

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of Duke)
Energy Ohio, Inc., to Adjust and Set the) Case No. 06-1085-EL-UNC
Annually Adjusted Component of its Market)
Based Standard Service Offer.)

ENTRY

The attorney examiner finds:

- (1) *In In the Matter of the Application of The Cincinnati Gas & Electric Company to Modify Its Nonresidential Generation Rates to Provide for Market-Based Standard Service Offer Pricing and to Establish an Alternative Competitive-Bid Service Rate Option Subsequent to the Market Development Period*, Case No. 03-93-EL-ATA, et al., the Commission authorized Duke Energy Ohio, Inc. (DE-Ohio), to recover various costs through identified riders.¹ One of those riders, the annually adjusted component (AAC), was established by the Commission to recover DE-Ohio's environmental costs, costs resulting from changes in tax laws, and costs for homeland security. The level for the AAC was fixed for two years and was then subject to annual modification.
- (2) On September 5, 2006, DE-Ohio filed an application to establish its AAC for 2007.
- (3) On September 11, 15, and 20, and October 3, 2006, motions for intervention were filed by the Ohio Energy Group (OEG), the Office of the Ohio Consumers' Counsel (OCC), Industrial Energy Users-Ohio (IEU), Ohio Partners for Affordable Energy (OPAE). Among other things, the movants note concerns regarding the effect of this proceeding on the price, adequacy and reliability of electric supply and related services within Ohio. Therefore, the examiner finds that a hearing should be held on this application.

¹ DE-Ohio was formerly known as the Cincinnati Gas & Electric Company. In this entry, it will be referred to as DE-Ohio, regardless of its name at the time being discussed. Case names, however, will not be modified.

- (4) A hearing should be scheduled for Tuesday, December 5, 2006, at 10:00 a.m., in Hearing Room 11-F, 11th floor, at the Commission offices, at 180 East Broad Street, Columbus, Ohio 43215.
- (5) Testimony was filed by DE-Ohio on September 5, 2006. If DE-Ohio desires to file any additional testimony, such testimony will be due no later than November 21, 2006. Testimony to be filed by any intervenor or by staff will be due no later than November 28, 2006.
- (6) As the examiner finds that the intervenors have set forth valid reasons for intervention, all of the motions to intervene will be granted. A motion for admission *pro hac vice* was filed to admit David C. Rinebolt to practice before the Commission. This motion will also be granted.

It is, therefore,

ORDERED, That a hearing be scheduled as set forth finding (4). It is, further,

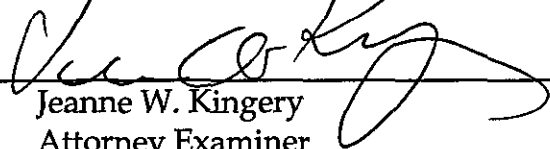
ORDERED, That testimony be filed as set forth in finding (5). It is, further,

ORDERED, That motions by OCC, IEU, OPAC, and OEG for intervention be granted, as set forth in finding (6). It is, further,

ORDERED, That the motion for admission *pro hac vice* be granted, as discussed in finding (6). It is, further,

ORDERED, That a copy of this entry be served upon all parties of record in this proceeding.

THE PUBLIC UTILITIES COMMISSION OF OHIO

By: 
Jeanne W. Kingery
Attorney Examiner

ERG/ct

Entered in the Journal



Renee J. Jenkins
Secretary