

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Commission's Review)
of the Rules Concerning Long-Term) Case No. 10-2912-GE-ORD
Forecast Reports Contained in Chapter)
4901:5-1; 4901:5-3; 4901:5-5; and 4901:5-)
7, Ohio Administrative Code)

REPLY COMMENTS
OF
DUKE ENERGY OHIO, INC.

I. INTRODUCTION

In its Entry dated December 15, 2010, the Public Utilities Commission of Ohio (Commission) proposed certain changes to its rules in Chapters 4901:5-1; 4901: 5-3; 4901:5-5; and 4901: 5-7 of the Ohio Administrative Code. The Commission sought comments to be filed on January 18, 2011 and reply comments by February 1, 2011.

Although Duke Energy Ohio did not submit initial comments in response to the Commission's proposed rules, it respectfully submits its reply comments below.

II. REPLY COMMENTS

4901:5-5-03(C)(4)(b)

In its Initial Comments, Ohio Edison Company, the Cleveland Electric Illuminating Company and the Toledo Edison Company (together Joint Advocates) propose to remove this rule because part (b) is not a requirement of the Ohio Revised Code. If the section is to be

retained, then at a minimum, a definition of “demand function” should be provided as well as guidelines about how to apply that demand function to the forecast. Duke Energy Ohio does not oppose the removal of part (b) or provisionally, that a definition of demand function be provided.

4901-5-5-04(d)(1) and (2); form FE3-T9 [section (1)] and FE3-T10 [section (2)]

The Joint Advocates propose these forms along with the supporting text be removed and that they not be required to be submitted as part of the company’s long term forecast report, or alternatively, that referencing the MISO and PJM websites, as applicable, be sufficient to meet the requirements of these rules. Duke Energy Ohio does not oppose the omission of these forms as part of the company’s long term forecast report.

4901-5-5-04(E)(1)

Since the on-line models provided by MISO and PJM can provide one standard source for models, the Joint Advocates recommend that the utilities only be required to submit diagrams in their long term forecast report for the base cases of the transmission owner’s transmission system in Ohio. Duke Energy Ohio agrees with the Joint Advocates’ recommendation as to submitting only diagrams and agrees with the rationale that only submitting diagrams will avoid the chance that different versions of the models would be submitted by individual companies.


4901-5-5-06(A)

The Joint Advocates are requesting clarification regarding whether forms required by this Rule are applicable if the only interruptible load the companies can provide is what they have contracted for through tariffs/riders (*e. g.* through an ESP). Duke Energy Ohio agrees with request for clarification and the Joint Advocates’ position that the companies would be unable to forecast such load in a long-term forecast under regulatory framework.

III. CONCLUSION

Duke Energy Ohio appreciates the opportunity to provide reply comments in this matter. For the reasons stated above, Duke Energy Ohio respectfully requests that the Commission consider the comments provided herein and adopt the changes proposed by Duke Energy Ohio in the afore-referenced code sections.

Respectfully submitted,



Elizabeth H. Watts (0031092)
Associate General Counsel
Rocco O. D'Ascenzo
Associate General Counsel
Amy B. Spiller
Deputy General Counsel
Duke Energy Ohio
139 E. Fourth Street
P.O. Box 960
Cincinnati, Ohio 45201-0960
Phone: 513-287-4359
Facsimile: 513-287-4385