

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Duke)
Energy Ohio, Inc. for Approval of its)
Temporary Plan and Waiver of Tariffs and) Case No. 20-599-GE-UNC
Rules Related to the COVID-19 State of)
Emergency.)

In the Matter of the Application of Duke)
Energy Ohio, Inc. for Approval of a) Case No. 20-856-EL-AEC
Reasonable Arrangement.)

In the Matter of the Application of Duke)
Energy Ohio, Inc. to Modify its Economic) Case No. 20-857-EL-RDR
Competitiveness Fund Rider and Request for)
Waivers.)

**REVISED DUKE ENERGY OHIO, INC.’S MEMORANDUM CONTRA THE
MOTION BY CONSUMER PARTIES TO PROTECT PIPP CUSTOMERS
DURING THE TRANSITION TO RESUME NORMAL OPERATIONS BY
CONSUMER PARTIES**

I. Introduction

Pursuant to the provisions of O.A.C. 4901-1-12(B)(1) Duke Energy Ohio, Inc., (Duke Energy Ohio or Company) hereby files its revised memorandum contra (Memorandum Contra) the “Motion to Protect PIPP Customers During the Transition to Resume Normal Operations” (Motion), filed with the Public Utilities Commission of Ohio (Commission) on September 25, 2020, by the Coalition On Homelessness and Housing in Ohio, Office of the Ohio Consumers’ Counsel (OCC), Ohio Poverty Law Center, Pro Seniors, Inc., and Southeastern Ohio Legal Services (collectively, the Consumer Parties). Through their Motion, the Consumer Parties request that the

Commission prohibit Duke Energy Ohio from dropping customers from the Percentage of Income Payment Program (PIPP) earlier than January 2021.

Duke Energy Ohio respectfully submits that the Commission should deny the Consumer Parties' Motion as moot. As more fully explained below, the Consumer Parties' request is simply not necessary. Duke Energy Ohio is revising its memorandum contra solely for the purpose of adding case numbers 20-856-EL-AEC and 20-857-EL-RDR.

II. Discussion

On June 26, 2020, Duke Energy Ohio filed its Transition Plan to resume normal operations and billing practices (Plan).¹ Within that Plan, as it relates to PIPP and Graduate PIPP customers, the Company stated that it will “coordinate with the Ohio Development Services Agency” (ODSA) to resume both programs.² On July 29, 2020, the Commission issued its Supplemental Finding and Order that, among other things, approved the Company's Plan, affirmed that the Company should work with ODSA to resume the PIPP and Graduate PIPP programs, and directed the Company to file a notice in the docket confirming how the programs will resume normal operations.³ On September 1, 2020, Duke Energy Ohio filed its Notice as directed by the Commission (Notice).⁴

The Company's Notice explains that the Company worked with ODSA to “determine how and when eligibility and verification requirements will be reinstated after

¹ Transition Plan of Duke Energy Ohio, June 26, 2020.

² Transition Plan at pg. 10

³ Supplemental Finding and Order at pg. 7.

⁴ Notice of Duke Energy Ohio, Inc. Confirming How the Percentage of Income Payment Plan and Graduate Percentage of Income Payment Plan Will Resume to Normal Operations at pg. 1 (September 1, 2020).

the moratorium ends and whether missed PIPP payments will be rolled into arrears.”⁵ The Notice goes on to state that ODSA plans to resume reverification drops starting January 1, 2021, but will evaluate the status and impact of COVID-19 in December 2020, which may further postpone PIPP Plus reverification drops. Duke Energy Ohio further stated that “[i]n January 2021, Duke Energy Ohio will begin our anniversary date drop process.”⁶ Clearly, the Company’s plan is consistent with that of ODSA. Duke Energy Ohio has no intention to “drop” customers from PIPP without coordination and directive from the ODSA, and that is precisely what the Company stated in its September 1, 2020 Notice. The Consumer Parties’ Motion is irrelevant as the Commission, ODSA, and the Company have already set into motion the exact relief requested.

Accordingly, the Consumer Parties’ Motion is moot and should be disregarded and denied by the Commission.

⁵ *Id.*

⁶ *Id.* at pp. 1-2.

Respectfully submitted,

DUKE ENERGY OHIO, INC.

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CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing was delivered by U.S. mail (postage prepaid) or electronic mail, on this 13th day of October, 2020, to the parties listed below.

/s/ Rocco O. D'Ascenzo
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