

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE APPLICATION
OF DUKE ENERGY OHIO, INC. TO
ADJUST RIDER AU FOR 2017 GRID
MODERNIZATION COSTS.

CASE NO. 18-837-GA-RDR

ENTRY

Entered in the Journal on March 12, 2019

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

{¶ 2} In Case No. 07-589-GA-AIR, et al., the Commission approved a stipulation and recommendation that, among other things, provided a process for the filing of Duke's deployment plans for the installation of an automated gas meter reading system, which would share the SmartGrid communications technology for the electric system, and a method for recovering costs associated with the plans, which was designated Rider Advanced Utility (Rider AU). *In re Duke Energy Ohio, Inc.*, Case No. 07-589-GA-AIR, et al. (*Gas Distribution Rate Case*), Opinion and Order (May 28, 2008).

{¶ 3} On June 29, 2018, Duke filed an application, along with supporting testimony, to adjust Rider AU for grid modernization deployment costs incurred in 2017, pursuant to the process approved in the *Gas Distribution Rate Case*.

{¶ 4} By Entry dated July 3, 2018, the attorney examiner established the following procedural schedule:

- (a) September 28, 2018 – Deadline for the filing of motions to intervene.
- (b) October 26, 2018 – Deadline for the filing of comments on the application by Staff and intervenors.

- (c) November 9, 2018 – Deadline for all parties to file reply comments.
- (d) November 23, 2018 – In the event all of the issues raised in the comments are not resolved, or if the Commission deems the application may be unjust or unreasonable, a hearing would be held, and Staff and intervenor testimony would be due on this date.
- (e) November 30, 2018 – Deadline for Duke to file supplemental testimony.
- (f) December 6, 2018 – In the event a hearing is deemed necessary, the hearing would commence at 10:00 a.m., at the offices of the Commission, 180 East Broad Street, 11th Floor, Hearing Room 11-C, Columbus, Ohio 43215.

{¶ 5} On July 16, 2018, the Ohio Consumers' Counsel (OCC) filed a motion to intervene in this proceeding, which was granted by Entry issued on October 11, 2018.

{¶ 6} On October 4, 2018, Staff filed its review and recommendations regarding Duke's application. OCC filed comments on October 26, 2018, and Duke filed reply comments on November 9, 2018.

{¶ 7} On November 23, 2018, OCC filed the direct testimony of James D. Williams.

{¶ 8} On November 28, 2018, Duke filed a motion to strike OCC's testimony and to extend the dates for the filing of the Company's supplemental testimony and for the hearing, along with a request for an expedited ruling. On December 5, 2018, OCC filed a memorandum contra Duke's motion to strike.

{¶ 9} By Entry dated December 11, 2018, the attorney examiner granted Duke's request for a continuance. Specifically, the attorney examiner noted that the hearing in this matter would, if necessary, be rescheduled by subsequent entry. The attorney examiner further noted that a ruling on Duke's motion to strike OCC's testimony would also be issued by subsequent entry.

{¶ 10} By Entry dated March 6, 2019, the attorney examiner denied Duke's motion to strike OCC's testimony. The attorney examiner also directed that Duke's supplemental testimony be filed by March 19, 2019, and that any stipulation among the parties be filed by March 25, 2019. An evidentiary hearing was scheduled to commence on March 26, 2019.

{¶ 11} On March 11, 2019, OCC filed a motion for a continuance of the procedural schedule, along with a request for an expedited ruling. Due to scheduling conflicts, OCC proposes that Duke's supplemental testimony be filed by April 23, 2019. OCC further proposes that the evidentiary hearing commence on May 2, 2019, with any stipulation among the parties due by 9:00 a.m. on May 1, 2019. OCC notes that no party objects to its proposed schedule or to the request for an expedited ruling.

{¶ 12} The attorney examiner finds that OCC's motion for a continuance is reasonable and should be granted. Accordingly, Duke's supplemental testimony should be filed by April 23, 2019. The hearing will commence on May 2, 2019, at 10:00 a.m., at the offices of the Commission, 180 East Broad Street, 11th Floor, Hearing Room 11-C, Columbus, Ohio 43215. In the event that Duke comes to an agreement with some or all of the parties on the facts or issues in this case, the stipulation should be filed by 9:00 a.m., on May 1, 2019.

{¶ 13} It is, therefore,

{¶ 14} ORDERED, That OCC's motion for a continuance be granted. It is, further,

{¶ 15} ORDERED, That the procedural schedule set forth in Paragraph 12 be adopted. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/Sarah Parrot

By: Sarah J. Parrot
Attorney Examiner

JRJ/sc

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Case No(s). 18-0837-GA-RDR

Summary: Attorney Examiner Entry granting OCC's motion for continuance and setting forth the procedural schedule indicated in Paragraph 12 - electronically filed by Sandra Coffey on behalf of Sarah Parrot, Attorney Examiner, Public Utilities Commission of Ohio