

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE PROCUREMENT
OF STANDARD SERVICE OFFER
GENERATION FOR CUSTOMERS OF DUKE
ENERGY OHIO, INC.

CASE NO. 18-6000-EL-UNC

FINDING AND ORDER

Entered in the Journal on May 17, 2023

I. SUMMARY

{¶ 1} The Commission approves the proposed tariffs filed by Duke Energy Ohio, Inc. to update its retail capacity and retail energy riders.

II. DISCUSSION

{¶ 2} Duke Energy Ohio, Inc. (Duke or the Company) is an electric distribution utility as defined in 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} R.C. 4928.141 provides that an electric distribution utility shall provide consumers within its certified territory a standard service offer (SSO) of all competitive retail electric services necessary to maintain essential electric services to customers, including a firm supply of electric generation services. The SSO may be either a market rate offer in accordance with R.C. 4928.142 or an electric security plan (ESP) in accordance with R.C. 4928.143.

{¶ 4} In Case No. 17-1263-EL-SSO, et al., the Commission approved, pursuant to R.C. 4928.143, Duke's application for an ESP, including a competitive bid procurement (CBP) auction process for Duke's SSO load, for the period of June 1, 2018, through May 31, 2024. Under the CBP process, Duke will obtain all generation necessary to serve its SSO load through a series of auctions, which now excludes percentage of income payment plan customers.

{¶ 5} On February 22, 2023, in this case, the Commission authorized Duke to file tariffs that incorporate the rates resulting from the Company's most recent competitive auction, which was held on February 21, 2023, to procure generation supply for SSO customers. *In re Duke Energy Ohio, Inc.*, Case No. 18-6000-EL-UNC, Finding and Order (Feb. 23, 2022).

{¶ 6} R.C. 4928.54 and 4928.544 require the director of development services to aggregate percentage of income payment plan (PIPP) program customers for the purpose of establishing a competitive procurement process for the supply of competitive retail electric service for those customers, which shall be an auction. Additionally, pursuant to the written request by the director of development services, the Commission shall design, manage, and supervise the competitive procurement process.

{¶ 7} On March 2, 2016, in Case No. 16-247-EL-UNC, the Commission adopted a competitive request for a proposed auction process to procure generation supply to serve the PIPP load. *In re Implementation of Sections 4928.54 and 4928.544 of the Revised Code*, Case No. 16-247-EL-UNC, Finding and Order (Mar. 2, 2016).

{¶ 8} On March 8, 2023, in Case No. 16-940-EL-UNC, the Commission authorized Duke to file tariffs that incorporate the rate resulting from the competitive auction which was held on March 7, 2023, to procure generation supply for PIPP customers. *In re Duke Energy Ohio, Inc.*, Case No. 16-940-EL-UNC, Finding and Order (Mar. 8, 2023).

{¶ 9} On April 21, 2023, as revised on April 25, 2023, Duke filed in this case the annual update of its retail capacity and retail energy riders for the delivery period of June 1, 2023, through May 31, 2024.

{¶ 10} On May 8, 2023, Staff filed a review and recommendation in response to Duke's annual update filing. According to Staff, the proposed tariffs incorporate the results of the recent PIPP and SSO auctions. Following its review, Staff recommends that the proposed tariffs be approved and become effective June 1, 2023.

{¶ 11} No other comments or motions for intervention were filed in this case regarding this tariff filing.

{¶ 12} Upon review of Duke's updated retail capacity and retail energy rider rates and Staff's recommendation, the Commission finds that the proposed tariffs filed by the Company do not appear to be unjust or unreasonable and should be approved.

III. ORDER

{¶ 13} It is, therefore,

{¶ 14} ORDERED, That the proposed tariffs filed by Duke be approved. It is, further,

{¶ 15} ORDERED, That the effective date of the new tariffs shall be June 1, 2023. It is, further,

{¶ 16} ORDERED, That nothing in this Finding and Order shall be binding upon the Commission in any future proceeding or investigation involving the justness or reasonableness of any rate, charge, rule, or regulation. It is, further,

{¶ 17} ORDERED, That a copy of this Finding and Order be served on all interested persons and parties of record.

COMMISSIONERS:

Approving:

Jenifer French, Chair
Daniel R. Conway
Lawrence K. Friedeman
Dennis P. Deters
John D. Williams

MJS/dmh

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5/17/2023 2:37:50 PM

in

Case No(s). 18-6000-EL-UNC

Summary: Finding & Order that the Commission approves the proposed tariffs filed by Duke Energy Ohio, Inc. to update its retail capacity and retail energy riders electronically filed by Ms. Donielle M. Hunter on behalf of Public Utilities Commission of Ohio.