

In the Matter of the Application of Duke)
Energy Ohio, Inc., for Approval of an) Case No. 19-0791-GA-ALT
Alternative Form of Regulation.)

Duke Energy Ohio, Inc., (Duke Energy Ohio or Company) hereby moves the Public Utilities Commission of Ohio (Commission), in accordance with Rules 4901-1-13, 4901-1-12(C) and 4901-1-27(B)(6), Ohio Administrative Code (O.A.C.), to continue the procedural schedule in this case to provide for a hearing date of October 27, 2020, or later. In addition, in light of the fact that the hearing currently is scheduled to start on September 29, 2020, and testimony is currently due September 22, 2020, Duke Energy Ohio requests an expedited ruling.

1

Respectfully submitted,

DUKE ENERGY OHIO, INC.

/s/ Jeanne W. Kingery

Rocco O. D'Ascenzo (0077651)

Deputy General Counsel

Jeanne W. Kingery (0012172) (Counsel of Record)

Duke Energy Business Services LLC

139 East Fourth Street

1303-Main

Cincinnati Ohio 45202

513-287-4320 (telephone)

513-287-4385 (facsimile)

Rocco.dascenzo@duke-energy.com

Jeanne.kingery@duke-energy.com

Attorneys for Duke Energy Ohio, Inc.

Willing to accept service electronically

MEMORANDUM IN SUPPORT

Duke Energy Ohio, Inc. (Duke Energy Ohio), initiated this case by the filing of an application for a new alternative rate plan to establish a capital expenditure program rider (Rider CEP) to recover the post-in-service carrying costs, incremental depreciation expense, and property tax expense currently deferred pursuant to Duke Energy Ohio's CEP Deferral, as well as a return on and of the underlying assets to which these expenses are directly attributable in the capital expenditure program.¹ Staff of the Public Utilities Commission of Ohio (Commission) issued a Staff Report and Recommendation on June 17, 2019, recommending a thorough audit of plant, comprising not only all CEP investments from January 1, 2013, through December 31, 2018, but also all plant investments from the date certain in last rate case (March 31, 2012) through the commencement of the CEP program. An Entry filed by the Commission on September 26, 2019, directed Staff to issue an RFP directing an audit report to be filed no later than March 11, 2020. Subsequently, on January 28, 2020, Duke Energy Ohio filed a motion for an extension of that procedural schedule and a 60-day extension was granted on February 13, 2020, which directed the audit report to be filed by May 11, 2020. On May 27, 2020, an Entry setting a procedural schedule was filed scheduling a hearing date for September 1, 2020, and setting expedited discovery and motion response dates.

The parties have been working toward resolution of the issues. Duke Energy Ohio now requests that the hearing date be postponed until October 27, 2020, or thereafter, to allow additional discussion between the parties and so that settlement terms can be further considered.

Based on the telephone and email communications among counsel, it is Duke Energy Ohio's understanding that no party objects to either the substance of this motion or the expedited treatment thereof.

¹ Application (May 3, 2019)

Accordingly, Duke Energy Ohio requests that the Commission continue the existing procedural schedule to set the evidentiary hearing for October 27, 2020, or thereafter, with expert testimony to be filed 7 days prior to the hearing.

WHEREFORE, for the reasons stated herein, Duke Energy Ohio requests that the Commission grant its motion and revise the existing procedural schedule.

Respectfully submitted,

/s/ Jeanne W. Kingery

Rocco O. D'Ascenzo (0077651)

Deputy General Counsel

Jeanne W. Kingery (0012172) (Counsel of Record)

Associate General Counsel

Duke Energy Business Services LLC

139 East Fourth Street

1303-Main

Cincinnati Ohio 45202

614-222-1334

Rocco.dascenzo@duke-energy.com

Jeanne.kingery@duke-energy.com

Attorneys for Duke Energy Ohio, Inc.

Willing to accept service electronically

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served on the following parties of record by electronic service on this 15th day of September, 2020.

/s/ Jeanne W. Kingery
Jeanne W. Kingery

Steven Beeler
Attorney General's Office
Public Utilities Commission of Ohio
30 East. Broad St., 16th Fl.
Columbus, Ohio 43215
Steven.beeler@ohioattorneygeneral.gov

*Counsel for Staff of the Public
Utilities Commission of Ohio*

William J. Michael
Amy Botschner-O'Brien
Ambrosia E. Logsdon
Assistant Consumers' Counsel
Office of the Ohio Consumers' Counsel
65 East State Street, 7th Floor
Columbus, Ohio 43215-4313
William.michael@occ.ohio.gov
amy.botschner.obrien@occ.ohio.gov
ambrosia.logsdon@occ.ohio.gov

*Counsel for the Office of the Ohio
Consumers' Counsel*

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

9/15/2020 2:42:50 PM

in

Case No(s). 19-0791-GA-ALT

Summary: Motion Motion to Continue Procedural Schedule and Request for Expedited Treatment electronically filed by Dianne Kuhnell on behalf of Duke Energy Ohio, Inc. and Rocco D'Ascenzo and Kingery, Jeanne W.