

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of the City        )  
of Cincinnati, for Approval of a Reasonable        )        Case No. 14-1409-EL-EEC  
Arrangement    )

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

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On August 14, 2014, the City of Cincinnati (City) submitted an application that purports to commit the energy efficiency and peak demand reduction from a proposed upgrade of approximately 4,500 streetlights from High Intensity Discharge to Light Emitting Diode (LED) technology, to Duke Energy Ohio, Inc. (Duke Energy Ohio) in exchange for a prescriptive incentive from Duke Energy Ohio. The City's application refers to the Duke Energy Ohio Efficient Outdoor Lighting SmartSaver® Prescriptive Incentive Program and claims that it should be eligible for this program. However, this program is one that is approved by the Commission and effectuated as part of the Company's energy efficiency portfolio of programs that are supported by its energy efficiency rider, Rider EE-PDR.

The City's streetlights fall under Duke Energy Ohio's Unmetered Outdoor Lighting Electric Service (UOLS).<sup>1</sup> Customers who take service pursuant to this tariff do not pay a volumetric charge for the energy consumed and do not pay Rider EE-PDR. Thus, the City of Cincinnati is not eligible to participate in the Efficient Outdoor Lighting SmartSaver® Prescriptive Program, since the City does not contribute toward that program that is supported by other customers. It would be inequitable to permit the City to take advantage of a program for services that do not contribute to the existence of the program. While the City recognizes in its application that it is not eligible for this program, it refers to other

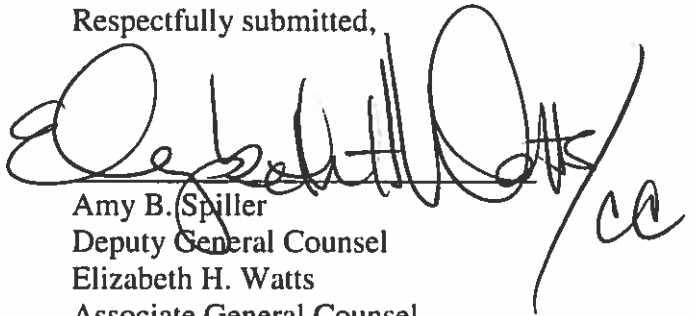
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<sup>1</sup> Duke Energy Ohio, Inc., Electric Tariff, P.U.C.O. Electric No.19, Sheet No.67.14. (Copy of tariff attached)

active accounts with Duke Energy Ohio. However, such accounts are not relevant to this application. It is anticipated that the City will experience an energy savings as a result of its energy efficiency investment.

Duke Energy Ohio respectfully requests that the Commission consider these comments in reaching a decision with respect to the City's application.

Respectfully submitted,

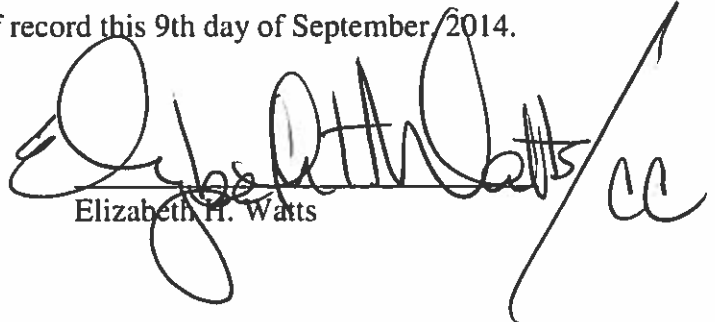
A handwritten signature in black ink, appearing to read 'Amy B. Spiller', is written over a horizontal line. To the right of the signature, there are initials 'ca'.

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*Attorneys for Duke Energy Ohio, Inc.*

**PROOF OF SERVICE**

I certify that Duke Energy Ohio, Inc.'s Comments were served by electronic mail upon counsel identified below for all parties of record this 9th day of September 2014.



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Counsel for the City of Cincinnati

## RATE UOLS

### UNMETERED OUTDOOR LIGHTING ELECTRIC SERVICE

#### APPLICABILITY

Applicable for electric energy usage only for any street or outdoor area lighting system (System), operating during the dusk to dawn time period, on private or public property and owned by the customer or the Company. The customer must be adjacent to an electric power line of the Company that is adequate and suitable for supplying the necessary electric service.

Service under this tariff schedule shall require a written agreement between the customer and the Company specifying the calculated lighting kilowatt-hours. The System shall comply with the connection requirements in the Company's Electric Service Regulations, Section III, Customer's and Company's Installations.

For customers taking service under any or all of the provisions of this tariff schedule, this same schedule shall constitute the Company's Standard Service Offer.

#### CONTRACT FOR SERVICE

The customer will enter into an Agreement for Electric Service for Outdoor Lighting for a minimum of one year and renewable annually, automatically, thereafter.

The Company will provide unmetered electric service based on the calculated annual energy usage for each luminaire's lamp wattage plus ballast usage (impact wattage). The System kilowatt-hour usage shall be determined by the number of lamps and other System particulars as defined in the written agreement between the customer and Company. The monthly kilowatt-hour amount will be billed at the rate contained in the NET MONTHLY BILL section below.

#### LIGHTING HOURS

The unmetered lighting System will be operated automatically by either individual photoelectric controllers or System controller(s) set to operate on either dusk-to-dawn lighting levels or on pre-set timers for any hours between dusk-to-dawn. The hours of operation will be agreed upon between the customer and the Company and set out in the Agreement. Dusk-to-dawn lighting typically turns on and off approximately one-half (1/2) hour after sunset and one-half (1/2) hour before sunrise which is approximately 4160 hours annually.

#### NET MONTHLY BILL

Computed in accordance with the following charge:

- |                           |                    |
|---------------------------|--------------------|
| 1. Base Rate Distribution | \$0.004611 per kWh |
|---------------------------|--------------------|

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Filed pursuant to an Order dated November 22, 2011 in Case No. 11-3549-EL-SSO before the Public Utilities Commission of Ohio.

Issued: December 19, 2011

Effective: January 1, 2012

Issued by Julie Janson, President

**NET MONTHLY BILL (Contd.)**

**2. Applicable Riders**

The following riders are applicable pursuant to the specific terms contained within each rider:

- Sheet No. 70, Rider DR-IKE, Storm Recovery Rider
- Sheet No. 80, Rider SCR, Supplier Cost Reconciliation Rider
- Sheet No. 81, Rider EER, Energy-Efficiency Revolving Loan Program Rider
- Sheet No. 83, Rider OET, Ohio Excise Tax Rider
- Sheet No. 86, Rider USR, Universal Service Fund Rider
- Sheet No. 88, Rider UE-GEN, Uncollectible Expense – Electric Generation Rider
- Sheet No. 89, Rider BTR, Base Transmission Rider
- Sheet No. 97, Rider RTO, Regional Transmission Organization Rider
- Sheet No. 105, Rider DR-ECF, Economic Competitiveness Fund Rider
- Sheet No. 108, Rider UE-ED, Uncollectible Expense – Electric Distribution Rider
- Sheet No. 109, Rider RECON, Fuel and reserve Capacity Reconciliation Rider
- Sheet No. 110, Rider AER-R, Alternative Energy Recovery Rider
- Sheet No. 111, Rider RC, Retail Capacity Rider
- Sheet No. 112, Rider RE, Retail Energy Rider
- Sheet No. 113, Rider ESSC, Electric Security Stabilization Charge Rider
- Sheet No. 115, Rider SCR, Supplier Cost Reconciliation Rider

**LATE PAYMENT CHARGE**

Payment of the total amount due must be received in the Company's office by the due date shown on the bill. When not so paid, an additional amount equal to one and one-half percent (1.5%) of the unpaid balance is due and payable. The late payment charge is not applicable to unpaid account balances for services received from a Certified Supplier.

**OWNERSHIP OF SERVICE LINES**

Company will provide, install, own, operate and maintain the necessary facilities for furnishing electric service to the System defined in the agreement. If the customer requires the installation of a System at a location which requires the extension, relocation, or rearrangement of the Company's distribution system, the customer shall, in addition to the monthly charge, pay the Company on a time and material basis, plus overhead charges, the cost of such extension, relocation, or rearrangement, unless in the judgment of the Company no charge should be made. An estimate of the cost will be submitted for approval before work is carried out.

The Company shall erect the service lines necessary to supply electric energy to the System within the limits of the public streets and highways or on private property as mutually agreed upon by the Company and the customer. The customer shall assist the Company, if necessary, in obtaining adequate written easements covering permission to install and maintain any service lines required to serve the System.

The Company shall not be required to pay for obtaining permission to trim or re-trim trees where such trees interfere with lighting output or with service lines or wires of the Company used for supplying electric energy to the System. The customer shall assist the Company, if necessary, in obtaining permission to trim trees where the Company is unable to obtain such permission through its own best efforts.

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Duke Energy Ohio  
139 East Fourth Street  
Cincinnati, Ohio 45202

P.U.C.O. Electric No. 19  
Sheet No. 67.14  
Cancels and Supersedes  
Sheet No. 67.13  
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**SERVICE REGULATIONS**

The supplying of, and billing for, service and all conditions applying thereto, are subject to the jurisdiction of the Public Utilities Commission of Ohio, and to the Company's Service Regulations currently in effect, as filed with the Public Utilities Commission of Ohio.

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