

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of)
Duke Energy Ohio, Inc. for an) Case No. 07-589-GA-AIR
Increase in Gas Rates.)

ENTRY

The Commission finds:

- (1) Duke Energy Ohio, Inc. (Applicant or Duke Energy), is a natural gas company as defined by Section 4905.03(A)(6), Revised Code, and a public utility as defined by Section 4905.02, Revised Code. Applicant is, therefore, subject to the jurisdiction of this Commission.
- (2) A notice of intent to file an application for an increase in rates was filed on June 18, 2007, pursuant to Section 4909.43(B), Revised Code, and in compliance with amended Chapter I of the Commission's Standard Filing Requirements, Sections A and B.
- (3) The application of Duke Energy for an increase in rates is governed by and must meet the requirements of Sections 4909.17 to 4909.19 and 4909.42, Revised Code.
- (4) Section 4909.15(C), Revised Code, provides that, unless otherwise ordered by the Commission, the test period for determining cost of service shall be the twelve-month period beginning six months prior to the date the application is filed and ending six months subsequent to that date and that in no event shall the test period end more than nine months subsequent to the date the application is filed. This section also requires that the date certain be not later than the date of filing. The Applicant moves that its test period begin January 1, 2007, and end December 31, 2007, and that the date certain be March 31, 2007. Applicant's proposed test period and date certain comply with Section 4909.15(C), Revised Code, and should be approved.
- (5) Applicant has requested a waiver of the standard filing requirement under Section 4901-7-01, Revised Code, Appendix A, Chapter II(C)(13), relating to system layout maps. This

This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business.
Technician Am Date Processed 7/11/07

filing requirement states that the Applicant must provide maps of its natural gas distribution system with the filing of its forthcoming application. Duke Energy realizes it has an obligation to provide the maps and wants to accommodate the Staff in its review of those maps. However, the Applicant states that the filing of system layout maps with its application would make the maps public information. The Applicant believes that placing these maps in the public domain would create an unnecessary system security issue. To alleviate its security concerns, the Applicant has stated it will make copies of its system layout maps available for review by Staff in the Applicant's offices, in lieu of filing copies of the maps with the filing of its base rate case application. The Applicant's request is well supported with a showing of good cause, is reasonable and should be approved.

- (6) The Applicant has also requested a waiver from Section 4901-7-01, Revised Code, Appendix A, Chapter II(C)(28) and (29), standard filing requirements, related to yearly kwh generated and monthly fuel expense, respectively. In support of its request, Duke Energy states that the information required by these filing requirements pertains to electric distribution utility base rate cases. As such, this information is not relevant to its current proceeding before the Commission in which it is requesting an increase in its gas distribution rates and charges. The Applicant's requests are reasonable and should be granted as requested.
- (7) The Applicant has requested a waiver from Section 4901-7-01, Revised Code, Appendix A, Chapter II(C)(37) and (44), related to providing information regarding federal and state income tax returns. The Applicant has expressed concerns regarding the confidentiality of these documents and wishes only to make them available for review at the Applicant's offices. The request is reasonable and should be granted as requested.

It is, therefore,

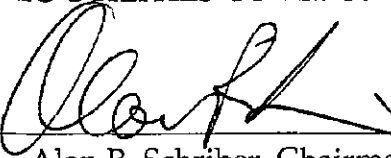
ORDERED, That the test period of the Applicant, Duke Energy Ohio, Inc., shall begin January 1, 2007, and end December 31, 2007, and the date certain shall be March 31, 2007. It is, further,

ORDERED, That the appropriate method for making any changes to the date certain or test period shall be the filing of a new notice of intent to file an application for an increase in rates and withdrawal of the pending application. It is, further,

ORDERED, That the requests for waivers made by the Applicant are granted as set forth in Findings 5, 6 and 7. It is, further,

ORDERED, That a copy of the Entry be served upon all parties of record.

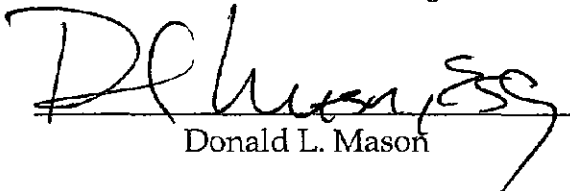
THE PUBLIC UTILITIES COMMISSION OF OHIO


Alan R. Schriber, Chairman


Paul A. Centolella


Ronda Hartman Fergus


Valerie A. Lemmie


Donald L. Mason

HW:djb

Entered in the Journal

JUL 11 2007



Renee J. Jenkins

Secretary