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BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

PUCO

Consolidated Duke Energy Ohio, Inc.,)	Case Nos.: 03-93-EL-ATA
Rate Stabilization Plan Remand and)	03-2079-EL-AAM
Rider Adjustment Cases.)	03-2080-EL-ATA
)	03-2081-EL-AAM
)	05-724-EL-UNC
)	05-725-EL-UNC
)	06-1068-EL-UNC
)	06-1069-EL-UNC
)	06-1085-EL-UNC

NOTICE OF INDUSTRIAL ENERGY USERS-OHIO

Samuel C. Randazzo, Trial Attorney
Daniel J. Neilsen
Lisa G. McAlister
Joseph M. Clark
MCNEES WALLACE & NURICK LLC
21 East State Street, 17th Floor
Columbus, Ohio 43215
(614) 469-8000 (T)
(614) 469-4653 (F)
sam@mwncmh.com
lmcAlister@mwncmh.com
dneilsen@mwncmh.com
jclark@mwncmh.com

April 13, 2006

Attorneys for Industrial Energy Users-Ohio

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(C23062:)

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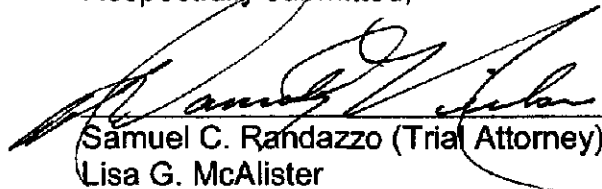
NOTICE OF INDUSTRIAL ENERGY USERS-OHIO

This case, involving Duke Energy-Ohio's ("DE-Ohio") rate stabilization plan ("RSP"), was remanded to the Public Utilities Commission of Ohio ("Commission") by the Ohio Supreme Court in *Ohio Consumers' Counsel v. Pub. Util. Comm.*, 111 Ohio St.3d 300, 2006-Ohio-5789 on November 22, 2006 directing the Commission to, among other things, provide additional record evidence and sufficient reasoning to support the Commission's Opinion and Order and Entry on Rehearing approving Duke's current RSP. Subsequently, the Attorney Examiners issued an Entry bifurcating the proceeding to consider first the Ohio Supreme Court's remand of the RSP case ("Phase I"), and second, the issues relating to the costs and management of certain defined components of the RSP previously approved by the Commission. Entry at 2 (February 1, 2007).

The evidentiary hearing for the Phase I portion of this proceeding commenced on March 19, 2007 and concluded on March 21, 2007. At the conclusion of the evidentiary hearing, the Attorney Examiners set forth the due

dates for initial and reply briefs for April 13 and 24, 2007, respectively. IEU-Ohio hereby gives notice that it will not file an initial brief in the Phase I portion of this proceeding, but reserves the right to file a reply brief.

Respectfully submitted,



Samuel C. Randazzo (Trial Attorney)

Lisa G. McAlister

Daniel J. Neilsen

Joseph M. Clark

McNees Wallace & Nurick LLC

21 East State Street, 17th Floor

Columbus, Ohio 43215

(614) 469-8000 (T)

(614) 469-4653 (F)

sam@mwncmh.com

lmcAlister@mwncmh.com

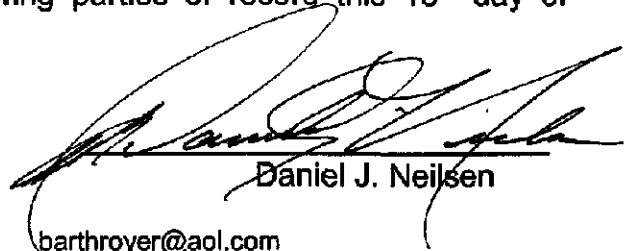
dneilsen@mwncmh.com

jclark@mwncmh.com

Attorneys for Industrial Energy Users-Ohio

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing *Notice of Industrial Energy Users-Ohio* was served upon the following parties of record this 13th day of April 2007, via electronic transmission.



Daniel J. Neilsen

Jeanne.Kingery@puc.state.oh.us
Scott.Farkas@puc.state.oh.us
paul.colbert@duke-energy.com
rocco.d'ascenzo@duke-energy.com
anita.schafer@duke-energy.com
small@occ.state.oh.us
hotz@occ.state.oh.us
sauer@occ.state.oh.us
cmooney2@columbus.rr.com
dboehm@bkillawfirm.com
mkurtz@bkillawfirm.com
Thomas.mcnamee@puc.state.oh.us
werner.margard@puc.state.oh.us
Stephen.Reilly@puc.state.oh.us
drInebolt@aol.com
WTTPMLC@aol.com
schwartz@evainc.com
rsmithla@aol.com

barthroyer@aol.com
sbloomfield@bricker.com
tobrien@bricker.com
dane.stinson@baileycavalieri.com
JKubacki@strategicenergy.com
korkosza@firstenergycorp.com
mchristensen@columbuslaw.org
tschneider@mgsglaw.com
shawn.leyden@pseg.com
ricks@ohanet.org
cgoodman@energymarketers.com
nmorgan@lascinti.org
eagleenergy@fuse.net
ariane.johnson@duke-energy.com
mdortch@kravitzllc.com
mhpetricoff@vssp.com
jfinnigan@Cinergy.com