

## 1 BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

2 - - -  
3 In the Matter of the : Case No. 06-91-EL-UNC  
4 application for Recovery : No. 06-92-EL-UNC  
5 of the Costs, Lost Margin, : No. 06-93-~~EL~~-UNC  
6 and Performance Incentive : 6A  
7 Associated with the :  
8 implementation of Electric:  
9 Residential Demand Side :  
10 Management Programs by the:  
11 Cincinnati Gas & Electric :  
12 Company. :  
13 - - -

## 10 PROCEEDINGS

11 before Scott Farkas, Hearing Examiner, at the Public  
12 Utilities Commission of Ohio, 180 East Broad Street,  
13 Room G, Columbus, Ohio, called at 10:29 a.m. on  
14 Thursday, June 27, 2007.  
15 - - -

16  
17  
18  
19  
20  
21 ARMSTRONG & OKEY, INC.  
22 185 South Fifth Street, Suite 101  
23 Columbus, Ohio 43215-5201  
24 (614) 224-9481 - (800) 223-9481  
Fax - (614) 224-5724

ORIGINAL

PUCO

2007 JUL 12 AM 11:11

RECEIVED-DOCKETING DIV

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 *Ar* Date Processed *7/27/07*

## 1 APPEARANCES:

2 Duke Energy  
3 By Mr. Paul Colbert  
4 and Mr. Rocco D'Anscenzo  
5 155 East Broad Street  
6 Columbus, Ohio 43215

7 On behalf of Duke Energy Ohio.

8 McNeese, Wallace & Nurick  
9 By Mr. Daniel J. Neilsen  
10 Fifth Third Center, Suite 1700  
11 21 East State Street  
12 Columbus, Ohio 43215

13 On behalf of the Industrial Energy  
14 Users of Ohio.

15 Boehm, Kurtz & Lowry  
16 By Mr. David Boehm  
17 Mr. Kurt Boehm  
18 36 East Seventh Street, Suite 1510  
19 Cincinnati, Ohio 45202-4454

20 On behalf of Kroger Company  
21 and the Ohio Energy Group

22 Janine L. Migden-Ostrander  
23 Ohio Consumers' Counsel  
24 Mr. Larry S. Sauer  
10 West Broad Street, Suite 1800  
Columbus, Ohio 43215-3485

On behalf of the Residential  
Consumers of the State of Ohio.

Mark Dann, Ohio Attorney General  
Duane W. Luckey, Senior Deputy  
Attorney General  
Public Utilities Section  
Mr. William Wright  
180 East Broad Street, 9th Floor  
Columbus, Ohio 43215-3793

On behalf of the Staff of the Public  
Utilities Commission.

## INDEX

- - -

## WITNESS

## PAGE

Richard Stevie  
Direct Examination by Mr. Colbert

7

- - -

## COMPANY EXHIBITS

## IDFD ADMTD

1 - Amended Application of Duke Energy

6 13

## JOINT EXHIBITS

1 - Stipulation and Recommendation

6 13

## COMMISSION-ORDERED EXHIBITS

1 - Staff Report

7 13

- - -

1 Thursday Morning Session,

2 June 27, 2007.

3 - - -

4 THE HEARING EXAMINER: The Commission has  
5 called this hearing at this time and place In the  
6 Matter of the Application for Recovery of the Costs,  
7 Lost Margin, and Performance Incentive Associated  
8 with the Implementation of Electric Residential  
9 Demand Side Management Programs by the Cincinnati Gas  
10 & Electric Company, Case No. 06 - 91-92-93 - EL-UNC.

11 My name is Scott Farkas, an attorney  
12 examiner assigned to these cases.

13 At this time I will take appearances.

14 MR. WRIGHT: Thank you, your Honor. On  
15 behalf of the staff of Public Utilities Commission,  
16 Bill Wright, 180 East Broad Street, Columbus, Ohio  
17 43215, and I would also like to enter the presence of  
18 several staff members, with us today Greg Scheck,  
19 Steve Brennan, Steve Pican.

20 MR. COLBERT: On the Duke Energy Ohio,  
21 Paul Colbert and Rocco D'Anscenzo, 2500 Atrium 2, 139  
22 East Fourth street, Cincinnati, Ohio, 45201-0960.

23 MR. NEILSEN: Your Honor, on behalf of  
24 the Industrial Energy Users Ohio, with the office of

1 the McNees Wallace & Nurick, Daniel J. Neilsen, 21  
2 East Street, 17th floor, Columbus, Ohio 43215.

3 MR. BOEHM: Your Honor, my name is Kurt  
4 Boehm, appearing on behalf of the Kroger Company and  
5 the Ohio Energy Group, from the law firm of Boehm,  
6 Kurtz and Lowery, Cincinnati Ohio, 452 much 0.

7 MR. SAUER: Your Honor, on behalf of the  
8 residential customers of Duke Energy Ohio, the office  
9 of the Ohio Consumers' Counsel, Janine L.  
10 Migden-Ostrander, consumers counsel, Larry Sauer,  
11 assistant consumers counsel 10 East Broad Street,  
12 Ohio 4215.

13 THE HEARING EXAMINER: I note for the  
14 record a stipulation was filed in this case on  
15 June 14. Do you want to comment on that?

16 MR. COLBERT: Yes, your Honor. Thank  
17 you.

18 Your Honor, I guess I have one  
19 preliminary matter, and then I would ask to mark  
20 several exhibits, and the company is also prepared to  
21 offer a witness in the case, but as a preliminary  
22 matter, I have had discussion with the Ohio School  
23 Board Association, general counsel, Mr. Rick  
24 Dickinson, and he has asked that and authorized me to

1 represent on the record that the School Board  
2 Association supports the school incentive program,  
3 which is a part of the application and stipulation.  
4 And I would ask that the Commission approve that as  
5 soon as practical.

6 THE HEARING EXAMINER: Okay.

7 MR. COLBERT: With that, Your Honor, I  
8 would offer as Joint Exhibit 1 a Stipulation and  
9 Recommendation. It is signed by a number of parties  
10 including staff, the Ohio Energy Group, the Ohio  
11 Consumers' Counsel, Kroger and Duke Energy Ohio.

12 And I would mark as Duke Energy Ohio  
13 Exhibit 1, an amended application filed on August 15,  
14 in this docket.

15 And with that, I would ask that  
16 Dr. Richard Stevie be called as company witness  
17 regarding the stipulation.

18 THE HEARING EXAMINER: Thank you. Just  
19 for the record, the IEU does not oppose the  
20 stipulation; is that correct?

21 MR. NEILSEN: That is correct, your  
22 Honor.

23 THE HEARING EXAMINER: Thank you.

24 Also for the record, I think the staff --

1 we will mark the staff report as Commission-Ordered  
2 Exhibit No. 1.

3 MR. WRIGHT: Yes, thank you.

4 THE HEARING EXAMINER: Those be so  
5 marked.

6

- - -

7

RICHARD STEVIE

8 being first duly sworn, as prescribed by law, was  
9 examined and testified as follows:

10

DIRECT EXAMINATION

11

By Mr. Colbert:

12

Q. Good morning, Dr. Stevie.

13

A. Good morning.

14

15 Q. Dr. Stevie, can you state your full name  
16 and your position with the company for the record,  
please?

17

18 A. Yes. My name is Richard G. Stevie, and I  
19 am the managing director of Customer Market Analytics  
for the Duke Energy Shared Services Corporation.

20

21 Q. Dr. Stevie, I'm going to ask about  
22 several topics here relating to the Commission's  
23 standard for approval of stipulations. The first  
24 topic is whether the stipulation was a product of  
serious bargaining among capable and knowledgeable

1 parties. In that regard, Dr. Stevie, were you  
2 present at discussions before the Duke Energy  
3 Community Partnership regarding the programs that  
4 appear in Duke Energy Ohio's application that has now  
5 been marked as Duke Energy Ohio Exhibit 1?

6 A. Yes, I was present for those discussions.

7 Q. And are you aware that both  
8 representatives of staff and the Ohio Consumers'  
9 Counsel participated in those discussions?

10 A. Yes.

11 Q. And are you aware that Hamilton County  
12 and Clermont County Community Action agencies  
13 participated in those discussions?

14 A. Yes, they did.

15 Q. And are you aware that those two  
16 organizations are members of Ohio Partners for  
17 Affordable Energy?

18 A. Yes.

19 Q. And are you aware of additional community  
20 organizations that participated in those discussions?

21 A. Yes. They are actually listed in the  
22 amended application.

23 Q. Can you identify those organizations?

24 A. Yes. Working in Neighborhoods, People



1 Working Cooperatively, looks like the Homeownership  
2 Center of Greater Cincinnati, the Adams and Brown  
3 County Economic Opportunities, Communities United for  
4 Action, and Cincinnati Public Schools, and the Ohio  
5 Department of Development.

6 Q. Very good. And in your experience with  
7 the Duke Energy Community Partnership, are these  
8 organizations that have been, for the most part,  
9 consistently active in that partnership over the  
10 years?

11 A. For the most part, that's correct.

12 Q. And do you know whether many of these  
13 organizations have professional experience in the  
14 contracting and implementation of energy efficiency  
15 and weatherization programs?

16 A. Yes, they do.

17 Q. And those programs are similar to the  
18 programs that are included in the application and the  
19 Stipulation and Recommendation?

20 A. Yes.

21 Q. And, Dr. Stevie, are you aware of  
22 discussions to arrive at the Stipulation and  
23 Recommendation between Duke Energy Ohio and other  
24 parties to the stipulation, such as Kroger, Ohio

1 Energy Group, and Industrial Energy Users-Ohio?

2 A. Yes.

3 Q. And to your knowledge are those parties  
4 that have extensive experience in matters before the  
5 Commission, including matters regarding energy  
6 efficiency and weatherization programs?

7 A. Yes.

8 Q. Dr. Stevie, moving on to the second  
9 criteria, whether these programs benefit the public,  
10 can you describe for the record some of the program  
11 content in this stipulation and how it would benefit  
12 consumers in DE-Ohio's certified territory?

13 A. Yes. There are the number of programs,  
14 such as -- well there's the number of residential  
15 programs and commercial programs that will offer  
16 customers the opportunity to find ways to reduce  
17 their energy consumption through the design of the  
18 programs. For example, the Home Energy House Call  
19 Program provides residential customers with an  
20 opportunity to investigate ways in which they can  
21 reduce their energy consumption, and there are other  
22 programs that offer incentives for the installation  
23 of more efficient energy using equipment, so those  
24 are all, I think, examples of the way the consumers

1 the using public, have a way to benefit from the  
2 implementation of these programs.

3 Q. Dr. Stevie, do affiliates of Duke Energy  
4 Ohio, Duke Energy Indiana and Duke Energy Kentucky,  
5 also, I believe, already offer programs similar to  
6 this?

7 A. Yes, they do.

8 Q. And have there been demonstrated benefits  
9 regarding these programs in those states?

10 A. Yes, there have.

11 Q. And, finally -- well, let me ask you one  
12 more question. Dr. Stevie, these programs, there are  
13 also as you mentioned programs for nonresidential  
14 customers, commercial and industrial customers. If  
15 those customers do not wish to participate in these  
16 programs, is there an opt-out provision for those  
17 customers?

18 A. Yes. On page 65 of the Amended  
19 Application we note that consumers are permitted to  
20 opt out of participation and payment for the  
21 programs.

22 Q. And, Dr. Stevie, is Duke Energy Ohio  
23 under the terms of the Stipulation and Recommendation  
24 and the amended application required to report to the

1 Commission regarding the benefits of these programs  
2 so that the Commission may measure the benefits?

3 A. There are provisions in the amended  
4 application for the company to annually update what  
5 has been the actual participation by consumers, what  
6 dollars they spent, what dollars they collected and  
7 to reconcile differences associated with that, and  
8 that would be done each year.

9 Q. And the Stipulation and Recommendation  
10 has amended the dates upon which those reports would  
11 be due to the Commission; is that correct?

12 A. Well, those are the dates for -- that  
13 amends the dates for the provision of impact  
14 evaluation studies, which would be conducted at some  
15 point after the programs are implemented and  
16 customers have participated. That sets the dates for  
17 the completion or the analysis of the impacts that  
18 have been achieved.

19 Q. Dr. Stevie, the last criteria by which  
20 the Commission judges such stipulations is whether it  
21 violates any important regulatory principle. Have  
22 you been involved with the implementation of energy  
23 efficiency, weatherization or demand side management  
24 programs before the Commission in prior years?

1           A.    Yes.  I've been looking at load  
2 management and demand side management programs for  
3 probably close to 30 years.

4           Q.    And are these programs consistent with  
5 the methodology to establish and implement programs  
6 in your experience?

7           A.    Yes.

8           MR. COLBERT:  No further questions, your  
9 Honor.

10          THE HEARING EXAMINER:  Does anybody want  
11 to ask any questions of the witness?

12          MR. SAUER:  No questions.

13          MR. WRIGHT:  No questions.

14          THE HEARING EXAMINER:  You're excused.  
15 Thank you for your testimony.

16          MR. COLBERT:  Your Honor, at this time  
17 the company would move to admit Joint Exhibit 1, Duke  
18 Energy Ohio Exhibit 1 and Commission-ordered  
19 Exhibit 1.

20          MR. WRIGHT:  I would join  
21 Commission-ordered Exhibit 1.

22          THE HEARING EXAMINER:  Hearing no  
23 objections, those will be admitted.

24                (EXHIBITS ADMITTED INTO EVIDENCE.)

1 MR. COLBERT: Thank you.

2 THE HEARING EXAMINER: Is there anything  
3 further.

4 MR. COLBERT: Not for the company.

5 MR. SAUER: No, your Honor.

6 THE HEARING EXAMINER: I will note for  
7 the record no one from the public came forward, other  
8 than the people that have been made known their  
9 appearances here at the Commission hearing.

10 MR. COLBERT: Your Honor, there is one  
11 other matter, perhaps, and the company is prepared to  
12 implement these programs July 1, and it would be  
13 helpful, given that there's no opposition if it's  
14 possible to have an order from the Bench permitting  
15 that, either in an entry that might be put out before  
16 the end of the week or simply an oral entry pending  
17 actual Commission approval at a later date.

18 There are a number of parties and  
19 customers waiting for these programs, and that would  
20 be helpful. We, of course, will wait and implement  
21 on whatever schedule the Bench and the Commission  
22 deem appropriate, but we would at least ask for some  
23 consideration to accommodate that schedule.

24 THE HEARING EXAMINER: I will take that

1 under advisement.

2 MR. COLBERT: Thank you.

3 THE HEARING EXAMINER: Anything further?

4 (No response.)

5 THE HEARING EXAMINER: We will be  
6 adjourned.

7 Thank you.

8 (Thereupon, the hearing concluded at  
9 10:25 a.m.)

10 - - -

11

12

13

14

15

16

17

18

19

20

21

22

23

24

## 1 CERTIFICATE

2 I do hereby certify that the foregoing is a  
3 true and correct transcript of the proceedings taken  
4 by me in this matter on Thursday, June 27, 2007, and  
5 carefully compared with my original stenographic  
6 notes.

7 Rosemary J. Anderson  
8 Rosemary Foster Anderson,  
9 Professional Reporter and  
Notary Public in and for  
the State of Ohio.

10 My commission expires April 5, 2009.

11 (RFA-7070)

12 - - -  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24



<p><b>A</b></p> <p>about 7:20 accommodate 14:23 achieved 12:18 Action 8:12 9:4 active 9:9 actual 12:5 14:17 actually 8:21 Adams 9:2 additional 8:19 adjourned 15:6 admit 13:17 admitted 13:23 13:24 ADMTD 3:7 advisement 15:1 affiliates 11:3 Affordable 8:17 after 12:15 agencies 8:12 already 11:5 amended 3:8 6:13 8:22 11:18, 24 12:3, 10 amends 12:13 among 7:24 analysis 12:17 Analytics 7:18 Anderson 16:7 annually 12:4 anybody 13:10 anything 14:2 15:3 appear 8:4 appearances 2:1 4:13 14:9 appearing 5:4 application 1:3 3:8 4:6 6:3, 13 8:4, 22 9:18 11:19, 24 12:4 appropriate 14:22 approval 7:22 14:17 approve 6:4 April 16:10 ARMSTRONG 1:21 arrive 9:22 asked 5:24 assigned 4:12 assistant 5:11 associated 1:5 4:7 12:7 Association 5:23 6:2 Atrium 4:21 attorney 2:19, 20 4:11</p>	<p>August 6:13 authorized 5:24 aware 8:7, 11, 15 8:19 9:21 a.m 1:13 15:9</p> <p><b>B</b></p> <p>bargaining 7:24 before 1:1, 11 8:2 10:4 12:24 14:15 behalf 2:5, 9, 13 2:18, 23 4:15 4:23 5:4, 7 being 7:8 believe 11:5 Bench 14:14, 21 benefit 10:9, 11 11:1 benefits 11:8 12:1, 2 between 9:23 Bill 4:16 Board 5:23 6:1 Boehm 2:10, 11, 11 5:3, 4, 5 both 8:7 Brennan 4:19 Broad 1:12 2:3 2:16, 22 4:16 5:11 Brown 9:2</p> <p><b>C</b></p> <p>Call 10:18 called 1:13 4:5 6:16 came 14:7 capable 7:24 carefully 16:5 case 1:3 4:10 5:14, 21 cases 4:12 Center 2:7 9:2 CERTIFICATE 16:1 certified 10:12 certify 16:2 Cincinnati 1:7 2:12 4:9, 22 5:6 9:2, 4 Clermont 8:12 close 13:3 Colbert 2:2 3:4 4:20, 21 5:16 6:7 7:11 13:8 13:16 14:1, 4 14:10 15:2 collected 12:6 Columbus 1:13, 22 2:4, 8, 17, 22 4:16 5:2</p>	<p>comment 5:15 commercial 10:15 11:14 commission 1:1 1:12 2:24 4:4 4:15 6:4 10:5 12:1, 2, 11, 20 12:24 14:9, 17 14:21 16:10 Commission's 7:21 Commission-Or... 3:11 7:1 13:18 13:21 Communities 9:3 community 8:3, 12 8:19 9:7 company 1:7 2:13 3:7 4:10 5:4 5:20 6:16 7:15 12:4 13:17 14:4, 11 compared 16:5 completion 12:17 concluded 15:8 conducted 12:14 consideration 14:23 consistent 13:4 consistently 9:9 consumers 2:15 2:18 5:9, 10, 11 6:11 8:8 10:12 10:24 11:19 12:5 consumption 10:17, 21 content 10:11 contracting 9:14 Cooperatively 9:1 Corporation 7:19 correct 6:20, 21 9:11 12:11 16:3 Costs 1:4 4:6 counsel 2:15 5:9 5:10, 11, 23 6:11 8:9 County 8:11, 12 9:3 course 14:20 criteria 10:9 12:19 Customer 7:18 customers 5:8 10:16, 19 11:14 11:14, 15, 17 12:16 14:19</p> <p><b>D</b></p>	<p>Daniel 2:6 5:1 Dann 2:19 date 14:17 dates 12:10, 12 12:13, 16 David 2:11 deem 14:22 demand 1:6 4:9 12:23 13:2 demonstrated 11:8 Department 9:5 Deputy 2:20 describe 10:10 design 10:17 Development 9:5 DE-Ohio's 10:12 Dickinson 5:24 differences 12:7 Direct 3:4 7:10 director 7:18 discussion 5:22 discussions 8:2 8:6, 9, 13, 20 9:22 docket 6:14 dollars 12:6, 6 done 12:8 Dr 6:16 7:12, 14 7:20 8:1 9:21 10:8 11:3, 12 11:22 12:19 Duane 2:20 due 12:11 Duke 2:2, 5 3:8 4:20 5:8 6:11 6:12 7:19 8:2 8:4, 5 9:7, 23 11:3, 4, 4, 22 13:17 duly 7:8 D'Anscenzo 2:3 4:21</p> <p><b>E</b></p> <p>each 12:8 East 1:12 2:3, 7 2:12, 22 4:16 4:22 5:2, 11 Economic 9:3 efficiency 9:14 10:6 12:23 efficient 10:23 either 14:15 Electric 1:5, 7 4:8, 10 EL-UNC 4:10 end 14:16 energy 2:2, 5, 9 2:14 3:8 4:20 4:24 5:5, 8</p>	<p>6:10, 11, 12 7:19 8:2, 4, 5 8:17 9:7, 14, 23 10:1, 1, 5, 17, 18 10:21, 23 11:3 11:4, 4, 22 12:22 13:18 enter 4:17 entry 14:15, 16 equipment 10:23 establish 13:5 evaluation 12:14 EVIDENCE 13:24 Examination 3:4 7:10 examined 7:9 examiner 1:11 4:4, 12 5:13 6:6, 18, 23 7:4 13:10, 14, 22 14:2, 6, 24 15:3 15:5 example 10:18 examples 10:24 excused 13:14 Exhibit 6:8, 13 7:2 8:5 13:17 13:18, 19, 21 exhibits 3:7, 9 3:11 5:20 13:24 experience 9:6 9:13 10:4 13:6 expires 16:10 extensive 10:4</p> <p><b>F</b></p> <p>Farkas 1:11 4:11 Fax 1:23 Fifth 1:21 2:7 filed 5:14 6:13 finally 11:11 find 10:16 firm 5:5 first 7:8, 22 floor 2:22 5:2 follows 7:9 foregoing 16:2 forward 14:7 Foster 16:7 Fourth 4:22 from 5:5 11:1 14:7, 14 full 7:14 further 13:8 14:3 15:3</p> <p><b>G</b></p> <p>G1:13 7:17 Gas 1:7 4:9 general 2:19, 20</p>
--	---	--	---	--

5:23 given 14:13 going 7:20 good 7:12,13 9:6 Greater 9:2 Greg 4:18 Group 2:14 5:5 6:10 10:1 guess 5:18	J2:6 5:1 Janine 2:15 5:9 join 13:20 Joint 3:9 6:8 13:17 judges 12:20 July 14:12 June 1:14 4:2 5:15 16:4 Just 6:18	8:16 mentioned 11:13 methodology 13:5 Migden-Ostrander 2:15 5:10 might 14:15 more 10:23 11:12 morning 4:1 7:12 7:13 most 9:8,11 move 13:17 moving 10:8 much 5:6	order 14:14 organizations 8:16,20,23 9:8 9:13 original 16:5 other 9:23 10:21 14:7,11 out 11:20 14:15 over 9:9	10:15,18,22 11:2,5,9,12,13 11:16,21 12:1 12:15,24 13:2 13:4,5 14:12 14:19 provides 10:19 provision 11:16 12:13 provisions 12:3 public 1:1,11 2:21,23 4:15 9:4 10:9 11:1 14:7 16:8 put 14:15
H Hamilton 8:11 hearing 1:11 4:4 4:5 5:13 6:6 6:18,23 7:4 13:10,14,22,22 14:2,6,9,24 15:3,5,8 helpful 14:13,20 Home 10:18 Homeownership 9:1 Honor 4:14,23 5:3,7,16,18 6:7,22 13:9,16 14:5,10 House 10:18	K Kentucky 11:4 know 9:12 knowledge 10:3 knowledgeable 7:24 known 14:8 Kroger 2:13 5:4 6:11 9:24 Kurt 2:11 5:3 Kurtz 2:10 5:6	N name 4:11 5:3 7:14,17 Neighborhoods 8:24 Neilsen 2:6 4:23 5:1 6:21 nonresidential 11:13 Notary 16:8 note 5:13 11:19 14:6 notes 16:6 number 6:9 10:13 10:14 14:18 Nurick 2:6 5:1	P page 3:3 11:18 part 6:3 9:8,11 participate 11:15 participated 8:9 8:13,20 12:16 participation 11:20 12:5 parties 6:9 8:1 9:24 10:3 14:18 Partners 8:16 partnership 8:3 9:7,9 Paul 2:2 4:21 payment 11:20 pending 14:16 people 8:24 14:8 Performance 1:4 4:7 perhaps 14:11 permitted 11:19 permitting 14:14 Pican 4:19 place 4:5 please 7:16 point 12:15 position 7:15 possible 14:14 practical 6:5 preliminary 5:19 5:21 prepared 5:20 14:11 prescribed 7:8 presence 4:17 present 8:2,6 principle 12:21 prior 12:24 probably 13:3 proceedings 1:10 16:3 product 7:23 professional 9:13 16:8 program 6:2 10:10,19 programs 1:6 4:9 8:3 9:15,17,18 10:6,9,13,15	Q question 11:12 questions 13:8 13:11,12,13
I identify 8:23 IDFD 3:7 IEU 6:19 impact 12:13 impacts 12:17 implement 13:5 14:12,20 implementation 1:5 4:8 9:14 11:2 12:22 implemented 12:15 important 12:21 INC 1:21 incentive 1:4 4:7 6:2 incentives 10:22 included 9:18 including 6:10 10:5 INDEX 3:1 Indiana 11:4 industrial 2:9 4:24 10:1 11:14 installation 10:22 investigate 10:20 involved 12:22	L L2:15 5:9 Larry 2:16 5:10 last 12:19 later 14:17 law 5:5 7:8 least 14:22 let 11:11 like 4:17 9:1 listed 8:21 load 13:1 looking 13:1 looks 9:1 Lost 1:4 4:7 Lowery 5:6 Lowry 2:10 Luckey 2:20	O objections 13:23 offer 5:21 6:8 10:15,22 11:5 office 4:24 5:8 Ohio 1:1,12,13 1:22 2:4,5,8,9 2:12,14,15,17 2:18,19,22 4:16,20,22,24 5:2,5,6,8,9,12 5:22 6:10,10 6:11,12 8:5,8 8:16 9:4,23,24 11:4,22 13:18 16:9 Ohio's 8:4 Okay 6:6 OKEY 1:21 one 5:18 11:11 14:7,10 Opportunities 9:3 opportunity 10:16,20 oppose 6:19 opposition 14:13 opt 11:20 opt-out 11:16 oral 14:16	R Recovery 1:3 4:6 reduce 10:16,21 regard 8:1 regarding 6:17 8:3 10:5 11:9 12:1 regulatory 12:21 relating 7:21 report 3:12 7:1 11:24 Reporter 16:8 reports 12:10 represent 6:1 representatives 8:8 required 11:24 residential 1:6 2:18 4:8 5:8 10:14,19 response 15:4 RFA-7070 16:11 Richard 3:4 6:16 7:7,17 Rick 5:23 Rocco 2:3 4:21 Room 1:13 Rosemary 16:7	S S2:16 Sauer 2:16 5:7
J just 6:18	J2:6 5:1	just 6:18	just 6:18	just 6:18

5:10 13:12 14:5 Scheck 4:18 schedule 14:21 14:23 school 5:22 6:1 6:2 Schools 9:4 Scott 1:11 4:11 second 10:8 Section 2:21 Senior 2:20 serious 7:24 Services 7:19 Session 4:1 sets 12:16 Seventh 2:12 several 4:18 5:20 7:21 Shared 7:19 side 1:6 4:9 12:23 13:2 signed 6:9 similar 9:17 11:5 simply 14:16 some 10:10 12:14 14:22 soon 6:5 South 1:21 spent 12:6 staff 2:23 3:12 4:15,18 6:10 6:24 7:1 8:8 standard 7:22 state 2:7,18 7:14 16:9 states 11:9 stenographic 16:5 Steve 4:19,19 Stevie 3:4 6:16 7:7,12,14,17 7:20 8:1 9:21 10:8 11:3,12 11:22 12:19 stipulation 3:10 5:14 6:3,8,17 6:20 7:23 9:19 9:22,24 10:11 11:23 12:9 stipulations 7:22 12:20 street 1:12,21 2:3,7,12,16,22 4:16,22 5:2,11 studies 12:14 Suite 1:21 2:7 2:12,16 supports 6:2 sworn 7:8	<b>T</b> take 4:13 14:24 taken 16:3 terms 11:23 territory 10:12 testified 7:9 testimony 13:15 thank 4:14 5:16 6:18,23 7:3 13:15 14:1 15:2,7 their 10:17,21 11:8 14:8 think 6:24 10:24 Third 2:7 through 10:17 Thursday 1:14 4:1 16:4 time 4:5,13 13:16 today 4:18 topic 7:23 topics 7:21 transcript 16:3 true 16:3 two 8:15 <b>U</b> under 11:23 15:1 United 9:3 update 12:4 Users 2:9 4:24 Users-Ohio 10:1 using 10:23 11:1 Utilities 1:1,12 2:21,24 4:15 <b>V</b> Very 9:6 violates 12:21 <b>W</b> W 2:20 wait 14:20 waiting 14:19 Wallace 2:6 5:1 want 5:15 13:10 way 10:24 11:1 ways 10:16,20 weatherization 9:15 10:6 12:23 week 14:16 well 10:14 11:11 12:12 were 8:1 West 2:16 William 2:21 wish 11:15 witness 3:3 5:21 6:16 13:11	Working 8:24 9:1 Wright 2:21 4:14 4:16 7:3 13:13 13:20 <b>Y</b> year 12:8 years 9:10 12:24 13:3 <b>0</b> 0 5:6 06 4:10 06-91-EL-UNC 1:3 06-92-EL-UNC 1:3 06-93-EL-UNC 1:4 <b>1</b> 1 3:8,10,12 6:8 6:13 7:2 8:5 13:17,18,19,21 14:12 10 2:16 5:11 10:25 15:9 10:29 1:13 101 1:21 13 3:8,10,12 139 4:21 14 5:15 15 6:13 1510 2:12 155 2:3 17th 5:2 1700 2:7 180 1:12 2:22 4:16 1800 2:16 185 1:21 <b>2</b> 2 4:21 2007 1:14 4:2 16:4 2009 16:10 21 2:7 5:1 223-9481 1:22 224-5724 1:23 224-9481 1:22 2500 4:21 27 1:14 4:2 16:4 <b>3</b> 30 13:3 36 2:12 <b>4</b> 4215 5:12 43215 2:4,8 4:17 5:2 43215-3485 2:17 43215-3793 2:22	43215-5201 1:22 452 5:6 45201-0960 4:22 45202-4454 2:12 <b>5</b> 5 16:10 <b>6</b> 6 3:8,10 614 1:22,23 65 11:18 <b>7</b> 7 3:4,12 <b>8</b> 800 1:22 <b>9</b> 9th 2:22 91-92-93 4:10
--	--	---	---

EXHIBIT

06-93-GA-UNC

06-91-EL-UNC  
06-92-EL-UNC  
06-93-GA-UNC

The following exhibit(s) were prefiled and can be located with the pleadings:

## Exhibits

Date Filed

COMPANY EXHIBITS

1 - Amended Application of Duke Energy

Aug 16, 2006

JOINT EXHIBITS

## 1 - Stipulation and Recommendation

June 14, 2007

COMMISSION-ORDERED EXHIBITS

1 - Staff Report

Jan 12, 2007