

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Commission's Review)	
and Adjustment of the Fuel and Purchased)	
Power and System Reliability Tracker)	Case No. 07-723-EL-UNC
Components of Duke Energy Ohio, Inc. and)	
Related Matters.)	
)	
In the Matter of the Application of Duke)	
Energy Ohio, Inc. to Adjust and Set the)	Case No. 07-973-EL-UNC
Annually Adjusted Component of its Market)	
Based Standard Service Offer.)	
)	
In the Matter of the Application of Duke)	Case No. 07-975-EL-UNC
Energy Ohio, Inc. to Adjust and Set its 2008)	
System Reliability Tracker.)	

ENTRY

The attorney examiner finds:

- (1) On December 13 and 14, 2007, a hearing was held in the above-captioned cases. At the termination of that hearing, the examiners instructed the Office of the Ohio Consumers' Counsel (OCC) to notify parties, no later than January 2, 2008, regarding whether or not OCC would need to cross-examine the auditors. The examiners also required OCC to file a statement to that effect, no later than January 3, 2008.
- (2) On December 28, 2007, Duke Energy Ohio, Inc. (Duke); OCC; and staff of the Commission filed a joint motion, asking for acceptance of a stipulation among the movants. That stipulation provides for the taking of administrative notice of certain documents filed in Case No. 98-103-EL-EFC; specifically, the Final Report, Management/Performance Audit, Cincinnati Gas & Electric Company (filed March 5, 1999), and the Stipulation and Recommendation (filed May 7, 1999). If the Commission takes administrative notice of those two documents by January 2, 2008, then, pursuant to the stipulation, live testimony will not need to recommence and, thus, OCC will not cross-examine the auditors.

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- (3) The motion requests expedited treatment, according to Rule 4901-1-12(C), Ohio Administrative Code. OCC certifies, in the motion, that it has contacted all parties to the proceedings and that no party objects to the issuance of an expedited ruling without the filing of memoranda contra.
- (4) The examiner finds that it is reasonable to take administrative notice of the documents set forth in the parties' stipulation. Therefore, the motion will be granted.

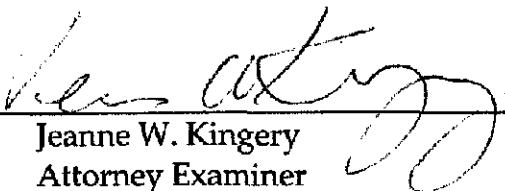
It is, therefore,

ORDERED, That the joint motion for acceptance of a stipulation regarding administrative notice be granted. It is, further,

ORDERED, That, in the record of the above-captioned proceedings, the Commission will take administrative notice of two documents filed in Case No. 98-103-EL-EFC; specifically, the Final Report, Management/Performance Audit, Cincinnati Gas & Electric Company, filed on March 5, 1999, and the Stipulation and Recommendation, filed on May 7, 1999. It is, further,

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

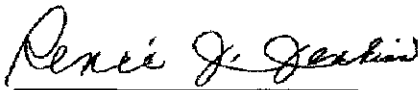
THE PUBLIC UTILITIES COMMISSION OF OHIO

By: 
Jeanne W. Kingery
Attorney Examiner

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Entered in the Journal

JAN 02 2000



Renee J. Jenkins
Secretary