

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Commission’s Review)
of the Standard Filing Requirements for) Case No. 19-2103-AU-ORD
Rate Increases in Ohio Administrative Code)
Chapter 4901-07.)

**REPLY COMMENTS OF
DUKE ENERGY OHIO, INC.**

I. Introduction

Pursuant to the Public Utilities Commission of Ohio (Commission) Entry dated December 16, 2020, Duke Energy Ohio, Inc., (Duke Energy Ohio or Company) respectfully submits these reply comments regarding Ohio Administrative Code (O.A.C.) Chapter 4901-7, concerning the standard filing requirements for rate increases.

II. Comments

Initial Comments of the Ohio Consumers’ Counsel (OCC) and Initial Comments of the Retail Energy Supply Association (RESA).¹

In response to the OCC Comments and RESA Comments, Duke Energy Ohio agrees with the Reply Comments of the Ohio Gas Association (OGA), filed on January 29, 2021, in their entirety. As a combination gas and electric utility, Duke Energy Ohio believes that the same arguments made by the OGA apply equally to the filings of electric companies as to the filings of gas companies.

Additionally, insofar as RESA purports to advocate for “unbundling” standard service offer costs from distribution rates, Ohio electric utilities unbundled costs of generation from distribution

¹ See *respectively* Comments on Improving the PUCO’s Standard Filing Requirements for Utility Filings That Affect Consumers’ Utility Services by the Ohio Consumers’ Counsel (January 15, 2021) (OCC Comments) and Comments of Retail Energy Supply Association (January 15, 2021) (RESA Comments).

rates twenty years ago. And the Commission has already held that any further attempts to isolate what RESA calls “costs associated with the provision of the standard service offer,”² must wait “[u]ntil both costs are determined and evaluated,” *i.e.*, both “SSO-specific costs” **and** “costs related specifically to the customer choice program.”³ As OGA argues, the rules are not the appropriate place to address this issue, which the Commission has already stated its intent to examine and address in future proceedings.

In regard to OCC’s proposal to insert language requiring “disclosure of utility and affiliate spending on regulatory relations and legislative lobbying,”⁴ Duke Energy Ohio agrees with OGA that the Commission has no jurisdiction over affiliate expenditures and also adds that utilities do not seek recovery of any lobbying or regulatory relations expenses in their base rate filings. If a utility does not seek recovery of any such expenses, there is no basis for the Commission to review them.

Initial Comments of Various Ohio Utilities.

Duke Energy Ohio supports the initial comments and suggestions of Columbia Gas of Ohio, Inc., Ohio Power Company (AEP), Dominion Energy Ohio, and Vectren Energy Delivery of Ohio, Inc., filed on January 15, 2021, with only one exception.

Duke Energy Ohio respectfully disagrees with AEP’s position on the proposed revision to Chapter II, subsection (B)(9), to which AEP does not object. For the reasons given in the Company’s initial comments,⁵ the Company **does** object to this proposed revision.

² RESA Comments, p. 5.

³ *In the Matter of the Application of Duke Energy Ohio, Inc., for an Increase in Electric Distribution Rates*, Case No. 17-32-EL-AIR, *et al.* Opinion and Order, p. 82 (December 19, 2018).

⁴ OCC Comments, p. 10.

⁵ Initial Comments of Duke Energy Ohio, Inc., pp. 1-2 (January 15, 2021).

III. Conclusion

Duke Energy Ohio thanks the Commission for inviting comments and respectfully requests that the final rule revisions in this proceeding be in accordance with the Company's initial comments and the above reply comments.

Respectfully submitted,

DUKE ENERGY OHIO, INC.

/s/Larisa M. Vaysman

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CERTIFICATE OF SERVICE

I hereby certify that a copy of these Reply Comments was served on the persons stated below via electronic transmission, this 29th day of January 2021.

/s/ Larisa M. Vaysman

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Summary: Comments Reply Comments of Duke Energy Ohio, Inc. electronically filed by Dianne Kuhnell on behalf of Duke Energy Ohio, Inc. and Rocco D'Ascenzo and Vaysman, Larisa M.