

FILE

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of The Cincinnati Gas & Electric Company For Approval of its Rider BDP, Backup Delivery Point))))	Case No. 06-718-EL-ATA
In the Matter of the Application of Duke Energy Ohio, Inc. for an Increase in Electric Distribution Rates)))	Case No. 08-709-EL-AIR
In the Matter of the Application of Duke Energy Ohio, Inc. for Tariff Approval)))	Case No. 08-710-EL-ATA
In the Matter of the Application of Duke Energy Ohio, Inc. for Approval to Change Accounting Methods)))	Case No. 08-711-EL-AAM

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MOTION TO CONSOLIDATE CASES
SUBMITTED BY DUKE ENERGY OHIO, INC

Now comes Duke Energy Ohio, Inc (DE-Ohio) and hereby respectfully requests the consolidation of Case No. 06-718-EL-ATA with Case No. 08-709-EL-AIR, 08-710-EL-ATA, 08-711-EL-AAM. The consolidation of the cases will provide a more efficient and less confusing docket. DE-Ohio proposes to support its Application for approval of Rider DBP, Back-up Delivery Point, initially submitted in Case No. 06-718 EL-ATA for non-residential customers, as part of the testimony included in the Company's electric distribution rate case, Case Nos. 08-709-EL-AIR *et al.* DE-Ohio filed its application in Case No. 06-718-EL-ATA in May 2006, and to date a procedural schedule has not been issued and the Commission has not acted to either approve or deny the Application.

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For the foregoing reasons, as well as the reasons more fully explained in the accompanying Memorandum in Support, the Commission should grant DE-Ohio's Motion to Consolidate the Cases.

Respectfully submitted,

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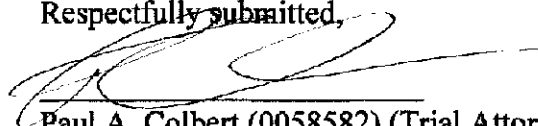
MEMORANDUM IN SUPPORT

On May 19, 2006, DE-Ohio filed an application in Case No. 06-718-EL-ATA, requesting approval of its electric Rate BDP, Backup Delivery Point (BDP Application), to establish additional access to the DE-Ohio's distribution and/ or transmission system(s) for customers that require enhanced reliability (but does not imply uninterrupted service). To date, the Commission has not acted upon the BDP Application. A procedural schedule was never issued.

On June 25, 2008, the Company filed its pre-filing notice in the Case(s) No. 08-709-EL-AIR, 08-710-EL-ATA, 08-711-EL-AAM for approval of an increase in its electric distribution rates, related application for tariff approval, and a related application to change accounting methods. Since there has been no decision by the Commission in Case No. 06-718-EL-AIR as of yet, the electric rider Rate BDP approval request could easily be combined with and considered in the electric distribution Case No. 08-709-EL-AIR *et al.* Since a procedural schedule was never issued in the BDP Application, no party will be prejudiced by the requested consolidation. Rather, the consolidation will prove beneficial and allow interested Parties to review the filing and provide comments or testimony on the BDP tariff offering in the context of a full distribution rate case.

Therefore, in the interest of efficiency, elimination of redundancy, and to lessen the confusion created in the maintenance of concurrent tariff approval cases, DE-Ohio respectfully requests that the Commission consolidate Case 06-718-EL-ATA with Cases 08-709-EL-AIR, 08-710-EL-ATA, 08-711-EL-AAM.

Respectfully submitted,



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CERTIFICATE OF SERVICE

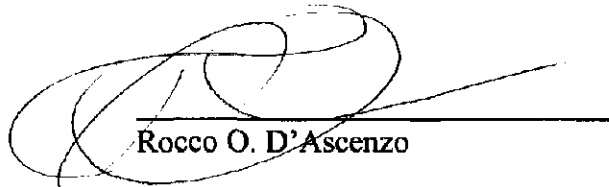
I certify that a copy of the foregoing Motion to Consolidate was served via ordinary mail on the following parties this 25 day of July 2008.

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