

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE APPLICATION OF
DUKE ENERGY OHIO, INC., FOR
APPROVAL TO MODIFY RIDER PSR.

CASE No. 17-872-EL-RDR

IN THE MATTER OF THE APPLICATION OF
DUKE ENERGY OHIO, INC., FOR
APPROVAL TO AMEND RIDER PSR.

CASE No. 17-873-EL-ATA

IN THE MATTER OF THE APPLICATION OF
DUKE ENERGY OHIO, INC., FOR
APPROVAL TO CHANGE ACCOUNTING
METHODS.

CASE No. 17-874-EL-AAM

ENTRY

Entered in the Journal on May 23, 2017

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

{¶ 2} On March 31, 2017, Duke filed applications to modify and amend its Price Stabilization Rider and for approval to change its accounting methods.

{¶ 3} By motion filed May 9, 2017, Industrial Energy Users-Ohio (IEU-Ohio), Ohio Consumers' Counsel (OCC), Ohio Partners for Affordable Energy (OPAE), the Kroger Co. (Kroger), and Ohio Manufacturers' Association Energy Group (OMEAG) move the Commission for an order dismissing Duke's applications. Alternatively, the moving parties request that the Commission stay this proceeding until the Commission issues an entry on rehearing in Case No. 14-841-EL-SSO, et al., and appellate review is completed.

{¶ 4} On May 17, 2017, IEU-Ohio, OCC, OPAE, Kroger, OMEAG, and Duke (Movants) filed a joint motion requesting that Duke be granted an extension of time to file its memorandum contra to the May 9, 2017 motion to dismiss or in the alternative to stay proceedings. Movants submit that the original filing schedule places the parties under a

substantial burden and that extending those deadlines will not result in prejudice to any other party's ability to prepare and pursue its case. Movants propose that Duke's filing deadline be moved to June 14, 2017, with the replies then due June 28, 2017.

{¶ 5} Additionally, Movants' motion seeks an expedited ruling under Ohio Adm.Code 4901:1-1-12(C). As of the date of their motion, Movants state that no party who has sought to intervene objected to their request.

{¶ 6} In consideration of the above, the attorney examiner finds that Movants' request for an extension of time is reasonable and supported by good cause. The attorney examiner further finds that the proposed deadlines are reasonable and should be adopted.

{¶ 7} It is, therefore,

{¶ 8} ORDERED, That Movants' May 17, 2017 motion for an extension of time be granted. It is, further,

{¶ 9} ORDERED, That Duke's deadline for filing a memorandum contra to the pending motion to dismiss be June 14, 2017. It is, further,

{¶ 10} ORDERED, That replies to the memorandum contra be due June 28, 2017. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/Patricia Schabo

By: Patricia A. Schabo
Attorney Examiner

JRJ/sc

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5/23/2017 3:44:27 PM

in

Case No(s). 17-0872-EL-RDR, 17-0873-EL-ATA, 17-0874-EL-AAM

Summary: Attorney Examiner Entry granting Movants' 05/17/2017 motion for an extension of time, directing the deadline of 06/14/2017 for filing a memorandum contra to the pending motion to dismiss, and directing replies to the memorandum contra due on or before 06/28/2017. - electronically filed by Sandra Coffey on behalf of Patricia Schabo, Attorney Examiner, Public Utilities Commission of Ohio