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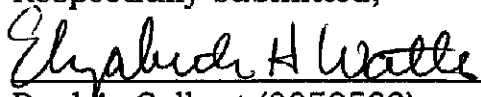
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BEFORE
THE OHIO POWER SITING BOARD 2008 APR -3 PM 5: 20

In the Matter of the Letter)	
of Notification regarding)	
South Central Power 138 kV)	PUCO
Electric Transmission Line Loop)	Case No. 08-0244-EL -BLN
)	

DUKE ENERGY OHIO, INC'S MOTION FOR WAIVER

Duke Energy Ohio, Inc., (DE-Ohio) hereby moves this honorable Board pursuant to Ohio Administrative Code (O.A.C.) §4906-5-02(A)(1) for a waiver from the requirement that a Letter of Notification be filed ninety days before planned start of construction. Approval of the waiver will permit DE-Ohio to proceed with the start of construction of a transmission line loop prior to the peak summer season. The reasons for this request are more fully discussed in the attached memorandum in support.

Respectfully submitted,

Paul A. Colbert (0058582)
Associate General Counsel
Elizabeth H. Watts (0031092)
Assistant General Counsel
DUKE ENERGY OHIO, INC
139 East Fourth Street, 25 Atrium II
Cincinnati, Ohio 45202
513-419-1827

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MEMORANDUM IN SUPPORT

Duke Energy Ohio, Inc (DE-Ohio) respectfully requests that the Ohio Power Siting Board (Board) grant its Motion for a waiver of the requirements set forth in Ohio Administrative Code (O.A.C.) 4906-5-02(A)(1) so that it may proceed with the construction of the South Central Power (SCP) 138 kV transmission loop to the Hillcrest-Eastwood 138 kV Transmission Line. DE-Ohio is seeking to accomplish the SCP in-service date of June 1, 2008 for the new transformer before summer season is underway.

The proposed new 138 kV transmission line loop is approximately 852 feet in length and is located east of Eastwood Road, between the Norfolk and Western Railroad and SCP's Eastwood substation.¹ This project will provide 138 kV service to the SCP Eastwood substation, which is currently served by a 34.5 kV distribution line from the DE-Ohio Eastwood substation.

This conversion to a new 138 kV feed leading from the Hillcrest-Eastwood 138 kV transmission line will free up capacity on the existing distribution line and allow Eastwood 84 to see a 10 MVA reduction in peak load. Benefits to the SCP include transmission delivery rates resulting in reduced electricity costs, higher reliability, and provision of additional electricity to the SCP Eastwood substation as local customer demand warrants.


¹ It is important not to confuse this location with DE-Ohio's Eastwood substation on Tri-County Highway.

This project was initiated at the request of SCP in order to meet SCP's schedule and accordingly, DE-Ohio was unable to provide a construction notice within sufficient time to comply with O.A.C. 4906-5-02(A)(1).

A waiver of the regulatory requirements will permit construction to continue apace and allow SCP to realize summer seasonal cost savings at an earlier date. DE-Ohio proposes to start construction on this project beginning May 1, 2008 in order to meet SCP's schedule for its in-service date.

WHEREFORE, good cause exists for granting the waiver and DE-Ohio respectfully requests that the Board grant its motion waiving the requirements of 4906-5-02(A)(1) and permit construction to begin on this project May 1, 2008.

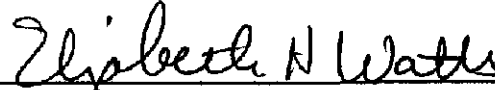
Respectfully submitted,

A handwritten signature in cursive script, reading "Elizabeth H. Watts", is written over a horizontal line.

Paul A. Colbert (0058582)
Associate General Counsel
Elizabeth H. Watts (0031092)
Assistant General Counsel
DUKE ENERGY OHIO
139 Fourth Street, 25Atrium II
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(513) 419-1827

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing Motion for Waiver was sent by first class US Mail to the following this 3rd day of April, 2008:

A handwritten signature in cursive script, reading "Elizabeth H. Watts", written over a horizontal line.

Paul A. Colbert
Elizabeth H. Watts

Marc Dann

Attorney General of Ohio

Duane W. Luckey

Chief,

Public Utilities Section

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