

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of )  
Duke Energy Ohio, Inc. for Approval )  
of Revisions to the Rate FRAS Example ) Case No. 08-0029-GA-ATA  
Gas Supply Aggregation/Customer )  
Pooling Agreement. )

ENTRY

The Commission finds:

- (1) The Applicant, Duke Energy Ohio, Inc., (Duke or Company) is a public utility as defined in Section 4905.02, Revised Code, and, as such, is subject to the jurisdiction of this Commission.
- (2) On January 14, 2008, Duke filed an application requesting approval of changes to its Rate FRAS (Full Requirements Aggregation Service) Gas Supply Aggregation/Customer Pooling Agreement example ("pooling agreement"). The pooling agreement establishes the rules and requirements for marketers to participate in Duke's Choice program. Duke is proposing to eliminate language that requires participating marketers to grant Duke a continuing security interest in, and a general first priority lien upon, all the interstate pipeline capacity and gas commodity held by the supplier, in value equal to or greater than its delivery obligations to the Company. This requirement was intended to provide additional security to Duke in its provider of last resort role in the event of a marketer default. Duke now believes this requirement is not necessary given the financial collateral requirements already in place and is proposing it be deleted.
- (3) This Commission has reviewed the application and finds it is reasonable and in the public interest and should be approved.

It is, therefore,

ORDERED, That the request of Duke for approval of language and text revisions to Duke's rate FRAS Example Gas Supply Aggregation/Customer Pooling Agreement is approved. It is, further,

ORDERED, That Duke is authorized to file complete copies of tariffs in final form, consistent with this Entry. Duke shall file one copy in this case docket and one copy in

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its TRF docket (or may file electronically as directed in Case No 06-900-AU-WVR). It is, further,

ORDERED, That nothing in this Entry shall be binding upon this Commission in any future proceeding or investigation involving the justness or reasonableness of any rate, charge, or regulation of Duke. It is, further,

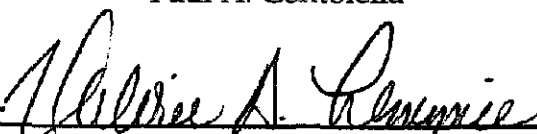
ORDERED, That a copy of this Entry be served upon Duke.

THE PUBLIC UTILITIES COMMISSION OF OHIO

  
Alan R. Schriber, Chairman

  
Paul A. Centolella

  
Ronda Hartman Fergus

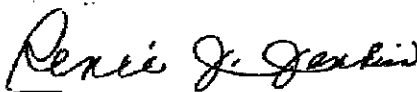
  
Valerie A. Lemmie

  
Cheryl L. Roberto

JR:sm

Entered in the Journal

**MAY 28 2008**



Renee J. Jenkins  
Secretary