

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Transmission Rates)
Contained in the Rate Schedules of Duke) Case No. 05-727-EL-UNC
Energy Ohio and Related Matters.)

In the Matter of the Application of Duke Energy)
Ohio for Authority to Modify Current) Case No. 05-728-EL-AAM
Accounting Procedures for Certain)
Transmission Costs.)

ENTRY

The attorney examiner finds:

- (1) In *In the Matter of the Application of The Cincinnati Gas & Electric Company to Modify its Nonresidential Generation Rates to Provide for Market-Based Standard Service Offer Pricing and to Establish an Alternative Competitive-Bid Service Rate Option Subsequent to the Market Development Period*, Case Nos. 03-93-EL-ATA *et al.*, the Commission authorized Duke Energy Ohio, Inc., (Duke) to establish a transmission cost rider (rider TCR), pursuant to the terms of a stipulation.¹
- (2) On June 3, 2005, Duke filed an application in the above-captioned proceedings to establish the initial level for rider TCR.
- (3) In its October 5, 2005, finding and order, the Commission, *inter alia*, directed Duke to make semi-annual filings to modify the level of rider TCR at least 45 days prior to the date on which each such modification should be effective. The Commission also noted that any interested person may file comments regarding Duke's filings, no later than 20 days after a semi-annual filing. Pursuant to the finding and order, if the Commission does not suspend a proposed modification of rider TCR, it will become effective on the 46th day after the semi-annual filing.

¹ Duke was formerly known as the Cincinnati Gas & Electric Company. In this entry, it will be referred to as Duke, regardless of its name at the time being discussed. Case names, however, will not be modified.

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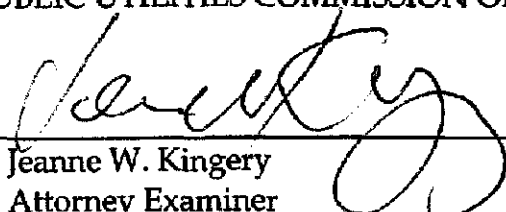
- (4) On April 15, 2008, Duke filed proposed tariffs to adjust the level of rider TCR, effective June 1, 2008. Under the Commission-ordered comment schedule, any comments on that filing would have had to be docketed no later than May 5, 2008. No such comments were filed.
- (5) On April 30, 2008, Duke filed revised, proposed tariffs, correcting a slight allocation error in the filing that had been made on April 15, 2008. Duke requested that the effective date for the new TCR rate remain set for the first billing cycle in June 2008.
- (6) The examiner notes that the proposed adjustment to the TCR is a reduction, as compared to the TCR level currently in effect, and that staff and interested parties have already been considering the proposal by Duke. The examiner also notes that, while the revision filed on April 30, 2008, modifies the proposed rate slightly in favor of Duke, it is still a reduction as compared with current rates. The examiner finds, therefore, that retention of the current effective date is in the interest of customers. The effective date for the proposed adjustment should remain set for the first billing cycle of June 2008, as proposed by Duke.
- (7) The examiner also finds that it is reasonable to allow the filing of comments, if any, on the April 30, 2008 revision, on the same schedule as was applicable to the original filing. Thus, comments, if any, regarding the revised, proposed tariffs must be filed no later than May 20, 2008. If no such comments are filed, the proposed modification of rider TCR will be effective on the 46th day after the original filing.

It is, therefore,

ORDERED, That comments by interested persons, with regard to the revised TCR proposal filed by Duke on April 30, 2008, be filed no later than May 20, 2008. It is, further,

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

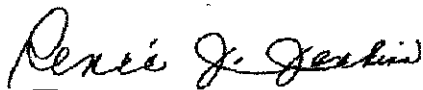
THE PUBLIC UTILITIES COMMISSION OF OHIO

By: 
Jeanne W. Kingery
Attorney Examiner


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Entered in the Journal

MAY 14 2008



Renee J. Jenkins
Secretary