

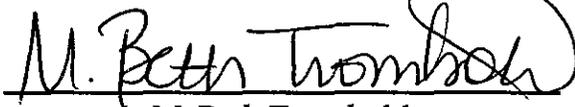
{¶ 9} It is, therefore,

{¶ 10} ORDERED, That the application for rehearing filed by the Consumer Groups be granted for further consideration of the matters specified in the application. It is, further

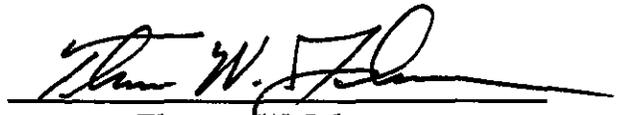
{¶ 11} ORDERED, That a copy of this Entry on Rehearing be served upon all parties of record.

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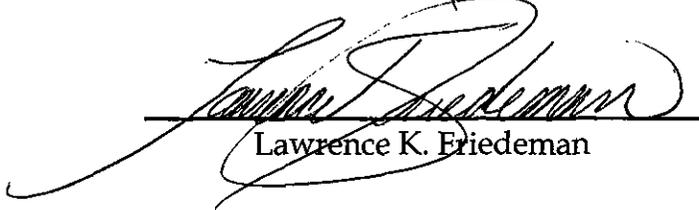
Asim Z. Haque, Chairman



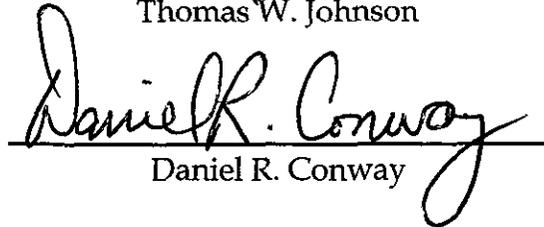
M. Beth Trombold



Thomas W. Johnson



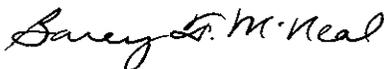
Lawrence K. Friedeman



Daniel R. Conway

NJW/vrm

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MAY 03 2017



Barcy F. McNeal
Secretary