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Duke Energy Corporation  
139 East Fourth Street  
P.O. Box 960  
Cincinnati, Ohio 45201-0960

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PUCO

December 18, 2008

The Public Utilities Commission of Ohio  
Attention: Docketing Division  
180 East Broad Street  
13<sup>th</sup> Floor  
Columbus, OH 43215-3793

RE:	In the Matter of the Application of Duke Energy Ohio, Inc., For Approval of an Electric Security Plan.	)	Case No. 08-920-EL-SSO
		)	
	In the Matter of the Application of Duke Energy Ohio, Inc., For Approval to Amend Accounting Methods.	)	Case No. 08-921-EL-AAM
		)	
	In the Matter of the Application of Duke Energy Ohio, Inc., For Approval of a Certificate of Public Convenience and Necessity to Establish an Unavoidable Capacity Charge(s).	)	Case No. 08-922-EL-UNC
		)	
	In the Matter of the Application of Duke Energy Ohio, Inc., For Approval to Amend its Tariff.	)	Case No. 08-923-EL-ATA
		)	
	In the Matter of the Application of the Ohio Department of Development for an Order Approving Adjustments to the Universal Service Fund Riders of Jurisdictional Ohio Electric Distribution Utilities.	)	Case No. 08-658-EL-UNC
		)	

Docketing Division:

Enclosed for filing in compliance with the Commission's Order dated December 17, 2008 in the above referenced cases are four (4) sets of the tariffs that have been revised as a result of this Order. Also enclosed are copies of the updated Index.

As a result of this order, the following Certified Supplier tariff (PUCO Electric No. 20) has been updated: Sheet No. 36, Section VII, End Use Customer Enrollment Process. Four copies of that tariff are also being attached.

Also on December 17, 2008, the PUCO approved an adjustment to the Universal Service Fund Rider as part of Case No. 08-658-EL-UNC. That revised tariff is also enclosed.

One copy of the enclosed tariffs is for filing with TRF Docket Number 89-6002-EL-TRF.

Please time-stamp the enclosed extra copy and return for our file. Thank you.

Very truly yours,

*Donald L. Storck*

Donald L. Storck  
Director, Rate Services

Enclosures

This is to certify that the images appearing are an  
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document delivered in the regular course of business  
Technician                      Date Processed DEC 22, 2008

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Duke Energy Ohio  
139 East Fourth Street  
Cincinnati, Ohio 45202

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### **SECTION III - CUSTOMER CHOICE ENROLLMENT AND PARTICIPATION GUIDELINES**

#### **1. Selection of Certified Supplier**

In order to obtain Competitive Retail Electric Service from a Certified Supplier, a customer must enter into an agreement with a Certified Supplier who meets the requirements for participation in this Customer Choice Program pursuant to the Certified Supplier Service Rules, Regulations, and Rates, specified in Duke Energy Ohio P.U.C.O. Electric No. 20. Enrollment of customers is done through a Direct Access Service Request (DASR), which may be submitted only by Certified Suppliers. DASRs will be effective on the next regularly scheduled meter read date provided that it is received by the Company at least twelve (12) calendar days before the next regularly scheduled meter read date. Enrollments will be processed on a "first in" priority basis based on the received date, using contract date as the tiebreaker. Should the contract date also be the same, the enrollments will be processed on a first in priority basis, based on the order in which the Company received the DASRs. An account may only be served by one Certified Supplier at a time.

Customers may contact the Company at any time to report that they have been switched without giving consent. To decrease the probability of this occurring, the Company requires that Certified Suppliers obtain, and maintain in their files, customer authorizations as dictated by Commission rules. These authorizations must be made available to the Company, upon request, within three (3) business days.

If Percentage Income Payment Plan (PIPP) customers are aggregated for the purpose of competitively auctioning the supply of Competitive Retail Electric Service, such customers will receive their Competitive Retail Electric Service from the successful bidder. In this event, PIPP customers would not be eligible to select another Certified Supplier or to opt out of the Customer Choice Program.

#### **2. Pre-Enrollment End-use Customer Information List**

Upon request, the Company will electronically provide to any supplier certified by the Commission the most recent End-use Customer information list. The Company will offer the End-use Customer information list beginning on October 1, 2000 with updates available quarterly throughout the Market Development Period. Once the list has been updated, a supplier may not use an End-use Customer information list from a prior quarter to contact a customer, but suppliers shall not be required to purchase subsequent lists.

The Company will provide customers the option to have all the customer's information listed in the section below removed from the End-use Customer information list. The Company will also provide customers the option to have all the customer's information listed below reinstated on the End-use Customer information list. The customer will be provided written notice of his or her options quarterly throughout the Market Development Period and prior to the distribution of the first list.

The following information will be provided on the End-use Customer information list for each customer who has not requested that all information be removed from this list:

- (a) End-use Customer name
- (b) Service Address
- (c) Service City
- (d) Service State and Zip Code
- (e) Mailing Address
- (f) Mailing City
- (g) Mailing State and Zip Code

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**SECTION III - CUSTOMER CHOICE ENROLLMENT AND PARTICIPATION GUIDELINES (Contd.)**

- (h) Rate Schedule under which service is rendered, including class and sub-class (if applicable)
- (i) Rider (if applicable)
- (j) Load Profile Reference Category
- (k) Meter Type (will provide information that is readily available)
- (l) Interval Meter data indicator (will provide information that is readily available)
- (m) Budget Bill/PIPP indicator
- (n) Meter Read Cycle
- (o) Most recent twelve (12) months of historical consumption data (actual energy usage plus demand, if available)

**3. Customer Choice Participation Requirements**

To participate in the Customer Choice Program, a customer must have an active electric service account with the Company. After the Company has accepted the customer's application for electric service, the customer may select and contact a Certified Supplier. The Company shall provide a list of all approved Certified Suppliers and which classes of customers the Certified Supplier will serve to a) all of its customers prior to the initiation of competition and quarterly throughout the remainder of the Market Development Period; b) all applicants for new service and customers returning to Standard Offer Service; and c) any customer upon request. The Company shall not endorse any Certified Supplier nor indicate that any Certified Supplier will receive preference because of a corporate relationship.

Interval meters are required for customers who choose a Certified Supplier and have a maximum peak demand equal to or greater than 100 kW for the most recent twelve (12) month period. Interval meters are also required for those customers that have an interruptible load contract with their Certified Supplier. The Company may also require interval metering, at Company expense, for other customers based on a review of the customer's rate schedule, billing history and class load profile information. In addition, a communication link must also be installed. The enrollment DASR for these customers will not be approved until a customer-signed interval meter request work order has been executed and submitted approving the interval meter installation.

Customers are responsible for the incremental costs of the interval meters and the incremental costs associated with the installation of required interval metering. While the Company will install the meter, the Certified Supplier, on behalf of the customer, or the customer, must arrange for the installation of the communication link (analog telephone line, hard wired or cellular). The Company will be allowed access to the communication link for meter interrogation. The interval metering equipment will be maintained and owned by the Company. The charges for the installation of the interval metering equipment are specified on tariff Sheet No. 96 "Meter Service Charges." These charges may be paid over a period not to exceed twenty-four (24) months.

Upon the successful processing of an enrollment and/or drop DASR, the Company will notify the customers in writing with the name and phone number of the Certified Supplier, the previous Certified Supplier (if applicable), the effective service change date, the Company's toll-free telephone number, the right to request an actual meter read prior to the transfer of service and the right to rescind (if applicable).

**4. Switching Rules**

An enrollment DASR must be received by the Company at least twelve (12) calendar days before the effective date, which will be the customer's next regularly scheduled meter reading date, to enroll with or switch to a new Certified Supplier. Enrollment DASRs will be effective according to the following schedule:

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**SECTION III - CUSTOMER CHOICE ENROLLMENT AND PARTICIPATION GUIDELINES (Contd.)**

- (a) If an enrollment DASR is received twelve (12) or more days prior to the next regularly scheduled meter read date and no other enrollment DASR is currently pending, the enrollment DASR will be effective on the next regularly scheduled meter read date.
- (b) If an enrollment DASR is received less than twelve (12) days prior to the next regularly scheduled meter read date and no other enrollment DASR is currently pending, the enrollment DASR will be effective on the second regularly scheduled meter read date after the enrollment DASR is received.
- (c) If an enrollment DASR is currently pending, and another enrollment DASR is received, the first enrollment DASR will be effective and the second enrollment DASR will be rejected. There cannot be two pending enrollment DASRs for the same account at the same time.
- (d) If an enrollment DASR for an active electric service account is submitted for Company Consolidated billing, as described in Section 10 herein, and the Certified Supplier is participating in the Company's Purchase of Accounts Receivable (PAR) Program, the DASR will be rejected if the Company's account with the customer has an arrears of 30 days or more totaling \$50.00 or more.
- (e) If an enrollment DASR for an active electric service account is submitted for the Company Consolidated billing option known as Bill Ready and the account is currently involved in the Company's summary billing program, the DASR will be rejected until the Company's information system has the capability to accept such DASRs, which will occur by July 1, 2002. Prior to July 1, 2002, in order for an enrollment DASR to be accepted for a summary billing account, the Certified Supplier must submit the DASR with a billing option for either separate billing by the Company and the Certified Supplier or the Company Consolidated billing option known as Rate Ready.
- (f) If an enrollment DASR for an active electric service account is submitted for the Company Consolidated billing option known as Bill Ready and the account is currently involved in the Company's adjusted due date program, the DASR will be rejected until the Company's information system has the capability to accept such DASRs, which will occur by November 1, 2002. Prior to November 1, 2002, in order for an enrollment DASR to be accepted for an account with an adjusted due date, the Certified Supplier must submit the DASR with a billing option for either separate billing by the Company and the Certified Supplier or the Company Consolidated billing option known as Rate Ready.

For the purpose of switching rules, customers are divided into three categories; residential, small commercial and industrial, and large commercial and industrial. Residential customers are customers who use electricity for residential purposes. Small commercial and industrial customers are defined as customers who use electricity for nonresidential purposes, consume less than 700,000 kWh of electricity per year and are not part of a national account involving multiple facilities in one or more states. Large commercial and industrial customers are customers who use electricity for nonresidential purposes, consume greater than or equal to 700,000 kWh of electricity per year or are part of a national account involving multiple facilities in one or more states.

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### **SECTION III - CUSTOMER CHOICE ENROLLMENT AND PARTICIPATION GUIDELINES (Contd.)**

Residential and small commercial and industrial customers, pursuant to Commission rules, have the right to rescind an enrollment. Any residential or small commercial and industrial enrollment, either with a Certified Supplier or with the Company, may be rescinded by contacting the Company within seven days from the postmark date on the notice advising of the enrollment. When the Company receives notice of a rescission, the impending enrollment will be cancelled and the residential or small commercial and industrial customer will remain with their current supplier.

Large commercial and industrial customers using at least 700,000 kWh annually or customers who are part of a national account, will have seven (7) days from the date of the postmark of the confirmation notice to notify the Company, in writing, that the customer chooses to rescind the enrollment due to a conditional contract with the Certified Supplier that is conditional on receiving the higher shopping credit. If the customer fails to notify the Company during the seven (7) day period, then the Company shall deem the enrollment to be final. The Company's switching practices, including the ability to rescind, have no effect on the contractual obligations existing between the Certified Supplier and the customer. Any disputes arising between the Certified Supplier and the customer regarding any provision of the contract must be resolved between the Certified Supplier and the customer.

The following rules apply to any retail customer:

#### **Waiver of Rider SRA-SRT**

- (a) During the ESP period, Small Commercial and Industrial End-use Customers and Large Commercial and Industrial End-use Customers served by a Certified Supplier may avoid Rider SRA-SRT and receive a shopping credit (Rider SC) if they agree to remain off ESP-SSO service through December 31, 2011.
- (b) For a Small Commercial and Industrial End-use Customer or a Large Commercial and Industrial End-use Customer to avoid (waive) Rider SRA-SRT and receive a shopping credit (Rider SC), the following steps must be followed:
  - i) The Small Commercial and Industrial End-use Customer or Large Commercial and Industrial End-use Customer or their agent must submit a Rider SRA-SRT Waiver Notification form found on the Company's web site.
  - ii) Within 30 days of the Company's receipt of the Rider SRA-SRT Waiver Notification form, the Small Commercial and Industrial End-use Customer or Large Commercial and Industrial End-use Customer must either sign the Company's Customer Agreement for the waiver program or provide the Company acceptable proof that they have a fully executed contract with a Certified Supplier securing generation service through December 31, 2011.

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### **SECTION III - CUSTOMER CHOICE ENROLLMENT AND PARTICIPATION GUIDELINES (Contd.)**

- iii) If the requirements in paragraphs i) and ii) above are met, the waiver of Rider SRA-SRT and the associated shopping credit (Rider SC) become effective for the appropriate account number(s) on the regularly scheduled Meter Read Date(s) for the account number(s) that occur(s) at least 60 days subsequent to the Company's receipt of the Rider SRA-SRT Waiver Notification form submitted per paragraph i) above.
- (c) Small Commercial and Industrial End-use Customers and Large Commercial and Industrial End-use Customers receiving generation service through a governmental aggregator will avoid (waive) Rider SRA-SRT and receive a shopping credit (Rider SC) if the governmental aggregator notifies the Company at least sixty (60) days prior to the start of the governmental aggregation of its intent to place all Small Commercial and Industrial End-use Customers and Large Commercial and Industrial End-use Customers served by the governmental aggregation on the Rider SRA-SRT waiver program and to maintain the governmental aggregation through December 31, 2011. Small Commercial and Industrial End-use Customers and Large Commercial and Industrial End-use Customers receiving generation service through such a governmental aggregation who do not want to participate in the Rider SRA-SRT waiver program may request the Company to bill them monthly for Rider SRA-SRT and to not apply a monthly shopping credit (Rider SC) to their bill.
- (d) Any Small Commercial and Industrial End-use Customer or Large Commercial and Industrial End-use Customer participating in the Rider SRA-SRT waiver program, including those receiving generation service through a governmental aggregation, who returns to the ESP-SSO prior to December 31, 2011, will be billed a monthly early return premium as described below in paragraph (d)(iii) of the next section.
- (e) Residential End-use customers receiving generation service through a governmental aggregator will avoid (waive) Rider SRA-SRT if the governmental aggregator notifies the Company at least sixty (60) days prior to the start of the governmental aggregation of its intent to place all Residential End-Use Customers served by the governmental aggregation on the Rider SRA-SRT waiver program and to maintain the governmental aggregation through December 31, 2011. Residential End-use Customers receiving generation service through such a governmental aggregation who do not want to participate in the Rider SRA-SRT waiver program may request the Company to bill them monthly for Rider SRA-SRT.

#### **End-use Customer Return to ESP-SSO Service**

- (a) An End-use Customer's return to ESP-SSO service may be a result of End-use Customer choice, Certified Supplier default, termination of a Certified Supplier contract, opt out or termination of a governmental aggregation program, or Certified Supplier withdrawal.
- (b) An End-use Customer may contact the Company to return to the Company's Standard Offer Rate. The return to the Standard Offer Rate shall be conducted under the same terms and conditions applicable to an enrollment with a Certified Supplier. Thus, the Company will provide a rescission period consistent with the Commission's rules. Provided the End-use Customer has observed the applicable notification requirements and the Company has effectuated the request to return to the Standard Offer Rate twelve (12) calendar days prior to the next regularly scheduled Meter Read

Filed pursuant to an Order dated December 17, 2008 in Case No. 08-920-EL-SSO before the Public Utilities Commission of Ohio.

**SECTION III - CUSTOMER CHOICE ENROLLMENT AND PARTICIPATION GUIDELINES (Contd.)**

Date, the End-use Customer will be returned to the Standard Offer Rate on the next regularly scheduled Meter Read Date.

**(c) Residential End-use Customers**

- i) Residential End-use Customers are not subject to a minimum stay.**
- ii) If a Residential End-use Customer's Certified Supplier defaults or the Residential End-use Customer opts out of a governmental aggregation program, the Residential End-use Customer will return to the Company's ESP-SSO and may switch to another Certified Supplier at any time. A Residential End-use Customer opting out of a governmental aggregation program must contact and inform the Company of the "opt out".**
- iii) If a Residential End-use Customer receiving generation service through a governmental aggregation that has agreed to remain off the ESP-SSO through December 31, 2011 (in exchange for avoiding Rider SRT), and then returns to the ESP-SSO prior to December 31, 2011, such Residential End-use Customer will be billed a monthly early return premium based on 15% of the applicable generation charges and Riders described in Tariff 19 in addition to the normal charges calculated per the ESP-SSO.**

The Residential End-use Customer will be mailed a letter the day following the successful processing of a DASR returning the Residential End-use Customer to the Company.

**(d) Small Commercial and Industrial End-use Customers**

- i) A Small Commercial and Industrial End-use Customer participating in the Rider SRT/IMF waiver program who as of September 30, 2008 was being served by a Certified Supplier under a contract that expires on or after January 1, 2009, may return to the ESP-SSO without being charged a monthly early return premium (described in paragraph iii) below) if the Small Commercial and Industrial End-use Customer notifies the Company of its desire to return to the ESP-SSO no less than sixty (60) days prior to the expiration of their current contract with the Certified Supplier, excluding contract extensions.**
- ii) Small Commercial and Industrial End-use Customers are not subject to a minimum stay.**
- iii) If a Small Commercial and Industrial End-use Customer served by a Certified Supplier agrees to remain off the ESP-SSO through December 31, 2011 (in exchange for avoiding Rider SRA-SRT and receiving a shopping credit) or receives generation service through a governmental aggregation that has agreed to this arrangement returns to the ESP-SSO prior to December 31, 2011, such Small Commercial and Industrial End-use Customer will be billed a monthly early return premium based on 15% of the applicable generation charges and Riders described in Tariff 19 in addition to the normal charges calculated per the ESP-SSO.**

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**SECTION III - CUSTOMER CHOICE ENROLLMENT AND PARTICIPATION GUIDELINES (Contd.)**

- iv) If a Small Commercial and Industrial End-use Customer served by a Certified Supplier individually or as part of a governmental aggregation pays Rider SRA-SRT while switched and does not receive a shopping credit, such Small Commercial and Industrial End-use Customer may return to the ESP-SSO without being charged an early return premium.
- v) A Small Commercial and Industrial End-use Customer who enters a contract to be served by a Certified Supplier after December 31, 2008, and participates in the Rider SRT waiver program may return to the ESP-SSO on the January, 2012 regularly scheduled Meter Read Date(s) for their account(s) without being charged a monthly early return premium (described in paragraph iii) above) if the Small Commercial and Industrial End-use Customer notifies the Company of its desire to return to the ESP-SSO no less than sixty (60) days prior to the January, 2012 regularly scheduled Meter Read Date(s).

If a Small Commercial and Industrial Customer returns to the Company, the Small Commercial and Industrial Customer is placed on the ESP-SSO. The Small Commercial and Industrial End-use Customer will be mailed a letter the day following the successful processing of a DASR returning the Small Commercial and Industrial End-use Customer to the Company.

**(e) Large Commercial and Industrial End-use Customers**

- i) A Large Commercial and Industrial End-use Customer participating in the Rider SRT/IMF waiver program who as of September 30, 2008 was being served by a Certified Supplier under a contract that expires on or after January 1, 2009, may return to the ESP-SSO without being charged a monthly early return premium (described in paragraph iii) below) if the Large Commercial and Industrial End-use Customer notifies the Company of its desire to return to the ESP-SSO no less than sixty (60) days prior to the expiration of their current contract with the Certified Supplier, excluding contract extensions.
- ii) If a Large Commercial and Industrial End-use Customer served by a Certified Supplier agrees to remain off the ESP-SSO through December 31, 2011 (in exchange for avoiding Rider SRA-SRT and receiving a shopping credit) or receives generation service through a governmental aggregation that has agreed to this arrangement returns to the ESP-SSO between May 15th and September 16th and prior to December 31, 2011, such Large Commercial and Industrial End-use Customer must remain on the ESP-SSO for twelve (12) consecutive billing cycles (minimum stay) and will be billed a monthly early return premium based on 15% of the applicable generation charges and Riders described in Tariff 19 in addition to the normal monthly charges calculated per the ESP-SSO.
- iii) If a Large Commercial and Industrial End-use Customer served by a Certified Supplier agrees to remain off the ESP-SSO through December 31, 2011 (in exchange for avoiding Rider SRA-SRT and receiving a shopping credit) or receives generation service through a governmental aggregation that has agreed to this arrangement returns to the ESP-SSO outside the May 15th through September 16th timeframe and prior to December 31, 2011, such Large Commercial and Industrial End-use Customer will not be subject to a minimum

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### **SECTION III - CUSTOMER CHOICE ENROLLMENT AND PARTICIPATION GUIDELINES (Contd.)**

stay and will be billed a monthly early return premium based on 15% of the applicable generation charges and Riders described in Tariff 19 in addition to the normal charges calculated per the ESP-SSO.

- iv) If a Large Commercial and Industrial End-use Customer served by a Certified Supplier individually or as part of a governmental aggregation pays Rider SRA-SRT while switched and does not receive a shopping credit, such Large Commercial and Industrial End-use Customer may return to the ESP-SSO without being subject to a minimum stay and without being charged an early return premium.
- v) A Large Commercial and Industrial End-use Customer who enters a contract to be served by a Certified Supplier after December 31, 2008, and participates in the Rider SRT waiver program may return to the ESP-SSO on the January, 2012 regularly scheduled Meter Read Date(s) for their account(s) without being charged a monthly early return premium (described in paragraph iii) above) if the Small Commercial and Industrial End-use Customer notifies the Company of its desire to return to the ESP-SSO no less than sixty (60) days prior to the January, 2012 regularly scheduled Meter Read Date(s).

#### **5. Certified Supplier Defaults**

If a Certified Supplier defaults, the Company will notify the customers of the default. However, service to the affected customers will not be interrupted due to the default. The customers involved will return to the Company's Standard Offer Rate on their next regular scheduled meter read date, unless there is sufficient time to choose an alternative supplier.

#### **6. Certified Supplier Drops Customer**

If the Certified Supplier decides to discontinue service to a customer, the Certified Supplier will notify the customer in accordance with Commission rules and submit a Drop DASR to the Company at least twelve (12) calendar days in advance of the requested drop date, which will be the next regular scheduled meter read date. The Company will notify the customer when a Drop DASR is received.

#### **7. Return to Standard Offer Rate Due to Arrears**

Prior to the effective date of an agreement for the Company to purchase the receivables of a Certified Supplier, a customer's electric service account actively enrolled with the Certified Supplier, billed on Company Consolidated billing, and having arrears of 30 days or more totaling \$50.00 or more must have the billing option changed by the Certified Supplier to separate billing by the Company and the Certified Supplier, as described in Section 10 herein, or the Company will return the account to the Company's Standard Offer Rate.

#### **8. Requests for Customer Specific Usage Information**

A customer or a Certified Supplier, acting as the customer's authorized agent, may request specific usage information. The customer specific usage request will include twelve (12) months of historical data (if available) including monthly kWh usage, meter read dates, and associated monthly maximum demand history, if applicable.

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### **SECTION III - CUSTOMER CHOICE ENROLLMENT AND PARTICIPATION GUIDELINES (Contd.)**

This information will be provided to the customer or the Certified Supplier, acting as the customer's authorized agent, free of charge.

If the customer requests monthly interval metering data, the customer will be required to pay the charge specified on the tariff Sheet No. 95 "Meter Data Charges." Charges to Certified Suppliers for interval data are specified in P.U.C.O. Electric No. 20.

#### **9. Customer Aggregation**

Customers may be aggregated for purposes of negotiating the purchase of Competitive Retail Electric Services from a Certified Supplier. Customer aggregation is not restricted by the class of customer within an aggregated group. Accordingly, any customer may be represented by an aggregator. However, an aggregator is not a customer, but rather an agent for aggregated customers. Each aggregated customer will be treated as an individual customer of the Company for billing purposes under their otherwise applicable rate schedules, including the billing of applicable Generation Charges and Shopping Credits. Combination of meter registrations of aggregated customers will not be permitted. No charge of a tariff service will be affected by a customer's aggregation status, and aggregation of load cannot be used for qualification under a tariff.

#### **10. Bill Payment Option**

A Certified Supplier must notify the Company which billing option is being chosen for its customers: (1) Company Consolidated billing or (2) separate billing by the Company and the Certified Supplier. When the Company Consolidated billing option is selected, the customer will receive one bill from the Company, which will include both the Company's and the Certified Supplier's charges stated separately. The customer is responsible for payment in full to the Company for both the Company and Certified Supplier charges when the Company performs consolidated billing. The billing option must be identified at the time the enrollment DSR is submitted to the Company. Regardless of the billing option selected by the Certified Supplier, the customer may still choose to have budget billing for bills rendered by the Company.

If a change DSR for a customer's electric service account actively enrolled with a Certified Supplier is submitted to change the billing option from separate billing by the Company and the Certified Supplier to Company Consolidated billing and the Certified Supplier is participating in the Company's Purchase of Accounts Receivable (PAR) Program, the Company will reject the change DSR if the Company's account with the customer has an arrear of 30 days or more totaling \$50.00 or more.

If a change DSR for a customer's electric service account actively enrolled with a Certified Supplier is submitted to change the billing option from separate billing by the Company and the Certified Supplier or from the Company Consolidated billing option known as Rate Ready to the Company Consolidated billing option known as Bill Ready and the account is currently involved in the Company's summary billing program, the DSR will be rejected until the Company's information system has the capability to accept such DSRs, which will occur by July 1, 2002. Prior to July 1, 2002, in order for a billing option change DSR to be accepted for this situation, the change submitted must be from separate billing by the Company and the Certified Supplier to the Company Consolidated billing option known as Rate Ready or from the Company Consolidated billing option known as Rate Ready to separate billing by the Company and the Certified Supplier.

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### **SECTION III - CUSTOMER CHOICE ENROLLMENT AND PARTICIPATION GUIDELINES (Contd.)**

If a change DASR for a customer's electric service account actively enrolled with a Certified Supplier is submitted to change the billing option from separate billing by the Company and the Certified Supplier or from the Company Consolidated billing option known as Rate Ready to the Company Consolidated billing option known as Bill Ready and the account is currently involved in the Company's adjusted due date program, the DASR will be rejected until the Company's information system has the capability to accept such DASRs, which will occur by November 1, 2002. Prior to November 1, 2002, in order for a billing option change DASR to be accepted for this situation, the change submitted must be from separate billing by the Company and the Certified Supplier to the Company Consolidated billing option known as Rate Ready or from the Company Consolidated billing option known as Rate Ready to separate billing by the Company and the Certified Supplier.

For customers who have a maximum annual peak demand greater than or equal to 100 kW for the most recent twelve (12) month period, the required interval metering will be used to support the Certified Suppliers' billing options. If a customer has a maximum annual peak demand less than 100 kW and the Company must install special metering to support a Certified Supplier's billing option, the customer will be responsible for the incremental costs of upgrading the present meter plus all costs associated with the installation of that metering equipment. The charges for an interval meter will be at the tariffed rate, which may be paid over a period not to exceed twenty-four (24) months.

If the Company is providing the consolidated bill option for the Certified Supplier, the Company will remit payments received for Certified Supplier charges including the associated taxes to the Certified Supplier.

All billed charges are grouped into categories and a payment priority is established for each. If a partial payment is received, the Company will apply the following payment priorities classification. Payments will be applied first to prior gas and electric Regulated Utility Charges, second to current gas and electric Regulated Utility Charges, third to prior electric Certified Supplier charges and gas supplier charges (if applicable), fourth to current electric Certified Supplier charges and gas supplier charges (if applicable), and then on a pro-rata basis for non-regulated products and services. When the priority classification is equal, payments will be applied to the oldest receivables first.

If the dual bill option is chosen, the customer will receive separate bills from the Company and the Certified Supplier for their respective charges. The Company and Certified Supplier shall be individually responsible for the collection of their respective charges.

Regardless of the bill option chosen by the Certified Supplier, customers who fail to pay in full their Regulated Utility Charges to the Company will be subject to the Company's late payment charge policy as it applies to those Regulated Utility Charges. The customer will also be subject to the rules and regulations governing the credit, collection and disconnection procedures in accordance with Sections 4901:1-17 and 4901:1-18 of the Ohio Administrative Code.

The Certified Supplier is ultimately responsible for the collection of any unpaid charges for services provided by them, as well as for developing their own credit and collection policies. However, in the course of following its collection procedures for Regulated Utility Charges, the Company may inform customers of such arrearages. In accordance with the rules and regulations governing the credit, collection and disconnection procedures specified in Sections 4901:1-17 and 4901:1-18 of the Ohio Administrative Code, the Certified Supplier may not physically disconnect customers for non-payment of Certified Supplier charges.

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## **SECTION VI - BILLING AND PAYMENT**

### **1. Billing Periods - Time and Place for Payment of Bills**

Bills ordinarily are rendered at monthly intervals. Non-receipt of bills by the customer does not release or diminish the obligation of the customer with respect to payment thereof.

The word "month" as it pertains to the supply of service shall mean the period of approximately thirty (30) days between meter readings, as fixed and made by the Company. Meters are ordinarily read monthly, however, meters may be read more or less frequently in such instances as, when special readings are required, at the customer's request, or when the Company has been unable to obtain readings. If the Company has been unable to obtain a meter reading for a period of twelve (12) consecutive months, the Company may, at its option, refuse or disconnect service to the premises in accordance with Section I Paragraph 3, Company's Right to Refuse or Disconnect Service, of these ELECTRIC SERVICE REGULATIONS. The Company shall have the right to establish billing districts for the purpose of reading meters and rendering bills to customers at various dates. A change or revision of any rate schedule shall be applicable to all bills on which the final monthly meter reading was taken on or after the effective date of such change or revision, except as otherwise ordered by the Public Utilities Commission of Ohio.

Where the Company is unable to obtain a meter reading, estimated bills, so identified, will be rendered for an estimated amount to permit normal monthly payment, such payments to be credited to the next bill rendered.

When the Company is requested by the customer to terminate service, or when the Company discovers a customer has terminated service by moving from the premises served, or when the Company disconnects service due to nonpayment of the account or for other reasons, the Company will render a final bill addressed to the customer's forwarding address, if known, or to the last known address, for the entire balance of the account, including a bill calculation from the last read date. This calculation shall be based on an actual meter reading if the meter has not been read in the immediately preceding sixty days and access to the meter is provided. If the meter has been read within the immediately preceding thirty-three to sixty days, the Company shall inform the customer, when the customer contacts it, of the option to have an actual meter read, at no charge to the customer. If the meter has been read within the immediately preceding one to thirty-two days, the Company may estimate the customer's consumption. The final bill may contain calculations from special meter readings taken for combination gas and electric and gas only accounts and identified estimated meter readings being used for non-heating electric only accounts. Unpaid balances of previously rendered final bills may be transferred to the new account and included on initial or subsequent bills.

When the customer begins use of service, an initial bill is normally rendered for the period from the initial date of service to the first regular meter reading date for the billing district in which the premises is located, this period normally being less than one month, except that the bill is suspended if the period is less than eight (8) days.

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## **SECTION VI - BILLING AND PAYMENT (Contd.)**

All of the Company's rate schedules are established on a monthly basis which would include monthly billing periods in accordance with the Company's meter reading schedule. A normal meter reading period consists of the number of days between scheduled reads, that is, between twenty-seven (27) and thirty-five (35) days, plus or minus three (3) working days. Where billing amounts reflects a period of more than one (1) month, those amounts shall be prorated based on the normal scheduled meter reading dates and divided into increments of one (1) month or less. If the increments represents less than one (1) month, the appropriate billing components will be billed as a prorated portion of the period defined by the normal scheduled meter reading dates.

Bills are due on the date indicated thereon as being the last day for payment of the net amount, and the due date shall not be less than twenty-one (21) days after the mailing of the bill. Bills are payable only at the Company's offices or authorized agencies for collection. If a partial payment is made, the amount will be applied to items of indebtedness in the same order as they have accrued, starting with regulated charges followed by non-regulated charges.

### **2. Selection of Rate Schedule**

When a prospective customer makes application for service, the Company will, upon request, assist in the selection of the Rate Schedule most favorable to customer for the service requested. The selection will be based on the prospective customer's statement as to the class of service desired, the amount and manner of use, and any other pertinent information.

A customer being billed under one of two or more optional rate schedules applicable to the customer's class of service may elect to be billed on any other applicable rate schedule by notifying the Company in writing, and the Company will bill the customer under such elected schedule from and after the date of the next meter reading. However, a customer having made such a change of rate schedule may not make another such change within the next twelve months, or as otherwise provided elsewhere in the applicable rate schedules.

### **3. Temporary Discontinuance of Service**

If any residential customer notifies the Company in writing to discontinue service, the Company will make no minimum charge for any full meter reading period during the period of discontinuance; provided however, that the Company may charge and collect a sum of fifteen dollars (\$15.00) prior to reconnecting a service which was discontinued at the customer's request within the preceding twelve months.

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## **SECTION VI - BILLING AND PAYMENT (Contd.)**

### **4. Availability of Budget Billing**

The Company has available to its customers a "Budget Billing Plan" which minimizes billing amount fluctuations over a twelve month period. The Company may exercise discretion, as permitted by Rule 4901:1-18-4 (C) of the Ohio Administrative Code, to restrict the availability of such a plan to customers who:

- (a) Have no arrearages (other than amounts already incorporated in a previously agreed upon extended payment plan); and
- (b) Are not in default on a previously agreed upon extended payment plan.

### **5. Bill Adjustment**

Overcharges will be refunded to the customer for the entire period of inaccurate billing if that period is discernible. If the period of inaccurate billing is not discernible, the shortest period encompassing the elapsed time since the customer's "on" date, the installation date of the inaccurate meter, or 365 days will form the basis for determining the refund amount.

Undercharges may be billed and the customer shall pay the charges for the entire period of inaccurate billing when that period is discernible, except undercharges billed to residential customers shall be limited to a maximum of 365 days prior to the date the billing is corrected. There will be no maximum limit of time for cases involving tampering or theft of utility service, or where a physical act of a customer or its agent causes inaccurate or no recording of the meter reading, or inaccurate or no measurement of the electricity rendered.

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## **RATE RS**

### **RESIDENTIAL SERVICE**

#### **APPLICABILITY**

Applicable to electric service other than three phase service, for all domestic purposes in private residences and single occupancy apartments and separately metered common use areas of multi-occupancy buildings in the entire territory of the Company where distribution lines are adjacent to the premises to be served.

Residences where not more than two rooms are used for rental purposes will also be included. Where all dwelling units in a multi-occupancy building are served through one meter and the common use area is metered separately, the kilowatt-hour rate will be applied on a "per residence" or "per apartment" basis, however, the customer charge will be based on the number of installed meters.

Where a portion of a residential service is used for purposes of a commercial or public character, the applicable general service rate is applicable to all service. However, if the wiring is so arranged that the service for residential purposes can be metered separately, this Rate will be applied to the residential service, if the service qualifies hereunder.

For customers taking service under any or all of the provisions of this tariff schedule, this same schedule shall constitute the Company's Standard Service Offer.

#### **TYPE OF SERVICE**

Alternating current 60 Hz, single phase at Company's standard secondary voltage.

#### **NET MONTHLY BILL**

Computed in accordance with the following charges:

	<u>Summer Period</u>	<u>Winter Period</u>
1. Distribution Charges		
(a) Customer Charge	\$4.50 per month	\$4.50 per month
(b) Energy Charge		
First 1,000 kilowatt-hours	\$0.019949 per kWh	\$0.019949 per kWh
Additional kilowatt-hours	\$0.019949 per kWh	\$0.019949 per kWh

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**NET MONTHLY BILL (Contd.)**

**2. Applicable Riders**

The following riders are applicable pursuant to the specific terms contained within each rider:

Sheet No. 51, Rider PTC-AAC, Annually Adjusted Component Rider  
Sheet No. 53, Rider PTC-FPP, Fuel and Economy Purchased Power Rider  
Sheet No. 54, Rider SRA-CD, Capacity Dedication Rider  
Sheet No. 56, Rider SRA-SRT, System Reliability Tracker  
Sheet No. 57, Rider TCR, Transmission Cost Recovery Rider  
Sheet No. 59, Rider RSS, Rate Stabilization Surcredit Rider  
Sheet No. 80, Rider RGR, Residential Generation Rider  
Sheet No. 81, Rider EER, Energy Efficiency Revolving Loan Program Rider  
Sheet No. 83, Rider OET, Ohio Excise Tax Rider  
Sheet No. 84, Rider RTC, Regulatory Transition Charge Rider  
Sheet No. 86, Rider USR, Universal Service Fund Rider  
Sheet No. 89, Rider AG, Optional Alternative Generation Rider  
Sheet No. 103, Rider MSR-E, Merger Savings Credit Rider-Electric  
Sheet No. 104, Rider DR-IM, Infrastructure Modernization Rider  
Sheet No. 105, Rider DR-ECF, Economic Competitiveness Fund Rider  
Sheet No. 106, Rider DR-SAWR, Energy Efficiency Recovery Rate

**3. Price to Compare – Base Generation Charges (PTC-BG)**

The following generation charges are applicable to all customers except those customers who receive their energy from a Certified Supplier:

<b><u>JAN. 1, 2009 – DEC. 31, 2009</u></b>		
	<b><u>Summer Period</u></b>	<b><u>Winter Period</u></b>
Energy Charge		
First 1,000 kilowatt-hours	\$0.040238 per kWh	\$0.040238 per kWh
Additional kilowatt-hours	\$0.053622 per kWh	\$0.008915 per kWh

<b><u>JAN. 1, 2010 – DEC 31, 2010</u></b>		
	<b><u>Summer Period</u></b>	<b><u>Winter Period</u></b>
Energy Charge		
First 1,000 kilowatt-hours	\$0.042345 per kWh	\$0.042345 per kWh
Additional kilowatt-hours	\$0.056265 per kWh	\$0.009770 per kWh

<b><u>JAN. 1, 2011 – DEC. 31, 2011</u></b>		
	<b><u>Summer Period</u></b>	<b><u>Winter Period</u></b>
Energy Charge		
First 1,000 kilowatt-hours	\$0.042345 per kWh	\$0.042345 per kWh
Additional kilowatt-hours	\$0.056265 per kWh	\$0.009770 per kWh

**MINIMUM CHARGE**

The minimum charge shall be the Customer Charge as stated above.

Filed pursuant to an Order dated December 17, 2008 in Case No. 08-920-EL-SSO before the Public Utilities Commission of Ohio.

#### **AVOIDANCE OF SYSTEM RELIABILITY TRACKER CHARGE**

Residential customers receiving generation service through a governmental aggregator will avoid (waive) Rider SRA-SRT if the governmental aggregator notifies the Company at least sixty (60) days prior to the start of the governmental aggregation of its intent to place all Residential End-Use Customers served by the governmental aggregation on the Rider SRA-SRT waiver program and to maintain the governmental aggregation through December 31, 2011. If the aggregated Residential End-Use Customer returns to the ESP-SSO prior to December 31, 2011, such Residential End-Use Customer will be billed a monthly early return premium based on 15% of the applicable generation charges and Riders in addition to the normal charges calculated per the ESP-SSO.

#### **BILLING PERIODS**

For purposes of administration of the above charges, the summer period is defined as that period represented by the Company's billing for the four (4) revenue months of June through September. The winter period is defined as that period represented by the Company's billing for the eight (8) revenue months of January through May and October through December.

#### **LATE PAYMENT CHARGE**

Payment of the total amount due must be received in the Company's office by the due date shown on the bill. When not so paid, an additional amount equal to one and one-half percent (1.5%) of the unpaid balance is due and payable.

The late payment charge is not applicable to:

- Unpaid account balances of customers enrolled in income payment plans pursuant to Section 4901:1-18-04(B), Ohio Administrative Code; and
- Unpaid account balances for services received from a Certified Supplier.

#### **TERMS AND CONDITIONS**

This rate is available upon application in accordance with the Company's Service Regulations.

The supplying and billing for service and all conditions applying thereto, are subject to the jurisdiction of the Public Utilities Commission of Ohio, and to the Company's Service Regulations currently in effect, as filed with the Public Utilities Commission of Ohio.

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Filed pursuant to an Order dated December 17, 2008 in Case No. 08-920-EL-SSO before the Public Utilities Commission of Ohio.

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Issued: December 18, 2008

Effective: January 2, 2009

Issued by Julie Janson, President



## **RATE ORH**

### **OPTIONAL RESIDENTIAL SERVICE WITH ELECTRIC SPACE HEATING**

#### **APPLICABILITY**

Applicable to electric service, other than three phase service, used for all domestic purposes in private residences and single occupancy apartments where permanently connected electric heating equipment is installed and in regular use as the primary source of qualified space heating in the entire territory of the Company where distribution lines are adjacent to the premises to be served. In addition, the customer will be required to pay an amount equal to the current installed cost of demand metering equipment in excess of the current installed cost of standard watt-hour metering equipment. All metering equipment shall remain the property of the Company. The Company shall be responsible for the installation, operation, maintenance, testing, replacement and removal of metering equipment.

This rate is only available as Company demand meters are installed on the customer's premises. Due to the limited availability of metering equipment and Company personnel, a demand meter will be installed as metering equipment and Company personnel are available.

Where a portion of a residential service is used for purposes of a commercial or public character, the applicable general service rate is applicable to all service. However, if the wiring is so arranged that the service for residential purposes can be metered separately, this Rate will be applied to the residential service, if the service qualifies hereunder.

For customers taking service under any or all of the provisions of this tariff schedule, this same schedule shall constitute the Company's Standard Service Offer.

#### **TYPE OF SERVICE**

Alternating current 60 Hz, single phase at Company's standard secondary voltage.

#### **NET MONTHLY BILL**

Computed in accordance with the following charges:

	<u>Summer Period</u>	<u>Winter Period</u>
1. Distribution Charges		
(a) Customer Charge	\$4.50 per month	\$4.50 per month
(b) Energy Charge		
First 1,000 kilowatt-hours	\$0.023426 per kWh	\$0.023426 per kWh
Additional kilowatt-hours	\$0.027749 per kWh	\$0.012939 per kWh
In excess of 150 times Customer's		
Monthly Demand	\$0.027749 per kWh	\$0.008723 per kWh

Filed pursuant to an Order dated December 17, 2008 in Case No. 08-920-EL-SSO before the Public Utilities Commission of Ohio.

Issued: December 18, 2008

Issued by Julie Janson, President

Effective: January 2, 2009

**NET MONTHLY BILL (Contd.)**

**2. Applicable Riders**

The following riders are applicable pursuant to the specific terms contained within each rider:

Sheet No. 51, Rider PTC-AAC, Annually Adjusted Component Rider  
Sheet No. 53, Rider PTC-FPP, Fuel and Economy Purchased Power Rider  
Sheet No. 54, Rider SRA-CD, Capacity Dedication Rider  
Sheet No. 56, Rider SRA-SRT, System Reliability Tracker  
Sheet No. 57, Rider TCR, Transmission Cost Recovery Rider  
Sheet No. 59, Rider RSS, Rate Stabilization Surcredit Rider  
Sheet No. 80, Rider RGR, Residential Generation Rider  
Sheet No. 81, Rider EER, Energy Efficiency Revolving Loan Program Rider  
Sheet No. 83, Rider OET, Ohio Excise Tax Rider  
Sheet No. 84, Rider RTC, Regulatory Transition Charge Rider  
Sheet No. 86, Rider USR, Universal Service Fund Rider  
Sheet No. 89, Rider AG, Optional Alternative Generation Rider  
Sheet No. 103, Rider MSR-E, Merger Savings Credit Rider  
Sheet No. 104, Rider DR-IM, Infrastructure Modernization Rider  
Sheet No. 105, Rider DR-ECF, Economic Competitiveness Fund Rider  
Sheet No. 106, Rider DR-SAWR, Energy Efficiency Recovery Rate

**3. Price to Compare – Base Generation Charges (PTC-BG)**

The following generation charges are applicable to all customers except those customers who receive their energy from a Certified Supplier:

Generation Charges	<b><u>JAN. 1, 2009 – DEC. 31, 2009</u></b>	
	<u>Summer Period</u>	<u>Winter Period</u>
Energy Charge		
First 1,000 kilowatt-hours	\$0.036637 per kWh	\$0.036635 per kWh
Additional kilowatt-hours	\$0.046109 per kWh	\$0.013606 per kWh
In excess of 150 times Customer's Monthly Demand	\$0.046109 per kWh	\$0.004349 per kWh

Generation Charges	<b><u>JAN. 1, 2010 – DEC. 31, 2010</u></b>	
	<u>Summer Period</u>	<u>Winter Period</u>
Energy Charge		
First 1,000 kilowatt-hours	\$0.038601 per kWh	\$0.038599 per kWh
Additional kilowatt-hours	\$0.048452 per kWh	\$0.014649 per kWh
In excess of 150 times Customer's Monthly Demand	\$0.048452 per kWh	\$0.005021 per kWh

Filed pursuant to an Order dated December 17, 2008 in Case No. 08-920-EL-SSO before the Public Utilities Commission of Ohio.

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3. Price to Compare – Base Generation Charges (PTC-BG) (Cont'd.)

	<u>JAN. 1, 2011 – DEC. 31, 2011</u>	
	<u>Summer Period</u>	<u>Winter Period</u>
Generation Charges		
Energy Charge		
First 1,000 kilowatt-hours	\$0.038601 per kWh	\$0.038599 per kWh
Additional kilowatt-hours	\$0.048452 per kWh	\$0.014649 per kWh
In excess of 150 times Customer's Monthly Demand	\$ 0.048452 per kWh	\$0.005021 per kWh

**MINIMUM CHARGE**

The minimum charge shall be the Customer Charge as stated above.

**AVOIDANCE OF SYSTEM RELIABILITY TRACKER CHARGE**

Residential customers receiving generation service through a governmental aggregator will avoid (waive) Rider SRA-SRT if the governmental aggregator notifies the Company at least sixty (60) days prior to the start of the governmental aggregation of its intent to place all Residential End-Use Customers served by the governmental aggregation on the Rider SRA-SRT waiver program and to maintain the governmental aggregation through December 31, 2011. If the aggregated Residential End-Use Customer returns to the ESP-SSO prior to December 31, 2011, such Residential End-Use Customer will be billed a monthly early return premium based on 15% of the applicable generation charges and Riders in addition to the normal charges calculated per the ESP-SSO.

**BILLING PERIODS**

For purposes of administration of the above charges, the summer period is defined as that period represented by the Company's billing for the four (4) revenue months of June through September. The winter period is defined as the period represented by the Company's billing for the eight (8) revenue months of January through May and October through December.

**DEMAND**

Customer's monthly demand will be the kilowatts as determined from the Company's demand metering equipment for the fifteen (15) minute period of customer's greatest use in each month during the winter period.

Minimum demand shall be ten (10) kilowatts.

**QUALIFIED SPACE HEATING**

"Qualified" space heating is the heating of residential living quarters primarily through the regular use of permanently connected electric heating equipment, the installation of which meets the Company's specifications.

#### **LATE PAYMENT CHARGE**

Payment of the total amount due must be received in the Company's office by the due date shown on the bill. When not so paid, an additional amount equal to one and one-half percent (1.5%) of the unpaid balance is due and payable.

The late payment charge is not applicable to:

- Unpaid account balances of customers enrolled in income payment plans pursuant to Section 4901:1-18-04(B), Ohio Administrative Code; and
- Unpaid account balances for services received from a Certified Supplier.

#### **TERMS AND CONDITIONS**

This rate is available upon application in accordance with the Company's Service Regulations and the minimum contract period shall be one (1) year terminable thereafter on thirty (30) days written notice by either the customer or the Company.

The supplying and billing for service and all conditions applying thereto, are subject to the jurisdiction of the Public Utilities Commission of Ohio, and to Company's Service Regulations currently in effect, as filed with the Public Utilities Commission of Ohio.

Filed pursuant to an Order dated December 17, 2008 in Case No. 08-920-EL-SSO before the Public Utilities Commission of Ohio.

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Issued: December 18, 2008

Issued by Julie Janson, President

Effective: January 2, 2009

## RATE TD

### OPTIONAL TIME-OF-DAY RATE FOR RESIDENTIAL SERVICE

#### APPLICABILITY

Applicable to electric service other than three phase service for all domestic purposes in private residences and single occupancy apartments in the entire territory of the Company where distribution lines are adjacent to the premises to be served. This rate is available only as Company demand meters with programmable time-of-day registers are installed on the customer's premises.

For customers taking service under any or all of the provisions of this tariff schedule, this same schedule shall constitute the Company's Standard Service Offer.

#### NET MONTHLY BILL

Computed in accordance with the following charges:

	<u>Summer Period</u>	<u>Winter Period</u>
1. Distribution Charges		
(a) Customer Charge	\$13.00 per month	\$13.00 per month
(b) Energy Charge		
On Peak kilowatt-hours	\$0.037141 per kWh	\$0.029514 per kWh
Off Peak kilowatt-hours	\$0.006479 per kWh	\$0.006474 per kWh
2. Applicable Riders		
The following riders are applicable pursuant to the specific terms contained within each rider:		
Sheet No. 51, Rider PTC-AAC, Annually Adjusted Component Rider		
Sheet No. 53, Rider PTC-FPP, Fuel and Economy Purchased Power Rider		
Sheet No. 54, Rider SRA-CD, Capacity Dedication Rider		
Sheet No. 56, Rider SRA-SRT, System Reliability Tracker		
Sheet No. 57, Rider TCR, Transmission Cost Recovery Rider		
Sheet No. 59, Rider RSS, Rate Stabilization Surcredit Rider		
Sheet No. 80, Rider RGR, Residential Generation Rider		
Sheet No. 81, Rider EER, Energy Efficiency Revolving Loan Program Rider		
Sheet No. 83, Rider OET, Ohio Excise Tax Rider		
Sheet No. 84, Rider RTC, Regulatory Transition Charge Rider		
Sheet No. 86, Rider USR, Universal Service Fund Rider		
Sheet No. 89, Rider AG, Optional Alternative Generation Rider		
Sheet No. 103, Rider MSR-E, Merger Savings Credit Rider-Electric		
Sheet No. 104, Rider DR-IM, Infrastructure Modernization Rider		
Sheet No. 105, Rider DR-ECF, Economic Competitiveness Fund Rider		
Sheet No. 106, Rider DR-SAWR, Energy Efficiency Recovery Rate		

Filed pursuant to an Order dated December 17, 2008 in Case No. 08-920-EL-SSO before the Public Utilities Commission of Ohio.

Issued: December 18, 2008

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Issued by Julie Janson, President

**NET MONTHLY BILL (Contd.)**

**3. Price to Compare – Base Generation Charges (PTC-BG)**

The following generation charges are applicable to all customers except those customers who receive their energy from a Certified Supplier:

<b><u>JAN. 1, 2009 – DEC. 31, 2009</u></b>		
	<b><u>Summer Period</u></b>	<b><u>Winter Period</u></b>
Energy Charge		
On Peak kilowatt-hours	\$0.098380 per kWh	\$0.074982 per kWh
Off Peak kilowatt-hours	\$0.004950 per kWh	\$0.004956 per kWh
 <b><u>JAN. 1, 2010 – DEC. 31, 2010</u></b>		
	<b><u>Summer Period</u></b>	<b><u>Winter Period</u></b>
Energy Charge		
On Peak kilowatt-hours	\$0.102813 per kWh	\$0.078479 per kWh
Off Peak kilowatt-hours	\$0.005646 per kWh	\$0.005652 per kWh
 <b><u>JAN. 1, 2011 – DEC. 31, 2011</u></b>		
	<b><u>Summer Period</u></b>	<b><u>Winter Period</u></b>
Energy Charge		
On Peak kilowatt-hours	\$0.102813 per kWh	\$0.078479 per kWh
Off Peak kilowatt-hours	\$0.005646 per kWh	\$0.005652 per kWh

**MINIMUM CHARGE**

The minimum charge shall be the Customer Charge as stated above.

**AVOIDANCE OF SYSTEM RELIABILITY TRACKER CHARGE**

Residential customers receiving generation service through a governmental aggregator will avoid (waive) Rider SRA-SRT if the governmental aggregator notifies the Company at least sixty (60) days prior to the start of the governmental aggregation of its intent to place all Residential End-Use Customers served by the governmental aggregation on the Rider SRA-SRT waiver program and to maintain the governmental aggregation through December 31, 2011. If the aggregated Residential End-Use Customer returns to the ESP-SSO prior to December 31, 2011, such Residential End-Use Customer will be billed a monthly early return premium based on 15% of the applicable generation charges and Riders in addition to the normal charges calculated per the ESP-SSO.

**BILLING PERIODS**

For purposes of administration of the above charges, the summer period is defined as that period represented by the Company's billing for the four (4) revenue months of June through September. The winter period is defined as that period represented by the Company's billing for the eight (8) revenue months of January through May and October through December.

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Filed pursuant to an Order dated December 17, 2008 in Case No. 08-920-EL-SSO before the Public Utilities Commission of Ohio.

Issued: December 18, 2008

Effective: January 2, 2009

Issued by Julie Janson, President

#### **RATING PERIODS**

The rating periods applicable to the above kilowatt-hour charges are as follows:

- a) Summer On Peak Period - 11:00 a.m. to 8:00 p.m. Monday through Friday, excluding holidays.
- b) Winter On Peak Period - 9:00 a.m. to 2:00 p.m. and 5:00 p.m. to 9:00 p.m. Monday through Friday, excluding holidays.
- c) Off Peak Period - All hours Monday through Friday not included above plus all day Saturday and Sunday as well as New Year's Day, President's Day, Good Friday, Memorial Day, Independence Day, Labor Day, Columbus Day, Veteran's Day, Thanksgiving Day and Christmas Day or on the day nationally designated to be celebrated as such with the exception that if the foregoing holidays occur on a Sunday, the following Monday is considered a holiday.

#### **LATE PAYMENT CHARGE**

Payment of the total amount due must be received in the Company's office by the due date shown on the bill. When not so paid, an additional amount equal to one and one-half percent (1.5%) of the unpaid balance is due and payable. The late payment charge is not applicable to unpaid account balances for services received from a Certified Supplier.

#### **TERMS AND CONDITIONS**

This rate is available upon application in accordance with the Company's Service Regulations.

The initial term of service under this rate is three (3) years. If the customer desires to cancel service under this tariff within three (3) years, a termination fee may be charged by the Company. The termination fee will be determined by applying the above Customer Charge times the remaining months of the initial service agreement.

#### **TERMS AND CONDITIONS (Contd.)**

Where the Company is denied access to read the customer's time-of-day meter for more than two (2) consecutive months, the Company may, after notifying the customer, place the customer on the Company's standard residential rate. If the Company moves the customer to the standard rate, the customer shall not be billed for the termination fee.

The supplying and billing for service and all conditions applying thereto, are subject to the jurisdiction of the Public Utilities Commission of Ohio, and to Company's Service Regulations currently in effect, as filed with the Public Utilities Commission of Ohio.

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Filed pursuant to an Order dated December 17, 2008 in Case No. 08-920-EL-SSO before the Public Utilities Commission of Ohio.

Issued: December 18, 2008

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Issued by Julie Janson, President

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**RATE CUR**

**COMMON USE RESIDENTIAL SERVICE**

**APPLICABILITY**

Applicable to electric service other than three phase service for separately metered common use areas of multi-occupancy buildings in the entire territory of the Company where distribution lines are adjacent to the premises to be served.

For customers taking service under any or all of the provisions of this tariff schedule, this same schedule shall constitute the Company's Standard Service Offer.

**TYPE OF SERVICE**

Alternating current 60 Hz, single phase at Company's standard secondary voltage.

**NET MONTHLY BILL**

Computed in accordance with the following charges:

	<u>Summer Period</u>	<u>Winter Period</u>
1. Distribution Charges		
(a) Customer Charge	\$4.50 per month	\$4.50 per month
(b) Energy Charge		
First 1,000 kilowatt-hours	\$0.019949 per kWh	\$0.019949 per kWh
Additional kilowatt-hours	\$0.019949 per kWh	\$0.019949 per kWh
2. Applicable Riders		
The following riders are applicable pursuant to the specific terms contained within each rider:		
Sheet No. 51, Rider PTC-AAC, Annually Adjusted Component Rider		
Sheet No. 53, Rider PTC-FPP, Fuel and Economy Purchased Power Rider		
Sheet No. 54, Rider SRA-CD, Capacity Dedication Rider		
Sheet No. 56, Rider SRA-SRT, System Reliability Tracker		
Sheet No. 57, Rider TCR, Transmission Cost Recovery Rider		
Sheet No. 58, Rider DRI, Distribution Reliability Investment Rider		
Sheet No. 59, Rider RSS, Rate Stabilization Surcredit Rider		
Sheet No. 81, Rider EER, Energy Efficiency Revolving Loan Program Rider		
Sheet No. 83, Rider OET, Ohio Excise Tax Rider		
Sheet No. 84, Rider RTC, Regulatory Transition Charge Rider		
Sheet No. 85, Rider SC, Shopping Credit Rider		
Sheet No. 86, Rider USR, Universal Service Fund Rider		
Sheet No. 89, Rider AG, Optional Alternative Generation Rider		
Sheet No. 103, Rider MSR-E, Merger Savings Credit Rider		
Sheet No. 104, Rider DR-IM, Infrastructure Modernization Rider		
Sheet No. 105, Rider DR-ECF, Economic Competitiveness Rider		
Sheet No. 106, Rider DR-SAWR, Energy Efficiency Recovery Rate		

Filed pursuant to an Order dated December 17, 2008 in Case No. 08-920-EL-SSO before the Public Utilities Commission of Ohio.

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**NET MONTHLY BILL (Contd.)**

3. Price to Compare – Base Generation Charges (PTC-BG)

The Generation Charges listed below are applicable to all customers except those customers that switch to a Certified Supplier for their generation service.

<b><u>JAN. 1, 2009 – DEC. 31, 2009</u></b>		
	<b><u>Summer Period</u></b>	<b><u>Winter Period</u></b>
Energy Charge		
First 1,000 kilowatt-hours	\$0.033754 per kWh	\$0.033754 per kWh
Additional kilowatt-hours	\$0.046066 per kWh	\$0.005038 per kWh

<b><u>JAN. 1, 2010 - DEC. 31, 2010</u></b>		
	<b><u>Summer Period</u></b>	<b><u>Winter Period</u></b>
Energy Charge		
First 1,000 kilowatt-hours	\$0.035861 per kWh	\$0.035861 per kWh
Additional kilowatt-hours	\$0.048709 per kWh	\$0.005893 per kWh

<b><u>JAN. 1, 2011 – DEC. 31, 2011</u></b>		
	<b><u>Summer Period</u></b>	<b><u>Winter Period</u></b>
Energy Charge		
First 1,000 kilowatt-hours	\$0.044537 per kWh	\$0.044537 per kWh
Additional kilowatt-hours	\$0.059014 per kWh	\$0.010658 per kWh

**MINIMUM CHARGE**

The minimum charge shall be the Customer Charge as stated above.

**AVOIDANCE OF SYSTEM RELIABILITY TRACKER CHARGE**

Residential customers receiving generation service through a governmental aggregator will avoid (waive) Rider SRA-SRT if the governmental aggregator notifies the Company at least sixty (60) days prior to the start of the governmental aggregation of its intent to place all Residential End-Use Customers served by the governmental aggregation on the Rider SRA-SRT waiver program and to maintain the governmental aggregation through December 31, 2011. If the aggregated Residential End-Use Customer returns to the ESP-SSO prior to December 31, 2011, such Residential End-Use Customer will be billed a monthly early return premium based on 15% of the applicable generation charges and Riders in addition to the normal charges calculated per the ESP-SSO.

**BILLING PERIODS**

For purposes of administration of the above charges, the summer period is defined as that period represented by the Company's billing for the four (4) revenue months of June through September. The winter period is defined as that period represented by the Company's billing for the eight (8) revenue months of January through May and October through December.

Filed pursuant to an Order dated December 17, 2008 in Case No. 08-920-EL-SSO before the Public Utilities Commission of Ohio.

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**LATE PAYMENT CHARGE**

Payment of the total amount due must be received in the Company's office by the due date shown on the bill. When not so paid, an additional amount equal to one and one-half percent (1.5%) of the unpaid balance is due and payable.

The late payment charge is not applicable to unpaid account balances for services received from a Certified Supplier.

**TERMS AND CONDITIONS**

This rate is available upon application in accordance with the Company's Service Regulations.

The supplying and billing for service and all conditions applying thereto, are subject to the jurisdiction of the Public Utilities Commission of Ohio, and to the Company's Service Regulations currently in effect, as filed with the Public Utilities Commission of Ohio.

Filed pursuant to an Order dated December 17, 2008 in Case No. 08-920-EL-SSO before the Public Utilities Commission of Ohio.

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Issued by Julie Janson, President

## **RATE RS3P**

### **RESIDENTIAL THREE-PHASE SERVICE**

#### **APPLICABILITY**

Applicable to three phase electric service, for all domestic purposes in private residences and single occupancy apartments and separately metered common use areas of multi-occupancy buildings in the entire territory of the Company where (1) distribution lines are adjacent to the premises to be served, (2) the building load requires three phase service, and (3) where the Company has an existing 208Y/120V network grid.

Residences where not more than two rooms are used for rental purposes will also be included. Where all dwelling units in a multi-occupancy building are served through one meter and the common use area is metered separately, the kilowatt-hour rate will be applied on a "per residence" or "per apartment" basis, however, the customer charge will be based on the number of installed meters.

Where a portion of a residential service is used for purposes of a commercial or public character, the applicable general service rate is applicable to all service. However, if the wiring is so arranged that the service for residential purposes can be metered separately, this Rate will be applied to the residential service, if the service qualifies hereunder.

For customers taking service under any or all of the provisions of this tariff schedule, this same schedule shall constitute the Company's Standard Service Offer.

#### **TYPE OF SERVICE**

Alternating current 60 Hz, three phase at Company's standard secondary voltage.

#### **NET MONTHLY BILL**

Computed in accordance with the following charges:

	<u>Summer Period</u>	<u>Winter Period</u>
1. Distribution Charges		
(a) Customer Charge	\$6.50 per month	\$6.50 per month
(b) Energy Charge		
First 1,000 kilowatt-hours	\$0.019949 per kWh	\$0.019949 per kWh
Additional kilowatt-hours	\$0.019949 per kWh	\$0.019949 per kWh

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**NET MONTHLY BILL (Contd.)**

**2. Applicable Riders**

The following riders are applicable pursuant to the specific terms contained within each rider:

Sheet No. 51, Rider PTC-AAC, Annually Adjusted Component Rider  
Sheet No. 53, Rider PTC-FPP, Fuel and Economy Purchased Power Rider  
Sheet No. 54, Rider SRA-CD, Capacity Dedication Rider  
Sheet No. 56, Rider SRA-SRT, System Reliability Tracker  
Sheet No. 57, Rider TCR, Transmission Cost Recovery Rider  
Sheet No. 59, Rider RSS, Rate Stabilization Surcredit Rider  
Sheet No. 80, Rider RGR, Residential Generation Rider  
Sheet No. 81, Rider EER, Energy Efficiency Revolving Loan Program Rider  
Sheet No. 83, Rider OET, Ohio Excise Tax Rider  
Sheet No. 84, Rider RTC, Regulatory Transition Charge Rider  
Sheet No. 86, Rider USR, Universal Service Fund Rider  
Sheet No. 89, Rider AG, Optional Alternative Generation Rider  
Sheet No. 103, Rider MSR-E, Merger Savings Credit Rider-Electric  
Sheet No. 104, Rider DR-IM, Infrastructure Modernization Rider  
Sheet No. 105, Rider DR-ECF, Economic Competitiveness Fund Rider  
Sheet No. 106, Rider DR-SAWR, Energy Efficiency Recovery Rate

**3. Price to Compare Base Generation Charges (PTC-BG)**

The following generation charges are applicable to all customers except those customers who receive their energy from a certified supplier.

<b><u>JAN. 1, 2009 – DEC. 31, 2009</u></b>		
	<u>Summer Period</u>	<u>Winter Period</u>
Energy Charge		
First 1,000 kilowatt-hours	\$0.040238 per kWh	\$0.040238 per kWh
Additional kilowatt-hours	\$0.053622 per kWh	\$0.008915 per kWh

<b><u>JAN. 1, 2010 – DEC. 31, 2010</u></b>		
	<u>Summer Period</u>	<u>Winter Period</u>
Energy Charge		
First 1,000 kilowatt-hours	\$0.042345per kWh	\$0.042345per kWh
Additional kilowatt-hours	\$0.056265per kWh	\$0.009770per kWh

<b><u>JAN. 1, 2011 – DEC. 31, 2011</u></b>		
	<u>Summer Period</u>	<u>Winter Period</u>
Energy Charge		
First 1,000 kilowatt-hours	\$0.042345per kWh	\$0.042345per kWh
Additional kilowatt-hours	\$0.056265per kWh	\$0.009770per kWh

**MINIMUM CHARGE**

The minimum charge shall be the Customer Charge as stated above.

Filed pursuant to an Order dated December 17, 2008 in Case No. 08-920-EL-SSO before the Public Utilities Commission of Ohio.

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#### **AVOIDANCE OF SYSTEM RELIABILITY TRACKER CHARGE**

Residential customers receiving generation service through a governmental aggregator will avoid (waive) Rider SRA-SRT if the governmental aggregator notifies the Company at least sixty (60) days prior to the start of the governmental aggregation of its intent to place all Residential End-Use Customers served by the governmental aggregation on the Rider SRA-SRT waiver program and to maintain the governmental aggregation through December 31, 2011. If the aggregated Residential End-Use Customer returns to the ESP-SSO prior to December 31, 2011, such Residential End-Use Customer will be billed a monthly early return premium based on 15% of the applicable generation charges and Riders in addition to the normal charges calculated per the ESP-SSO.

#### **BILLING PERIODS**

For purposes of administration of the above charges, the summer period is defined as that period represented by the Company's billing for the four (4) revenue months of June through September. The winter period is defined as that period represented by the Company's billing for the eight (8) revenue months of January through May and October through December.

#### **LATE PAYMENT CHARGE**

Payment of the total amount due must be received in the Company's office by the due date shown on the bill. When not so paid, an additional amount equal to one and one-half percent (1.5%) of the unpaid balance is due and payable.

The late payment charge is not applicable to:

- Unpaid account balances of customers enrolled in income payment plans pursuant to Section 4901:1-18-04(B), Ohio Administrative Code; and
- Unpaid account balances for services received from a Certified Supplier.

#### **TERMS AND CONDITIONS**

This rate is available upon application in accordance with the Company's Service Regulations.

The Company is not obligated to extend, expand or rearrange its distribution system if it determines that existing distribution facilities are adequate to serve the customer's load.

The supplying and billing for service and all conditions applying thereto, are subject to the jurisdiction of the Public Utilities Commission of Ohio, and to the Company's Service Regulations currently in effect, as filed with the Public Utilities Commission of Ohio.

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Filed pursuant to an Order dated December 17, 2008 in Case No. 08-920-EL-SSO before the Public Utilities Commission of Ohio.

Issued: December 18, 2008

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Issued by Julie Janson, President

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**RATE DS**

**SERVICE AT SECONDARY DISTRIBUTION VOLTAGE**

**APPLICABILITY**

Applicable to electric service for usual customer load requirements is available to a customer only where the Company specifies service at the standard secondary system voltage and where the Company determines that facilities of adequate capacity are available and adjacent to the premises to be served and the Company determines that the customers average monthly demand is greater than 15 kilowatts. Electric service must be supplied at one point of delivery.

For customers taking service under any or all of the provisions of this tariff schedule, this same schedule shall constitute the Company's Standard Service Offer.

**TYPE OF SERVICE**

Alternating current 60 Hz, single phase or three phase, at Company's standard distribution voltage.

**NET MONTHLY BILL**

Computed in accordance with the following charges provided, however, that the minimum monthly load factor, expressed as hours-use per month, shall not be less than 71 kWh per kW. When applicable, the minimum monthly load factor shall be achieved by calculating the billing demand as the monthly kWh usage divided by 71 (kilowatt of demand is abbreviated as kW and kilowatt-hours are abbreviated as kWh):

1. Distribution Charges

(a) Customer Charge per month

Single Phase Service	\$ 7.50
Single and/or Three Phase Service	\$15.00

(b) Demand Charge

All kilowatts	\$ 3.7908 per kW
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2. Applicable Riders

The following riders are applicable pursuant to the specific terms contained within each rider:

Sheet No. 51, Rider PTC-AAC, Annually Adjusted Component Rider  
Sheet No. 53, Rider PTC-FPP, Fuel and Economy Purchased Power Rider  
Sheet No. 54, Rider SRA-CD, Capacity Dedication Rider  
Sheet No. 56, Rider SRA-SRT, System Reliability Tracker  
Sheet No. 57, Rider TCR, Transmission Cost Recovery Rider  
Sheet No. 58, Rider DRI, Distribution Reliability Investment Rider  
Sheet No. 59, Rider RSS, Rate Stabilization Surcredit Rider  
Sheet No. 81, Rider EER, Energy Efficiency Revolving Loan Program Rider  
Sheet No. 83, Rider OET, Ohio Excise Tax Rider  
Sheet No. 84, Rider RTC, Regulatory Transition Charge Rider  
Sheet No. 85, Rider SC, Shopping Credit Rider  
Sheet No. 86, Rider USR, Universal Service Fund Rider  
Sheet No. 103, Rider MSR-E, Merger Savings Credit Rider-Electric  
Sheet No. 104, Rider DR-IM, Infrastructure Modernization Rider  
Sheet No. 105, Rider DR-ECF, Economic Competitiveness Fund Rider  
Sheet No. 106, Rider DR-SAWR, Energy Efficiency Recovery Rate

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Duke Energy Ohio  
139 East Fourth Street  
Cincinnati, Ohio 45202

P.U.C.O. Electric No. 19  
Sheet No. 40.12  
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**NET MONTHLY BILL (Contd.)**

**3. Price to Compare – Base Generation Charges (PTC-BG)**

**JAN. 1, 2009 – DEC. 31, 2009**

(a) Demand Charge	
First 1,000 kilowatts	\$ 7.9637 per kW
Additional kilowatts	\$ 6.2997 per kW
(b) Energy Charge	
Billing Demand times 300	\$0.008266 per kWh
Additional kWh	\$0.004468 per kWh

**JAN. 1, 2010 – DEC. 31, 2010**

(a) Demand Charge	
First 1,000 kilowatts	\$8.2822 per kW
Additional kilowatts	\$6.5517 per kW
(b) Energy Charge	
Billing Demand times 300	\$0.009454 per kWh
Additional kWh	\$0.005148 per kWh

**JAN. 1, 2011 – DEC. 31, 2011**

(a) Demand Charge	
First 1,000 kilowatts	\$8.6135 per kW
Additional kilowatts	\$6.8138 per kW
(b) Energy Charge	
Billing Demand times 300	\$0.019682 per kWh
Additional kWh	\$0.005957 per kWh

The Generation Charges listed above are applicable to all customers except those customers that switch to a Certified Supplier for their generation service.

**AVOIDANCE OF SYSTEM RELIABILITY TRACKER CHARGE AND RECEIPT OF SHOPPING CREDIT**

Non-residential customers who have signed or will sign a contract with DE-Ohio, or provide a CRES contract to DE-Ohio, or provide a release in the form approved by the Commission in Case No. 03-93-EL-ATA indicating that the customer will remain off of ESP-SSO service through December 31, 2011, may avoid Rider SRA-SRT charges and receive a shopping credit. More specifically, to avoid Rider SRA-SRT charges and receive the shopping credit, the customer must be willing to return to DE-Ohio's ESP-SSO service at 115% of DE-Ohio's ESP-SSO price, including all riders except for distribution riders.

When both single and three phase secondary voltage services are required by a Distribution customer, the monthly kilowatt-hour usage and kilowatt demands shall be the respective arithmetical sums of both services.

Filed pursuant to an Order dated December 17, 2008 in Case No. 08-920-EL-SSO before the Public Utilities Commission of Ohio.

Issued: December 18, 2008

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#### **MINIMUM BILL PROVISION**

The minimum bill shall be 85% of the highest monthly kilowatt demand as established in the summer period and effective for the next succeeding eleven (11) months plus the Customer Charge.

In no case, however, shall the minimum bill be less than the Customer Charge.

#### **METERING**

The Company may meter at secondary or primary voltage as circumstances warrant. If the Company elects to meter at primary voltage, the kilowatt-hours registered on the Company's meter will be reduced one and one-half (1.5) percent for billing purposes.

#### **DEMAND**

The demand shall be the kilowatts derived from the Company's demand meter for the fifteen-minute period of customer's greatest use during the billing period, as determined by the Company, adjusted for power factor, as provided herein. At the Company's option, a demand meter may not be installed if the nature of the load clearly indicates the load will have a constant demand, in which case the demand will be the calculated demand.

In no event will the billing demand be taken as less than the higher of the following:

- a) 85% of the highest monthly kilowatt demand as established in the summer period and effective for the next succeeding eleven (11) months; or
- b) One (1) kilowatt for each single phase meter and five (5) kilowatts for each three phase meter.

The Company may re-determine customer's billing demand at any time in recognition of a permanent change in load due to such occurrences as the installation of load control equipment or a temporary change due to malfunctions of such equipment.

If a customer requests reconnection of an account within twelve (12) months of a disconnection order, the customer's demand record for the period of disconnection will be re-established for purposes of billing and administration of the preceding clause.

For purposes of administration of the above clause, the summer period is defined as that period represented by the Company's billing for the four (4) revenue months of June through September. The winter period is defined as that period represented by the Company's billing for the eight (8) revenue months of January through May and October through December.

#### **POWER FACTOR ADJUSTMENT**

The power factor to be maintained shall be not less than 90% lagging. If the Company determines customer's power factor to be less than 90%, the billing demand will be the number of kilowatts equal to the kilovolt amperes multiplied by 0.90.

Power factor may be determined by the following methods, at the Company's option:

- a) Continuous measurement
  - the power factor, as determined during the interval in which the maximum kW demand is established, will be used for billing purposes; or



#### **POWER FACTOR ADJUSTMENT (Cont'd)**

b) Testing

- the power factor, as determined during a period in which the customer's measured kW demand is not less than 90% of the measured maximum kW demand of the preceding billing period, will be used for billing purposes until superseded by a power factor determined by a subsequent test made at the direction of Company or request of customer.

#### **LATE PAYMENT CHARGE**

Payment of the total amount due must be received in the Company's office by the due date shown on the bill. When not so paid, an additional amount equal to one and one-half percent (1.5%) of the unpaid balance is due and payable. The late payment charge is not applicable to unpaid account balances for services received from a Certified Supplier.

#### **TERMS AND CONDITIONS**

The initial term of contract shall be for a minimum period of three (3) years terminable thereafter by a minimum notice of either the customer or the Company as prescribed by the Company's Service Regulations.

The Company is not obligated to extend, expand or rearrange its transmission system voltage if it determines that existing distribution and/or transmission facilities are of adequate capacity to serve the customer's load.

If the Company offers to provide the necessary facilities for transmission service, in accordance with its Service Regulations, an annual facilities charge, applicable to such additional facilities, is established at twenty (20) percent of actual cost. The annual facilities charge shall be billed in twelve monthly installments to be added to the demand charge.

#### **SERVICE REGULATIONS**

The supplying and billing for service and all conditions applying thereto, are subject to the jurisdiction of the Public Utilities Commission of Ohio, and to the Company's Service Regulations currently in effect, as filed with the Public Utilities Commission of Ohio.

## **RATE GS-FL**

### **OPTIONAL UNMETERED GENERAL SERVICE RATE FOR SMALL FIXED LOADS**

#### **APPLICABILITY**

Applicable to electric service in the Company's entire territory where secondary distribution lines exist for any fixed electric load that can be served by a standard service drop from the Company's existing secondary distribution system.

For customers taking service under any or all of the provisions of this tariff schedule, this same schedule shall constitute the Company's Standard Service Offer.

#### **TYPE OF SERVICE**

Alternating current 60 Hz, at nominal voltages of 120, 120/240 or 120/208 volts, single phase, unmetered. Service of other characteristics, where available, may be furnished at the option of the Company.

#### **NET MONTHLY BILL**

Computed in accordance with the following charges:

1. Distribution Charges

- |   |                    |
|---|--------------------|
| (a) For loads based on a range of 540 to 720 hours use per month of the rated capacity of the connected equipment | \$0.015329 per kWh |
| (b) For loads of less than 540 hours use per month of the rated capacity of the connected equipment               | \$0.017587 per kWh |

2. Applicable Riders

The following riders are applicable pursuant to the specific terms contained within each rider:

Sheet No. 51, Rider PTC-AAC, Annually Adjusted Component Rider  
Sheet No. 53, Rider PTC-FPP, Fuel and Economy Purchased Power Rider  
Sheet No. 54, Rider SRA-CD, Capacity Dedication Rider  
Sheet No. 56, Rider SRA-SRT, System Reliability Tracker  
Sheet No. 57, Rider TCR, Transmission Cost Recovery Rider  
Sheet No. 58, Rider DRI, Distribution Reliability Investment Rider  
Sheet No. 59, Rider RSS, Rate Stabilization Surcredit Rider  
Sheet No. 81, Rider EER, Energy Efficiency Revolving Loan Program Rider  
Sheet No. 83, Rider OET, Ohio Excise Tax Rider  
Sheet No. 84, Rider RTC, Regulatory Transition Charge Rider  
Sheet No. 85, Rider SC, Shopping Credit Rider  
Sheet No. 86, Rider USR, Universal Service Fund Rider  
Sheet No. 103, Rider MSR-E, Merger Savings Credit Rider-Electric  
Sheet No. 105, Rider DR-ECF, Economic Competitiveness Fund Rider  
Sheet No. 106, Rider DR-SAWR, Energy Efficiency Recovery Rate

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Filed pursuant to an Order dated December 17, 2008 in Case No. 08-920-EL-SSO before the Public Utilities Commission of Ohio.

**NET MONTHLY BILL (Contd.)**

**3. Price to Compare – Base Generation Charges (PTC-BG)**

**JAN. 1, 2009 – DEC. 31, 2009**

For loads based on a range of 540 to 720 hours use per month of the  
rated capacity of the connected equipment \$0.055458 per kWh

For loads of less than 540 hours use per month of the rated capacity of  
the connected equipment \$0.065571 per kWh

**JAN. 1, 2010 – DEC. 31, 2010**

For loads based on a range of 540 to 720 hours use per month of the  
rated capacity of the connected equipment \$0.058444 per kWh

For loads of less than 540 hours use per month of the rated capacity of  
the connected equipment \$0.068961 per kWh

**JAN. 1, 2011 – DEC. 31, 2011**

For loads based on a range of 540 to 720 hours use per month of the  
rated capacity of the connected equipment \$0.068267 per kWh

For loads of less than 540 hours use per month of the rated capacity of  
the connected equipment \$0.079205 per kWh

**AVOIDANCE OF SYSTEM RELIABILITY TRACKER CHARGE AND RECEIPT OF SHOPPING CREDIT**

Non-residential customers who have signed or will sign a contract with DE-Ohio, or provide a CRES contract to DE-Ohio, or provide a release in the form approved by the Commission in Case No. 03-93-EL-ATA indicating that the customer will remain off of ESP-SSO service through December 31, 2011, may avoid Rider SRA-SRT charges and receive a shopping credit. More specifically, to avoid Rider SRA-SRT charges and receive the shopping credit, the customer must be willing to return to DE-Ohio's ESP-SSO service at 115% of DE-Ohio's ESP-SSO price, including all riders except for distribution riders.

**MINIMUM CHARGE**

The minimum charge shall be \$5.00 per Fixed Load Location per month.

**LATE PAYMENT CHARGE**

Payment of the total amount due must be received in the Company's office by the due date shown on the bill. When not so paid, an additional amount equal to one and one-half percent (1.5%) of the unpaid balance is due and payable. The late payment charge is not applicable to unpaid account balances for services received from a Certified Supplier.

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Duke Energy Ohio  
139 East Fourth Street  
Cincinnati, Ohio 45202

P.U.C.O. Electric No. 19  
Sheet No. 41.12  
Cancels and Supersedes  
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#### **SERVICE PROVISIONS**

1. Each separate point of delivery of service shall be considered a Fixed Load Location.
2. Only one supply service will be provided to a customer under this Schedule as one Fixed Load Location.
3. The customer shall furnish switching equipment satisfactory to the Company.
4. The customer shall notify the Company in advance of every change in connected load, and the Company reserves the right to inspect the customer's equipment at any time to verify the actual load. In the event of the customer's failure to notify the Company of an increase in load, the Company reserves the right to refuse to serve the Fixed Load thereafter under this Schedule, and shall be entitled to bill the customer retroactively on the basis of the increased load for the full period such load was connected.

#### **TERM OF SERVICE**

One (1) year, terminable thereafter on thirty (30) days written notice by either customer or Company.

#### **SERVICE REGULATIONS**

The supplying of, and billing for, service and all conditions applying thereto, are subject to the jurisdiction of the Public Utilities Commission of Ohio, and to the Company's Service Regulations currently in effect, as filed with the Public Utilities Commission of Ohio.

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Issued by Julie Janson, President

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**RATE EH**

**OPTIONAL RATE FOR ELECTRIC SPACE HEATING**

**APPLICABILITY**

Applicable to electric service for heating when customer's wiring is so arranged that heating service can be furnished at one point of delivery and can be metered separately from all other types of service or to any public school, parochial school, private school, or church when supplied at one point of delivery, provided permanently connected and regularly used electrical equipment is installed in compliance with the Company specifications as the primary source of heating or heating and cooling the atmosphere to temperatures of human comfort; and provided all other electrical energy requirements are purchased from the Company. For the purpose of the administration of this tariff schedule, primary source is defined as at least 90 percent. No single water-heating unit shall be wired that the demand established by it can exceed 5.5 kilowatts unless approved by the Company.

For customers taking service under any or all of the provisions of this tariff schedule, this same schedule shall constitute the Company's Standard Service Offer.

**TYPE OF SERVICE**

Alternating current 60 Hz, single or three phase at Company's standard secondary voltage.

**NET MONTHLY BILL**

Computed in accordance with the following charges:

Winter Period:

1. Distribution Charges

(a) Customer Charge per month

Single Phase Service	\$ 7.50
Three Phase Service	\$ 15.00
Primary Voltage Service	\$150.00

(b) Energy Charge

All kilowatt-hours	\$0.011356 per kWh
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Issued by Julie Janson, President

**NET MONTHLY BILL (Contd.)**

**2. Applicable Riders**

The following riders are applicable pursuant to the specific terms contained within each rider:

Sheet No. 51, Rider PTC-AAC, Annually Adjusted Component Rider  
Sheet No. 53, Rider PTC-FPP, Fuel and Economy Purchased Power Rider  
Sheet No. 54, Rider SRA-CD, Capacity Dedication Rider  
Sheet No. 56, Rider SRA-SRT, System Reliability Tracker  
Sheet No. 57, Rider TCR, Transmission Cost Recovery Rider  
Sheet No. 58, Rider DRI, Distribution Reliability Investment Rider  
Sheet No. 59, Rider RSS, Rate Stabilization Surcredit Rider  
Sheet No. 81, Rider EER, Energy Efficiency Revolving Loan Program Rider  
Sheet No. 83, Rider OET, Ohio Excise Tax Rider  
Sheet No. 84, Rider RTC, Regulatory Transition Charge Rider  
Sheet No. 85, Rider SC, Shopping Credit Rider  
Sheet No. 86, Rider USR, Universal Service Fund Rider  
Sheet No. 103, Rider MSR-E, Merger Savings Credit Rider-Electric  
Sheet No. 104, Rider DR-IM, Infrastructure Modernization Rider  
Sheet No. 105, Rider DR-ECF, Economic Competitiveness Fund Rider  
Sheet No. 106, Rider DR-SAWR, Energy Efficiency Recovery Rate

**3. Price to Compare – Base Generation Charges (PTC-BG)**

**JAN. 1, 2009 – DEC. 31, 2009**

All kilowatt-hours \$0.015569 per kWh

**JAN. 1, 2010 – DEC. 31, 2010**

All kilowatt-hours \$0.016959 per kWh

**JAN. 1, 2011 – DEC. 31, 2011**

All kilowatt-hours \$0.025123 per kWh

The Generation Charges listed above are applicable to all customers except those customers that switch to a Certified Supplier for their generation service.

**AVOIDANCE OF SYSTEM RELIABILITY TRACKER CHARGE AND RECEIPT OF SHOPPING CREDIT**

Non-residential customers who have signed or will sign a contract with DE-Ohio, or provide a CRES contract to DE-Ohio, or provide a release in the form approved by the Commission in Case No. 03-93-EL-ATA indicating that the customer will remain off of ESP-SSO service through December 31, 2011, may avoid Rider SRA-SRT charges and receive a shopping credit. More specifically, to avoid Rider SRA-SRT charges and receive the shopping credit, the customer must be willing to return to DE-Ohio's ESP-SSO service at 115% of DE-Ohio's ESP-SSO price, including all riders except for distribution riders.

**Summer Period:**

All usage during the summer period shall be billed in accordance with the provisions of the applicable distribution voltage service rate.

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**MINIMUM CHARGE**

The minimum charge shall be the Customer Charge as stated above.

**BILLING PERIODS**

For purposes of administration of the above charges, the summer period is defined as that period represented by the Company's billing for the four (4) revenue months of June through September. The winter period is defined as that period represented by the Company's billing for the eight (8) revenue months of January through May and October through December.

**LATE PAYMENT CHARGE**

Payment of the total amount due must be received in the Company's office by the due date shown on the bill. When not so paid, an additional amount equal to one and one-half percent (1.5%) of the unpaid balance is due and payable. The late payment charge is not applicable to unpaid account balances for services received from a Certified Supplier.

**TERMS AND CONDITIONS**

The term of contract shall be for a minimum period of one (1) year terminable thereafter on thirty (30) days written notice by either the customer or the Company.

The supplying and billing for service and all conditions applying thereto, are subject to the jurisdiction of the Public Utilities Commission of Ohio, and to the Company's Service Regulations currently in effect, as filed with the Public Utilities Commission of Ohio.

**RATE DM**

**SECONDARY DISTRIBUTION SERVICE - SMALL**

**APPLICABILITY**

Applicable to electric service for usual customer load requirements is available to a customer only where the Company specifies service at the standard secondary system voltage and the Company determines that facilities of adequate capacity are available and adjacent to the premises to be served and the Company determines that the customer's average monthly demand is 15 kilowatts or less. This tariff schedule is also applicable to electric service to recreation facilities that are promoted, operated and maintained by non-profit organizations where such service is separately metered. Electric service must be supplied at one point of delivery.

For customers taking service under any or all of the provisions of this tariff schedule, this same schedule shall constitute the Company's Standard Service Offer.

**TYPE OF SERVICE**

Alternating current, 60 Hz, single phase or three phase at Company's standard secondary distribution voltage.

**NET MONTHLY BILL**

Computed in accordance with the following charges:

	<u>Summer Period</u>	<u>Winter Period</u>
1. Distribution Charges		
(a) Customer Charge		
Single Phase	\$ 7.50 per month	\$ 7.50 per month
Three Phase	\$15.00 per month	\$15.00 per month
(b) Energy Charge		
First 2,800 kWh	\$0.035471 per kWh	\$0.025462 per kWh
Next 3,200 kWh	\$0.002951 per kWh	\$0.002951 per kWh
Additional kWh	\$0.001252 per kWh	\$0.001252 per kWh

2. Applicable Riders

The following riders are applicable pursuant to the specific terms contained within each rider:

Sheet No. 51, Rider PTC-AAC, Annually Adjusted Component Rider  
Sheet No. 53, Rider PTC-FPP, Fuel and Economy Purchased Power Rider  
Sheet No. 54, Rider SRA-CD Capacity Dedication Rider  
Sheet No. 56, Rider SRA-SRT, System Reliability Tracker  
Sheet No. 57, Rider TCR, Transmission Cost Recovery Rider  
Sheet No. 58, Rider DRI, Distribution Reliability Investment Rider  
Sheet No. 59, Rider RSS, Rate Stabilization Surcredit Rider  
Sheet No. 81, Rider EER, Energy Efficiency Revolving Loan Program Rider  
Sheet No. 83, Rider OET, Ohio Excise Tax Rider  
Sheet No. 84, Rider RTC, Regulatory Transition Charge Rider  
Sheet No. 85, Rider SC, Shopping Credit Rider  
Sheet No. 86, Rider USR, Universal Service Fund Rider  
Sheet No. 103, Rider MSR-E, Merger Savings Credit Rider-Electric  
Sheet No. 104, Rider DR-IM, Infrastructure Modernization Rider  
Sheet No. 105, Rider DR-ECF, Economic Competitiveness Fund Rider  
Sheet No. 106, Rider DR-SAWR, Energy Efficiency Recovery Rate

Filed pursuant to an Order dated December 17, 2008 in Case No. 08-920-EL-SSO before the Public Utilities Commission of Ohio.

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Issued by Julie Janson, President



**NET MONTHLY BILL (Contd.)**

**3. Market Price Generation Charges – Market Based Standard Service Offer**

**JAN. 1, 2009 – DEC. 31, 2009**

	<u>Summer Period</u>	<u>Winter Period</u>
First 2,800 kWh	\$ 0.048938 per kWh	\$ 0.036279 per kWh
Next 3,200 kWh	\$ 0.003226 per kWh	\$ 0.003243 per kWh
Additional kWh	\$(0.005573) per kWh	\$(0.005917) per kWh

**JAN. 1, 2010 – DEC. 31, 2010**

	<u>Summer Period</u>	<u>Winter Period</u>
First 2,800 kWh	\$ 0.051880 per kWh	\$ 0.038621 per kWh
Next 3,200 kWh	\$ 0.003982 per kWh	\$ 0.003999 per kWh
Additional kWh	\$(0.005198)per kWh	\$(0.005558) per kWh

**JAN. 1, 2011 – DEC. 31, 2011**

	<u>Summer Period</u>	<u>Winter Period</u>
First 2,800 kWh	\$0.067106per kWh	\$ 0.050879 per kWh
Next 3,200 kWh	\$0.007989per kWh	\$ 0.007988 per kWh
Additional kWh	\$(0.002325)per kWh	\$(0.002742) per kWh

The Generation Charges listed above are applicable to all customers except those customers that switch to a Certified Supplier for their generation service.

**AVOIDANCE OF SYSTEM RELIABILITY TRACKER CHARGE AND RECEIPT OF SHOPPING CREDIT**

Non-residential customers who have signed or will sign a contract with DE-Ohio, or provide a CRES contract to DE-Ohio, or provide a release in the form approved by the Commission in Case No. 03-93-EL-ATA indicating that the customer will remain off of ESP-SSO service through December 31, 2011, may avoid Rider SRA-SRT charges and receive a shopping credit. More specifically, to avoid Rider SRA-SRT charges and receive the shopping credit, the customer must be eligible to return to DE-Ohio's ESP-SSO service at 115% of DE-Ohio's ESP-SSO price, including all riders except for distribution riders.

**MINIMUM CHARGE**

The minimum charge shall be the Customer Charge as stated above.

When both single and three phase service are required by the customer, the monthly kilowatt-hour usage shall be the arithmetical sum of both services.

**BILLING PERIODS**

For purposes of administration of the above charges, the summer period is defined as that period represented by the Company's billing for the four (4) revenue months of June through September. The winter period is defined as that period represented by the Company's billing for the eight (8) revenue months of January through May and October through December.

**LATE PAYMENT CHARGE**

Payment of the total amount due must be received in the Company's office by the due date shown on the bill. When not so paid, an additional amount equal to one and one-half percent (1.5%) of the unpaid balance is due and payable. The late payment charge is not applicable to unpaid account balances for services received from a Certified Supplier.

#### **TERMS AND CONDITIONS**

The initial term of contract shall be for a minimum period of one (1) year terminable thereafter by a minimum notice either of the customer or the Company as prescribed by the Company's Service Regulations.

For purposes of the administration of this rate, the Company will determine the customer's average monthly demand based upon customer's most recent twelve month usage each year after the initial term of service has been fulfilled by the customer. If the customer's average demand exceeds 15 kW or if the customer's monthly demand exceeds 30 kW in two (2) or more months in any twelve month period, the Company may require the customer to be billed under the provisions of Rate DS.

The supplying and billing for service and all conditions applying thereto, are subject to the jurisdiction of the Public Utilities Commission of Ohio and to the Company's Service Regulations currently in effect, as filed with the Public Utilities Commission of Ohio.

Duke Energy Ohio  
139 East Fourth Street  
Cincinnati, Ohio 45202

P.U.C.O. Electric No. 19  
Sheet No. 44.12  
Cancels and Supersedes  
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## **RATE DP**

### **SERVICE AT PRIMARY DISTRIBUTION VOLTAGE**

#### **APPLICABILITY**

Applicable to electric service for usual customer load requirements where the Company specifies service at nominal primary distribution system voltages of 12,500 volts or 34,500 volts, and the Company determines that facilities of adequate capacity are available and adjacent to the premises to be served. Electric service must be supplied at one point of delivery.

For customers taking service under any or all of the provisions of this tariff schedule, this same schedule shall constitute the Company's Standard Service Offer.

#### **TYPE OF SERVICE**

Alternating current 60 Hz, single phase or three phase at Company's standard distribution voltage of 34,500 volts or lower.

#### **NET MONTHLY BILL**

Computed in accordance with the following charges. (Kilowatt of demand is abbreviated as kW and kilowatt-hours are abbreviated as kWh):

1. Distribution Charges

(a) Customer Charge per month

Primary Voltage Service (12.5 or 34.5 kV) \$150.00 per month

(b) Demand Charge

All kilowatts \$ 2.937 per kW

2. Applicable Riders

The following riders are applicable pursuant to the specific terms contained within each rider:

Sheet No. 51, Rider PTC-AAC, Annually Adjusted Component Rider  
Sheet No. 53, Rider PTC-FPP, Fuel and Economy Purchased Power Rider  
Sheet No. 54, Rider SRA-CD, Capacity Dedication Rider  
Sheet No. 56, Rider SRA-SRT, System Reliability Tracker  
Sheet No. 57, Rider TCR, Transmission Cost Recovery Rider  
Sheet No. 58, Rider DRI, Distribution Reliability Investment Rider  
Sheet No. 59, Rate RSS, Rate Stabilization Surcredit Rider  
Sheet No. 81, Rider EER, Energy Efficiency Revolving Loan Program Rider  
Sheet No. 83, Rider OET, Ohio Excise Tax Rider  
Sheet No. 84, Rider RTC, Regulatory Transition Charge Rider  
Sheet No. 85, Rider SC, Shopping Credit Rider  
Sheet No. 86, Rider USR, Universal Service Fund Rider  
Sheet No. 103, Rider MSR-E, Merger Savings Credit Rider-Electric  
Sheet No. 104, Rider DR-IM, Infrastructure Modernization Rider  
Sheet No. 105, Rider DR-ECF, Economic Competitiveness Fund Rider  
Sheet No. 106, Rider DR-SAWR, Energy Efficiency Recovery Rate

Filed pursuant to an Order dated December 17, 2008 in Case No. 08-920-EL-SSO before the Public Utilities Commission of Ohio.

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Issued: December 18, 2008

Issued by Julie Janson, President

Effective: January 2, 2009

Duke Energy Ohio  
139 East Fourth Street  
Cincinnati, Ohio 45202

P.U.C.O. Electric No. 19  
Sheet No. 44.12  
Cancels and Supersedes  
Sheet No. 44.11  
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**NET MONTHLY BILL (Contd.)**

**3. Price to Compare – Base Generation Charges (PTC-BG)**

**JAN. 1, 2009 – DEC. 31, 2009**

(a) Demand Charge	
First 1,000 kilowatts	\$7.1916 per kW
Additional kilowatts	\$5.6732 per kW
(b) Energy Charge	
Billing Demand times 300	\$0.010751 per kWh
Additional kWh	\$0.005940 per kWh

**JAN. 1, 2010 – DEC. 31, 2010**

(a) Demand Charge	
First 1,000 kilowatts	\$7.4793 per kW
Additional kilowatts	\$5.9001 per kW
(b) Energy Charge	
Billing Demand times 300	\$0.011953 per kWh
Additional kilowatts	\$0.006680 per kWh

**JAN. 1, 2011 – DEC. 31, 2011**

(a) Demand Charge	
First 1,000 kilowatts	\$7.7784 per kW
Additional kilowatts	\$6.1361 per kW
(b) Energy Charge	
Billing Demand times 300	\$0.020053 per kWh
Additional kilowatts	\$0.007549 per kWh

The Generation Charges listed above are applicable to all customers except those customers that switch to a Certified Supplier for their generation service.

**AVOIDANCE OF SYSTEM RELIABILITY TRACKER CHARGE AND RECEIPT OF SHOPPING CREDIT**

Non-residential customers who have signed or will sign a contract with DE-Ohio, or provide a CRES contract to DE-Ohio, or provide a release in the form approved by the Commission in Case No. 03-93-EL-ATA indicating that the customer will remain off of ESP-SSO service through December 31, 2011, may avoid Rider SRA-SRT charges and receive the shopping credit. More specifically, to avoid Rider SRA-SRT charges and receive the shopping credit, the customer must be willing to return to DE-Ohio's ESP-SSO service at 115% of DE-Ohio's ESP-SSO price, including all riders except for distribution riders.

When both single and three phase secondary voltage services are required by a customer, the monthly kilowatt-hour usage and kilowatt demands shall be the respective arithmetical sums of both services.

Filed pursuant to an Order dated December 17, 2008 in Case No. 08-920-EL-SSO before the Public Utilities Commission of Ohio.

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Issued: December 18, 2008

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#### **MINIMUM BILL PROVISION**

The minimum bill shall be:

85% of the highest monthly kilowatt demand as established in the summer period and effective for the next succeeding eleven (11) months plus the customer charge.

In no case, however, shall the minimum bill be less than the Customer Charge.

#### **PRIMARY VOLTAGE METERING DISCOUNT**

The Company may meter at secondary or primary voltage as circumstances warrant. If the Company elects to meter at primary voltage, the kilowatt-hours registered on the Company's meter will be reduced one and one-half percent (1.5%) for billing purposes.

#### **DEMAND**

The demand shall be the kilowatts derived from the Company's demand meter for the fifteen-minute period of customer's greatest use during the billing period, as determined by the Company, adjusted for power factor, as provided herein. At its option, the Company may not install a demand meter if the nature of the load clearly indicates the load will have a constant demand, in which case the demand will be the calculated demand.

In no event will the billing demand be taken as less than the higher of the following:

- a) 85% of the highest monthly kilowatt demand as established in the summer period and effective for the next succeeding eleven (11) months; or
- b) Five (5) kilowatts.

The Company may re-determine customer's billing demand at any time in recognition of a permanent change in load due to such occurrences as the installation of load control equipment or a temporary change due to malfunctions of such equipment.

If a customer requests reconnection of an account within twelve (12) months of a disconnection order, the customer's demand record for the period of disconnection will be re-established for purposes of billing and administration of the preceding clause.

For purposes of administration of the above clause, the summer period is defined as that period represented by the Company's billing for the four (4) revenue months of June through September. The winter period is defined as that period represented by the Company's billing for the eight (8) revenue months of January through May and October through December.

### **POWER FACTOR ADJUSTMENT**

The power factor to be maintained shall be not less than 90% lagging. If the Company determines customer's power factor to be less than 90%, the billing demand will be the number of kilowatts equal to the kilovolt amperes multiplied by 0.90.

At the Company's option, power factor may be determined by the following methods:

- a) Continuous measurement
  - the power factor, as determined during the interval in which the maximum kW demand is established, will be used for billing purposes; or
- b) Testing
  - the power factor, as determined during a period in which the customer's measured kW demand is not less than 90% of the measured maximum kW demand of the preceding billing period, will be used for billing purposes until superseded by a power factor determined by a subsequent test made at the direction of Company or request of customer.

### **LATE PAYMENT CHARGE**

Payment of the total amount due must be received in the Company's office by the due date shown on the bill. When not so paid, an additional amount equal to one and one-half percent (1.5%) of the unpaid balance is due and payable. The late payment charge is not applicable to unpaid account balances for services received from a Certified Supplier.

### **TERMS AND CONDITIONS**

The initial term of contract shall be for a minimum period of three (3) years terminable thereafter by a minimum notice of either the customer or the Company as follows:

- (1) For customers with a most recent twelve month average demand of less than 10,000 kVA, thirty (30) days written notice.
- (2) For customers with a most recent twelve month average demand of greater than 10,000 kVA, twelve (12) months written notice.

The Company is not obligated to extend, expand or rearrange its transmission system voltage if it determines that existing distribution and/or transmission facilities are of adequate capacity to serve the customer's load.

If the Company offers to provide the necessary facilities for transmission service, in accordance with its Service Regulations, an annual facilities charge, applicable to such additional facilities, is established at twenty (20) percent of actual cost. The annual facilities charge shall be billed in twelve monthly installments to be added to the demand charge.

### **SERVICE REGULATIONS**

The supplying and billing for service and all conditions applying thereto, are subject to the jurisdiction of the Public Utilities Commission of Ohio, and to the Company's Service Regulations currently in effect, as filed with the Public Utilities Commission of Ohio.

Filed pursuant to an Order dated December 17, 2008 in Case No. 08-920-EL-SSO before the Public Utilities Commission of Ohio.

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**RATE SFL - ADPL**

**OPTIONAL UNMETERED RATE FOR SMALL FIXED LOADS ATTACHED DIRECTLY TO COMPANY'S  
POWER LINES**

**APPLICABILITY**

Applicable to electric service in the Company's entire territory where secondary and/or primary distribution lines exist for any bulk, small, unmetered, fixed-load electric devices that can be connected directly to the Company's power lines within the power zone of Company's poles and which do not require service drops.

For customers taking service under any or all of the provisions of this tariff schedule, this same schedule shall constitute the Company's Standard Service Offer.

**TYPE OF SERVICE**

Alternating current 60 Hz, at nominal voltages of 120, 120/240 or 120/208, 12,500 or 34,500 volts, single phase, unmetered. Service of other characteristics, where available, may be furnished at the option of the Company.

**NET MONTHLY BILL**

Computed in accordance with the following charges:

1. Distribution Charges \$0.015329 per kWh

2. Applicable Riders

The following riders are applicable pursuant to the specific terms contained within each rider:

Sheet No. 51, Rider PTC-AAC, Annually Adjusted Component Rider  
Sheet No. 53, Rider PTC-FPP, Fuel and Economy Purchased Power Rider  
Sheet No. 54, Rider SRA-CD, Capacity Dedication Rider  
Sheet No. 56, Rider SRA-SRT, System Reliability Tracker  
Sheet No. 57, Rider TCR, Transmission Cost Recovery Rider  
Sheet No. 58, Rider DRI, Distribution Reliability Investment Rider  
Sheet No. 59, Rider RSS, Rate Stabilization Surcredit Rider  
Sheet No. 81, Rider EER, Energy Efficiency Revolving Loan Program Rider  
Sheet No. 83, Rider OET, Ohio Excise Tax Rider  
Sheet No. 84, Rider RTC, Regulatory Transition Charge Rider  
Sheet No. 85, Rider SC, Shopping Credit Rider  
Sheet No. 86, Rider USR, Universal Service Fund Rider  
Sheet No. 103, Rider MSR-E, Merger Savings Credit Rider-Electric  
Sheet No. 105, Rider DR-ECF, Economic Competitiveness Fund Rider  
Sheet No. 106, Rider DR-SAWR, Energy Efficiency Recovery Rate

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Filed pursuant to an Order dated December 17, 2008 in Case No. 08-920-EL-SSO before the Public Utilities Commission of Ohio.

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Duke Energy Ohio  
139 East Fourth Street  
Cincinnati, Ohio 45202

P.U.C.O. Electric No. 19  
Sheet No. 46.8  
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**NET MONTHLY BILL (Contd.)**

3. Price to Compare – Base Generation Charges (PTC-BG)

**JAN. 1, 2009 – DEC. 31, 2009**

All kWh

\$0.055458 per kWh

**JAN. 1, 2010 – DEC. 31, 2010**

All kWh

\$0.058444 per kWh

**JAN. 1, 2011 – DEC. 31, 2011**

All kWh

\$0.068267 per kWh

The Generation Charges listed above are applicable to all customers except those customers that switch to a Certified Supplier for their generation service.

**AVOIDANCE OF SYSTEM RELIABILITY TRACKER CHARGE AND RECEIPT OF SHOPPING CREDIT**

Non-residential customers who have signed or will sign a contract with DE-Ohio, or provide a CRES contract to DE-Ohio, or provide a release in the form approved by the Commission in Case No. 03-93-EL-ATA indicating that the customer will remain off of ESP-SSO service through December 31, 2011, may avoid Rider SRA-SRT charges and receive a shopping credit. More specifically, to avoid Rider SRA-SRT charges and receive the shopping credit, the customer must be willing to return to DE-Ohio's ESP-SSO service at 115% of DE-Ohio's ESP-SSO price, including all riders except for distribution riders.

**LATE PAYMENT CHARGE**

Payment of the total amount due must be received in the Company's office by the due date shown on the bill. When not so paid, an additional amount equal to one and one-half percent (1.5%) of the unpaid balance is due and payable. Company and customer may agree to different late payment terms in the Service Agreement. The late payment charge is not applicable to unpaid account balances for services received from a Certified Supplier.

**SERVICE PROVISIONS**

1. Each separate point of delivery of service shall be considered a Fixed Load Location.
2. The Company shall determine the monthly kWhs associated with each Fixed Load Location.
3. The customer shall enter into a Service Agreement with the Company setting forth the terms and conditions under which the customer may connect devices to the Company's power lines.
4. The customer shall be responsible for all costs associated with connecting the device to the power lines.
5. The customer shall notify the Company in advance of the connection of any device to Company's power lines, and in advance of every change in connected load, and the Company reserves the right to inspect the customer's equipment at any time to verify the actual load. In the event of the customer's failure to notify the Company of an increase in load, the Company reserves the right to refuse to serve the Fixed Load thereafter under this Schedule, and shall be entitled to bill the customer retroactively on the basis of the increased load for the full period such load was connected.

Filed pursuant to an Order dated December 17, 2008 in Case No. 08-920-EL-SSO before the Public Utilities Commission of Ohio.

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Issued: December 18, 2008

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**SERVICE PROVISIONS (Contd.)**

6. The Company may, at its sole discretion, refuse to attach devices that it reasonably believes may impede the operation, maintenance, reliability, or safety of the electric distribution lines or pose a danger to Company personnel or other persons.
7. To the extent it is commercially feasible to do so, the Company will combine all fixed load locations for a given customer onto a single monthly bill. Billing calculations will be performed for each Fixed Load Location, but the results of the individual calculations will be summarized on the monthly bill.

**TERM OF SERVICE**

Minimum one (1) year, terminable thereafter on thirty (30) days written notice by either customer or Company. Company and customer may agree to a different term in the Service Agreement.

**SERVICE REGULATIONS**

The supplying of, and billing for, service and all conditions applying thereto, are subject to the jurisdiction of the Public Utilities Commission of Ohio, and to the Company's Service Regulations currently in effect, as filed with the Public Utilities Commission of Ohio.

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Filed pursuant to an Order dated December 17, 2008 in Case No. 08-920-EL-SSO before the Public Utilities Commission of Ohio.

## **RATE TS**

### **SERVICE AT TRANSMISSION VOLTAGE**

#### **APPLICABILITY**

Applicable to electric service for usual customer load requirements where the Company specifies service at a nominal transmission system voltage of 69,000 volts or higher, and the Company determines that facilities of adequate capacity are available and adjacent to the premises to be served. Electric service must be supplied at one point of delivery and the customer furnishes and maintains all transformation equipment and appurtenances necessary to utilize the service.

For customers taking service under any or all of the provisions of this tariff schedule, this same schedule shall constitute the Company's Standard Service Offer.

#### **TYPE OF SERVICE**

Alternating current 60 Hz, three phase at Company's standard transmission voltage of 69,000 volts or higher.

#### **NET MONTHLY BILL**

Computed in accordance with the following charges (kilovolt amperes are abbreviated as kVA; kilowatt-hours are abbreviated as kWh):

1. Distribution Charges

(a) Customer Charge per month	\$150.00
(b) Demand Charge	
All kVA	\$ 0.196 per kVA

2. Applicable Riders

The following riders are applicable pursuant to the specific terms contained within each rider:

Sheet No. 51, Rider PTC-AAC, Annually Adjusted Component Rider  
Sheet No. 53, Rider PTC-FPP, Fuel and Economy Purchased Power Rider  
Sheet No. 54, Rider SRA-CD, Capacity Dedication Rider  
Sheet No. 56, Rider SRA-SRT, System Reliability Tracker  
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Sheet No. 105, Rider DR-ECF, Economic Competitiveness Fund Rider  
Sheet No. 106, Rider DR-SAWR, Energy Efficiency Recovery Rate

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Issued: December 18, 2008

Effective: January 2, 2009

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**NET MONTHLY BILL (Contd.)**

**3. Price to Compare – Base Generation Charges (PTC-BG)**

**JAN. 1, 2009 – DEC. 31, 2009**

(a) Demand Charge		
First 50,000 kVA	\$8.7183	per kVA
Additional kVA	\$6.2847	per kVA
(b) Energy Charge		
Billing Demand times 300	\$0.002751	per kWh
Additional kWh	\$0.004587	per kWh

**JAN. 1, 2010 – DEC. 31, 2010**

(a) Demand Charge		
First 50,000 kVA	\$ 9.0671	per kVA
Additional kVA	\$ 6.5361	per kVA
(b) Energy Charge		
Billing Demand times 300	\$0.003583	per kWh
Additional kWh	\$0.005273	per kWh

**JAN. 1, 2011 – DEC. 31, 2011**

(a) Demand Charge		
First 50,000 kVA	\$9.4297	per kVA
Additional kVA	\$6.7976	per kVA
(b) Energy Charge		
Billing Demand times 300	\$0.010038	per kWh
Additional kWh	\$0.006086	per kWh

The Generation Charges listed above are applicable to all customers except those customers that switch to a Certified Supplier for their generation service.

**AVOIDANCE OF SYSTEM RELIABILITY TRACKER CHARGE AND RECEIPT OF SHOPPING CREDIT**

Non-residential customers who have signed or will sign a contract with DE-Ohio, or provide a CRES contract to DE-Ohio, or provide a release in the form approved by the Commission in Case No. 03-93-EL-ATA indicating that the customer will remain off of ESP-SSO service through December 31, 2011, may avoid Rider SRA-SRT charges and receive a shopping credit. More specifically, to avoid Rider SRA-SRT charges and receive the shopping credit, the customer must be willing to return to DE-Ohio's ESP-SSO service at 115% of DE-Ohio's ESP-SSO price, including all riders except for distribution riders.

**MINIMUM CHARGE**

The minimum charge shall be not less than fifty (50) percent of the highest demand charge established during the preceding eleven (11) months or the billing of 1,000 kVA, whichever is higher.

**METERING**

The Company may meter at secondary or primary voltage as circumstances warrant. If the Company elects to meter at secondary voltage, the kilowatt-hours registered on the Company's meter will be increased one and one-half (1.5) percent for billing purposes.

Filed pursuant to an Order dated December 17, 2008 in Case No. 08-920-EL-SSO before the Public Utilities Commission of Ohio.

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#### **DEMAND**

The demand shall be the kilovolt amperes derived from the Company's demand meter for the fifteen-minute period of the customer's greatest use during the month, but not less than the higher of the following:

- a) 85% of the highest monthly kilovolt amperes similarly established during the summer period for the next succeeding eleven (11) months; or
- b) 1,000 kilovolt amperes.

For purposes of administration of the above clause, the summer period is defined as that period represented by the Company's billing for the four (4) revenue months of June through September. The winter period is defined as the period represented by the Company's billing for the eight (8) revenue months of January through May and October through December.

The Company may re-determine customer's billing demand at any time in recognition of a permanent change in load due to such occurrences as the installation of load control equipment or a temporary change due to malfunctions of such equipment.

#### **LATE PAYMENT CHARGE**

Payment of the total amount due must be received in the Company's office by the due date shown on the bill. When not so paid, an additional amount equal to one and one-half percent (1.5%) of the unpaid balance is due and payable. The late payment charge is not applicable to unpaid account balances for services received from a Certified Supplier.

#### **TERMS AND CONDITIONS**

The initial term of contract shall be for a minimum period of five (5) years terminable thereafter by either the customer or the Company as follows:

- (1) Thirty (30) days after receipt of written notice for customers with a most recent twelve (12) month average demand of less than 10,000 kVA.
- (2) Twelve (12) months after receipt of written notice for customers with a most recent twelve (12) month average demand of 10,000 kVA or greater.

The Company is not obligated to extend, expand or rearrange its transmission system voltage if it determines that existing distribution and/or transmission facilities are of adequate capacity to serve the customer's load.

If the Company offers to provide the necessary facilities for transmission voltage, in accordance with its Service Regulations, an annual facilities charge, applicable to such additional facilities, is established at twenty (20) percent of actual cost. The annual facilities charge shall be billed in twelve monthly installments to be added to the demand charge.

Duke Energy Ohio  
139 East Fourth Street  
Cincinnati, Ohio 45202

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#### **SERVICE REGULATIONS**

The supplying and billing for service and all conditions applying thereto, are subject to the jurisdiction of the Public Utilities Commission of Ohio, and to the Company's Service Regulations currently in effect, as filed with the Public Utilities Commission of Ohio.

Filed pursuant to an Order dated December 17, 2008 in Case No. 08-920-EL-SSO before the Public Utilities Commission of Ohio.

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Issued: December 18, 2008

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Issued by Julie Janson, President

**RIDER PTC-AAC**

**ANNUALLY ADJUSTED COMPONENT RIDER**

**APPLICABILITY**

Applicable to all jurisdictional retail customers in the Company's electric service area.

**CHARGE**

The Annually Adjusted Component Rider Charges detailed below apply to all customers, except they will not apply to those customers that are eligible to avoid the Annually Adjusted Component charge as described below in the AVOIDANCE OF CHARGE section. All applicable kWh are subject to the Annually Adjusted Component Rider Charge.

The following rates are effective beginning with the first billing cycle of January, 2009:

<u>Tariff Sheet</u>	<u>PTC-AAC Charge</u> (per kWh/kW)
Rate RS, Residential Service	
Summer, First 1000 kWh	\$0.007335
Summer, Additional kWh	\$0.009293
Winter, First 1000 kWh	\$0.007335
Winter, Additional kWh	\$0.002767
Rate ORH, Optional Residential Service With Electric Space Heating	
Summer, First 1000 kWh	\$0.006549
Summer, Additional kWh	\$0.007846
Winter, First 1000 kWh	\$0.006546
Winter, Additional kWh	\$0.003389
Winter, kWh greater than 150 times demand	\$0.002119
Rate TD, Optional Time-of-Day Rate	
Summer, On-Peak kWh	\$0.014954
Summer, Off-Peak kWh	\$0.002183
Winter, On-Peak kWh	\$0.011755
Winter, Off-Peak kWh	\$0.002185
Rate DS, Service at Secondary Distribution Voltage	
First 1000 kW	\$1.271200
Additional kW	\$1.005600
Billing Demand Times 300	\$0.003250
Additional kWh	\$0.002700

Filed pursuant to an Order dated December 17, 2008 in Case No. 08-920-EL-SSC before the Public Utilities Commission of Ohio.

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Tariff Sheet

PTC-AAC Charge  
(per kWh/kW)

Rate GS-FL, Optional Unmetered For Small Fixed Loads	
kWh Greater Than or Equal to 540 Hours	\$0.010796
kWh Less Than 540 Hours	\$0.012410
Rate CUR, Common Use Residential Service	
Summer, First 1000 kWh	\$0.007333
Summer, Additional kWh	\$0.009293
Winter, First 1000 kWh	\$0.007333
Winter, Additional kWh	\$0.002768
Rate EH, Optional Rate For Electric Space Heating	
All kWh	\$0.004430
Rate DM, Secondary Distribution Service, Small	
Summer, First 2800 kWh	\$0.009721
Summer, Next 3200 kWh	\$0.002482
Summer, Additional kWh	\$0.001083
Winter, First 2800 kWh	\$0.007715
Winter, Next 3200 kWh	\$0.002486
Winter, Additional kWh	\$0.001028
Rate DP, Service at Primary Distribution Voltage	
First 1000 kW	\$1.148000
Additional kW	\$0.905500
Billing Demand Times 300	\$0.003661
Additional kWh	\$0.002936
Rate TS, Service at Transmission Voltage	
First 50,000 Kva	\$1.391500
Additional kVA	\$1.000300
Billing Demand Times 300	\$0.002391
Additional kWh	\$0.002718
Rate SL, Street Lighting Service	
All kWh	\$0.004781
Rate TL, Traffic Lighting Service	
All kWh	\$0.002799
Rate OL, Outdoor Lighting Service	
All kWh	\$0.004781
Rate NSU, Street Lighting Service for Non-Standard Units	
All kWh	\$0.004781
Rate NSP, Private Outdoor Lighting for Non-Standard Units	
All kWh	\$0.004781

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Filed pursuant to an Order dated December 17, 2008 in Case No. 08-920-EL-SSC before the Public Utilities Commission of Ohio.

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**CHARGES (Contd.)**

Tariff Sheet

PTC-AAC Charge  
(per kWh/kW)

Rate SC, Street Lighting Service - Customer Owned

All kWh

\$0.004781

Energy only – all kWh

\$0.001902

Rate SE, Street Lighting Service - Overhead Equivalent

All kWh

\$0.004781

Rate UOLS, Unmetered Outdoor Lighting Electric Service

All kWh

\$0.001969

**AVOIDANCE OF ANNUALLY ADJUSTED COMPONENT RIDER CHARGE**

All customers that switch to a certified supplier shall not pay the AAC.

Filed pursuant to an Order dated December 17, 2008 in Case No. 08-920-EL-SSC before the Public Utilities Commission of Ohio.

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Duke Energy Ohio  
139 East Fourth Street  
Cincinnati, Ohio 45202

P.U.C.O. Electric No. 19  
Sheet No. 52.5  
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**RIDER DSMR**  
**DEMAND SIDE MANAGEMENT RATE**

**THIS TARIFF IS HEREBY CANCELLED AND WITHDRAWN**

Filed Pursuant to an Order dated December 17, 2008 in Case No. 08-920-EL-SSO before the Public Utilities Commission of Ohio.

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Issued: December 18, 2008

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Duke Energy Ohio  
139 East Fourth Street  
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P.U.C.O. Electric No. 19  
Sheet No. 53.16  
Cancels and Supersedes  
Sheet No. 53.15  
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**RIDER PTC-FPP**

**FUEL AND ECONOMY PURCHASED POWER RIDER**

**APPLICABILITY**

Applicable to all jurisdictional retail customers in the Company's electric service area, except those customers receiving generation service from a Certified Supplier.

**CHARGE**

The Fuel and Economy Purchased Power rate (PTC-FPP) to be charged under this tariff will be updated every three months pending approval by the Public Utilities Commission of Ohio. The current rate is:

Residential	\$0.026680 per kilowatt-hour
Non-residential	\$0.026680 per kilowatt-hour
Voltage-reduction	\$0.026334 per kilowatt-hour

**BASE FUEL RATE**

Effective with the first billing cycle of January 2009, the PTC-FPP rate will include the Company's base fuel rate of \$0.012453 per kWh.

Filed pursuant to an Order dated December 17, 2008 in Case No. 08-920-EL-SSO before the Public Utilities Commission of Ohio.

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**RIDER SRA-CD**

**CAPACITY DEDICATION RIDER**

**APPLICABILITY**

Applicable to all jurisdictional retail customers in the Company's electric service area.

**CHARGE**

All applicable kWh are subject to the Capacity Dedication Rider Charge.

The following rates are effective January 2, 2009.

<u>Tariff Sheet</u>	<u>SRA-CD Charge</u> (per kWh/kW)
Rate RS, Residential Service	
Summer, First 1000 kWh	\$0.002651
Summer, Additional kWh	\$0.003359
Winter, First 1000 kWh	\$0.002651
Winter, Additional kWh	\$0.001000
Rate ORH, Optional Residential Service With Electric Space Heating	
Summer, First 1000 kWh	\$0.002367
Summer, Additional kWh	\$0.002836
Winter, First 1000 kWh	\$0.002366
Winter, Additional kWh	\$0.001225
Winter, kWh greater than 150 times demand	\$0.000766
Rate TD, Optional Time-of-Day Rate	
Summer, On-Peak kWh	\$0.005405
Summer, Off-Peak kWh	\$0.000789
Winter, On-Peak kWh	\$0.004249
Winter, Off-Peak kWh	\$0.000790
Rate CUR, Common Use Residential Service	
Summer, First 1000 kWh	\$0.002651
Summer, Additional kWh	\$0.003359
Winter, First 1000 kWh	\$0.002651
Winter, Additional kWh	\$0.001000
Rate DS, Service at Secondary Distribution Voltage	
First 1000 kW	\$0.459400
Additional kW	\$0.363400
Billing Demand Times 300	\$0.001175
Additional kWh	\$0.000976
Rate GS-FL, Optional Unmetered For Small Fixed Loads	
kWh Greater Than or Equal to 540 Hours	\$0.003902
kWh Less Than 540 Hours	\$0.004486
Rate EH, Optional Rate For Electric Space Heating	
All kWh	\$0.001601

Filed pursuant to an Order dated December 17, 2008 in Case No. 08-920-EL-SSO before the Public Utilities Commission of Ohio.

**CHARGES (Contd.)**

Tariff Sheet

SRA-CD Charge  
(per kWh/kW)

Rate DM, Secondary Distribution Service, Small	
Summer, First 2800 kWh	\$0.003514
Summer, Next 3200 kWh	\$0.000897
Summer, Additional kWh	\$0.000391
Winter, First 2800 kWh	\$0.002789
Winter, Next 3200 kWh	\$0.000898
Winter, Additional kWh	\$0.000371
Rate DP, Service at Primary Distribution Voltage	
First 1000 kW	\$0.414900
Additional kW	\$0.327300
Billing Demand Times 300	\$0.001323
Additional kWh	\$0.001061
Rate TS, Service at Transmission Voltage	
First 50,000 kVA	\$0.503000
Additional kVA	\$0.362600
Billing Demand Times 300	\$0.000864
Additional kWh	\$0.000983
Rate SL, Street Lighting Service	
All kWh	\$0.001728
Rate TL, Traffic Lighting Service	
All kWh	\$0.001011
Rate OL, Outdoor Lighting Service	
All kWh	\$0.001728
Rate NSU, Street Lighting Service for Non-Standard Units	
All kWh	\$0.001728
Rate NSP, Private Outdoor Lighting for Non-Standard Units	
All kWh	\$0.001728
Rate SC, Street Lighting Service - Customer Owned	
All kWh	\$0.001728
Energy Only – All kWh	\$0.000688
Rate SE, Street Lighting Service - Overhead Equivalent	
All kWh	\$0.001728
Rate UOLS, Unmetered Outdoor Lighting Electric Service	
All kWh	\$0.000711

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Issued by Julie Janson, President

Effective: January 2, 2009

**RIDER SRA-SRT**

**SYSTEM RELIABILITY TRACKER**

**APPLICABILITY**

Applicable to all jurisdictional retail customers in the Company's electric service area.

**CHARGE**

Rider SRA-SRT applies to all customers, except those customers that are eligible to avoid it as described below in the "Avoidance of System Reliability Tracker Charge" section.

For all customers, these rates are effective beginning with the first billing cycle of January, 2009:

<u>Tariff Sheet</u>	<u>SRA-SRT Charge</u> (\$/kWh;\$/kW)
Rate RS, Residential Service	
All kWh	\$0.001692
Rate ORH, Optional Residential Service With Electric Space Heating	
All kWh	\$0.001692
Rate TD, Optional Time-of-Day Rate	
All kWh	\$0.001692
Rate CUR, Common Use Residential Service	
All kWh	\$0.001692
Rate DS, Service at Secondary Distribution Voltage	
First 1,000 kW	\$0.254000
Additional kW	\$0.200900
Billing Demand Times 300	\$0.000649
Additional kWh	\$0.000539
Rate GS-FL, Optional Unmetered For Small Fixed Loads	
All kWh	\$0.001326
Rate EH, Optional Rate For Electric Space Heating	
All kWh	\$0.001465
Rate DM, Secondary Distribution Service, Small	
All kWh	\$0.001567
Rate DP, Service at Primary Distribution Voltage	
First 1000 kW	\$0.235100
Additional kW	\$0.185500
Billing Demand Times 300	\$0.000750
Additional kWh	\$0.000601
Rate TS, Service at Transmission Voltage	
First 50,000 kVA	\$0.310700
Additional kVA	\$0.224000
Billing Demand Times 300	\$0.000534
Additional kWh	\$0.000607

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<u>Tariff Sheet</u>	<u>SRA-SRT Charge</u> (\$/kWh; \$/kW)
Rate SL, Street Lighting Service All kWh	\$0.000985
Rate TL, Traffic Lighting Service All kWh	\$0.000985
Rate OL, Outdoor Lighting Service All kWh	\$0.000985
Rate NSU, Street Lighting Service for Non-Standard Units All kWh	\$0.000985
Rate NSP, Private Outdoor Lighting for Non-Standard Units All kWh	\$0.000985
Rate SC, Street Lighting Service - Customer Owned All kWh	\$0.000985
Rate SE, Street Lighting Service - Overhead Equivalent All kWh	\$0.000985
Rate UOLS, Unmetered Outdoor Lighting Electric Service All kWh	\$0.000985

#### **AVOIDANCE OF SYSTEM RELIABILITY TRACKER CHARGE**

Residential customers receiving generation service through a governmental aggregator will avoid (waive) Rider SRA-SRT if the governmental aggregator notifies the Company at least sixty (60) days prior to the start of the governmental aggregation of its intent to place all Residential End-Use Customers served by the governmental aggregation on the Rider SRA-SRT waiver program and to maintain the governmental aggregation through December 31, 2011. If the aggregated Residential End-Use Customer returns to the ESP-SSO prior to December 31, 2011, such Residential End-Use Customer will be billed a monthly early return premium based on 15% of the applicable generation charges and Riders in addition to the normal charges calculated per the ESP-SSO.

#### **AVOIDANCE OF SYSTEM RELIABILITY TRACKER CHARGE AND RECEIPT OF SHOPPING CREDIT**

Non-residential customers who have signed or will sign a contract with DE-Ohio, or provide a CRES contract to DE-Ohio, or provide a release in the form approved by the Commission in Case No. 03-93-EL-ATA indicating that the customer will remain off of ESP-SSO service through December 31, 2011, may avoid Rider SRA-SRT charges and receive a shopping credit. More specifically, to avoid Rider SRA-SRT charges, the customer must be willing to return to DE-Ohio's ESP-SSO service at 115% of DE-Ohio's ESP-SSO price, including all riders except for distribution riders.

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**RIDER TCR**

**TRANSMISSION COST RECOVERY TRACKER**

**APPLICABILITY**

Applicable to all jurisdictional retail customers in the Company's electric service area, except those customers receiving generation service from a Certified Supplier.

**CHARGE**

The Transmission Cost Recovery Tracker Charges detailed below are to recover transmission costs approved by the Public Utilities Commission of Ohio and the Federal Energy Regulatory Commission including Ancillary Services and those costs assessed to the Company by the applicable regional transmission organization. All applicable kWh, kW, or kVA are subject to the Transmission Cost Recovery Charge.

The Transmission Charges listed below do not apply to customers who receive their energy from a Certified Supplier. For customers who receive their energy from a Certified Supplier, the specific rates, terms, and conditions of the Company's FERC Open Access Transmission Tariff apply as such tariff may be amended from time to time and as incorporated herein by reference.

The charges for the respective electric service schedules are effective beginning with first billing cycle of January 2009 and updated on an annual basis as follows:

<u>Tariff Sheet</u>	<u>TCR Charge</u> (per kWh/kW)
Rate RS, Residential Service	
All kWh	\$0.006225
Rate ORH, Optional Residential Service With Electric Space Heating	
All kWh	\$0.006225
Rate TD, Optional Time-of-Day Rate	
All kWh	\$0.006225
Rate CUR, Common Use Residential Rate	
All kWh	\$0.006225
Rate DS, Service at Secondary Distribution Voltage	
All kW	\$2.001800
Rate GS-FL, Optional Unmetered For Small Fixed Loads	
All kWh	\$0.005122
Rate EH, Optional Rate For Electric Space Heating	
All kWh	\$0.005645
Rate DM, Secondary Distribution Service, Small	
All kWh	\$0.005363
Rate DP, Service at Primary Distribution Voltage	
All kW	\$2.317400
Rate SFL-ADPL, Optional Unmetered Rate For Small Fixed Loads Attached Directly to Company's Power Lines	
All kWh	\$0.005122
Rate TS, Service at Transmission Voltage	
All kVA	\$2.760400

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**CHARGE (Contd.)**

Tariff Sheet

TCR Charge  
(per kWh\ kW)

Rate SL, Street Lighting Service	
All kWh	\$0.002577
Rate TL, Traffic Lighting Service	
All kWh	\$0.002577
Rate OL, Outdoor Lighting Service	
All kWh	\$0.002577
Rate NSU, Street Lighting Service for Non-Standard Units	
All kWh	\$0.002577
Rate NSP, Private Outdoor Lighting for Non-Standard Units	
All kWh	\$0.002577
Rate SC, Street Lighting Service - Customer Owned	
All kWh	\$0.002577
Rate SE, Street Lighting Service - Overhead Equivalent	
All kWh	\$0.002577
Rate UOLS, Unmetered Outdoor Lighting Electric Service	
All kWh	\$0.002577

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**RATE SL**

**STREET LIGHTING SERVICE**

**APPLICABILITY**

Applicable to municipal, county, state and Federal governments, including divisions thereof, and incorporated homeowners associations for the lighting of public streets and roads with Company-owned lighting fixtures.

For customers taking service under any or all of the provisions of this tariff schedule, this same schedule shall constitute the Company's Standard Service Offer.

Mercury Vapor lighting fixtures will not be installed by the Company after June 1, 2003. As currently installed Mercury Vapor fixtures are retired and/or replaced, they may be replaced with either Metal Halide or Sodium Vapor fixtures as the customer chooses.

This service will no longer be available for units installed after December 31, 2004.

**TYPE OF SERVICE**

All equipment owned by the Company will be installed and maintained by the Company. All lamps will burn from dusk to dawn, approximately 4,160 hours per annum. The Company will endeavor to replace burned-out lamps within 48 hours after notification by the customer. The Company does not guarantee continuous lighting or electric service and shall not be liable to the customer or anyone else for any damage, loss or injury due to any cause.

**NET MONTHLY BILL**

The following monthly charge for each unit with lamp and luminaire, controlled automatically, will be assessed:

	Lamp Watts	KW/Unit	Annual kWh	Distribution Energy & Equipment \$/Unit	2009 PTC-BG Generation Charge \$/Unit	2010 PTC-BG Generation Charge \$/Unit	2011 PTC-BG Generation Charge \$/Unit
1. Base Rate							
<u>OVERHEAD DISTRIBUTION AREA</u>							
Fixture Description							
Standard Fixture (Cobra Head)							
Mercury Vapor							
7,000 lumen	175	0.193	803	3.002	1.177	1.264	1.507
7,000 lumen (Open Refractor)	175	0.205	853	2.944	1.251	1.343	1.601
10,000 lumen	250	0.275	1,144	3.052	1.677	1.801	2.147
21,000 lumen	400	0.430	1,789	3.089	2.623	2.816	3.358

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**NET MONTHLY BILL (Contd.)**

	Lamp Watts	KW/Unit	Annual kWh	Distribution Energy & Equipment \$/Unit	2009 PTC-BG Generation Charge \$/Unit	2010 PTC-BG Generation Charge \$/Unit	2011 PTC-BG Generation Charge \$/Unit
<b>Metal Halide</b>							
14,000 lumen	175	0.193	803	3.002	1.177	1.264	1.507
20,500 lumen	250	0.275	1,144	3.052	1.677	1.801	2.147
<b>Sodium Vapor</b>							
9,500 lumen	100	0.117	487	5.310	0.714	0.767	0.914
9,500 lumen (Open Refractor)	100	0.117	487	5.106	0.714	0.767	0.914
16,000 lumen	150	0.171	711	5.760	1.043	1.119	1.335
22,000 lumen	200	0.228	948	5.720	1.390	1.492	1.779
27,500 lumen	200	0.228	948	5.720	1.390	1.492	1.779
50,000 lumen	400	0.471	1,959	6.999	2.872	3.083	3.677
<b>Decorative Fixtures</b>							
<b>Sodium Vapor</b>							
9,500 lumen (Rectilinear)	100	0.117	487	9.215	0.714	0.767	0.914
22,000 lumen (Rectilinear)	200	0.246	1,023	9.318	1.500	1.610	1.920
50,000 lumen (Rectilinear)	400	0.471	1,959	9.320	2.872	3.083	3.677
50,000 lumen (Setback)	400	0.471	1,959	12.795	2.872	3.083	3.677

Where a street lighting fixture served overhead is to be installed on another utility's pole on which the Company does not have a contact, a monthly pole charge will be assessed.

**Spans of Secondary Wiring:**

For each increment of 50 feet of secondary wiring beyond the first 150 feet from the pole, the following price per month shall be added to the price per month per street lighting unit: \$0.38.

	Lamp Watts	KW/Unit	Annual kWh	Distribution Energy & Equipment \$/Unit	2009 PTC-BG Generation Charge \$/Unit	2010 PTC-BG Generation Charge \$/Unit	2011 PTC-BG Generation Charge \$/Unit
<b>UNDERGROUND DISTRIBUTION AREA</b>							
<b>Fixture Description</b>							
<b>Standard Fixture (Cobra Head)</b>							
<b>Mercury Vapor</b>							
7,000 lumen	175	0.210	874	2.540	1.282	1.376	1.640
7,000 lumen (Open Refractor)	175	0.205	853	3.097	1.251	1.343	1.601
10,000 lumen	250	0.292	1,215	2.538	1.781	1.912	2.281
21,000 lumen	400	0.460	1,914	2.611	2.806	3.013	3.593

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	<u>Lamp Watts</u>	<u>KW/Unit</u>	<u>Annual kWh</u>	<u>Distribution Energy &amp; Equipment \$/Unit</u>	<u>2009 PTC-BG Generation Charge \$/Unit</u>	<u>2010 PTC-BG Generation Charge \$/Unit</u>	<u>2011 PTC-BG Generation Charge \$/Unit</u>
Sodium Vapor							
9,500 lumen	100	0.117	487	5.310	0.714	0.767	0.914
22,000 lumen	200	0.228	948	5.720	1.390	1.492	1.779
27,500 lumen	200	0.228	948	5.720	1.390	1.492	1.779
50,000 lumen	400	0.471	1,959	6.999	2.872	3.083	3.677
Decorative Fixtures							
Mercury Vapor							
7,000 lumen (Town & Country)	175	0.205	853	5.428	1.251	1.343	1.601
7,000 lumen (Holophane)	175	0.210	874	5.791	1.282	1.376	1.640
7,000 lumen (Gas Replica)	175	0.210	874	14.449	1.282	1.376	1.640
7,000 lumen (Aspen)	175	0.210	874	7.907	1.282	1.376	1.640
Metal Halide							
14,000 lumen (Granville)	175	0.210	874	7.907	1.282	1.376	1.640
14,000 lumen (Town & Country)	175	0.205	853	5.428	1.251	1.343	1.601
14,500 lumen (Gas Replica)	175	0.210	874	14.449	1.282	1.376	1.640
Sodium Vapor							
9,500 lumen (Town & Country)	100	0.117	487	8.970	0.714	0.767	0.914
9,500 lumen (Holophane)	100	0.128	532	9.281	0.780	0.837	0.999
9,500 lumen (Rectilinear)	100	0.117	487	9.420	0.714	0.767	0.914
9,500 lumen (Gas Replica)	100	0.128	532	16.998	0.780	0.837	0.999
9,500 lumen (Aspen)	100	0.128	532	9.782	0.780	0.837	0.999
16,000 lumen (Aspen)	150	0.171	711	5.760	1.043	1.119	1.335
22,000 lumen (Rectilinear)	200	0.246	1,023	9.318	1.500	1.610	1.920
50,000 lumen (Rectilinear)	400	0.471	1,959	8.911	2.872	3.083	3.677
50,000 lumen (Setback)	400	0.471	1,959	12.795	2.872	3.083	3.677

#### POLE CHARGES

<u>Pole Description</u>	<u>Pole Type</u>	<u>\$/Pole</u>
Wood		
17 foot (Wood Laminated) (a)	W17	4.04
30 foot	W30	4.41
35 foot	W35	4.66
40 foot	W40	5.39
Aluminum		
12 foot	A12	11.82
28 foot	A28	6.56
28 foot (heavy duty)	A28H	6.66
30 foot (anchor base)	A30	19.72

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**NET MONTHLY BILL (Contd.)**

<u>Pole Description (Contd.)</u>	<u>Pole Type</u>	<u>\$/Pole</u>
Fiberglass		
17 foot	F17	4.05
30 foot (bronze)	F30	8.76
35 foot (bronze)	F35	8.86
40 foot	F40	5.38
Steel		
27 foot (11 gauge)	S27	16.17
27 foot ( 3 gauge)	S27H	21.90
Spans of Secondary Wiring:		
For each increment of 25 feet of secondary wiring beyond the first 25 feet from the pole, the following price per month shall be added to the price per month per street lighting unit: \$0.81.		

Additional facilities, other than specified above, if required, will be billed at the time of installation.

(a) Note: New or replacement poles no longer available.

**2. Applicable Riders**

The following riders are applicable pursuant to the specific terms contained within each rider:

Sheet No. 51, Rider PTC-AAC, Annually Adjusted Component Rider  
Sheet No. 53, Rider PTC-FPP, Fuel and Economy Purchased Power Rider  
Sheet No. 54, Rider SRA-CD, Capacity Dedication Rider  
Sheet No. 56, Rider SRA-SRT, System Reliability Tracker  
Sheet No. 57, Rider TCR, Transmission Cost Recovery Rider  
Sheet No. 58, Rider DRI, Distribution Reliability Investment Rider  
Sheet No. 59, Rider RSS, Rate Stabilization Surcredit Rider  
Sheet No. 81, Rider EER, Energy-Efficiency Revolving Loan Program Rider  
Sheet No. 83, Rider OET, Ohio Excise Tax Rider  
Sheet No. 84, Rider RTC, Regulatory Transition Charge Rider  
Sheet No. 85, Rider SC, Shopping Credit Rider  
Sheet No. 86, Rider USR, Universal Service Fund Rider  
Sheet No. 103, Rider MSR-E, Merger Savings Credit Rider-Electric  
Sheet No. 105, Rider DR-ECF, Economic Competitiveness Fund  
Sheet No. 106, Rider DR-SAWR, Energy Efficiency Recovery Rate

**PRICE TO COMPARE BASE GENERATION CHARGES (PTC-BG)**

The Generation Charges listed above are applicable to all customers except those customers that switch to a Certified Supplier for their generation service.

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#### **AVOIDANCE OF SYSTEM RELIABILITY TRACKER CHARGE AND RECEIPT OF SHOPPING CREDIT**

Non-residential customers who have signed or will sign a contract with DE-Ohio, or provide a CRES contract to DE-Ohio, or provide a release in the form approved by the Commission in Case No. 03-93-EL-ATA indicating that the customer will remain off of ESP-SSO service through December 31, 2011, may avoid Rider SRA-SRT charges and receive a shopping credit. More specifically, to avoid Rider SRA-SRT charges and receive a shopping credit, the customer must be willing to return to DE-Ohio's ESP-SSO service at 115% of DE-Ohio's ESP-SSO price, including all riders except for distribution riders.

#### **LATE PAYMENT CHARGE**

Payment of the total amount due must be received in the Company's office by the due date shown on the bill. When not so paid, an additional amount equal to one and one-half percent (1.5%) of the unpaid balance is due and payable. The late payment charge is not applicable to unpaid account balances for services received from a Certified Supplier.

#### **TERM OF SERVICE**

The street lighting units are installed for the life of the unit, and then its terminable on one hundred twenty (120) days written notice by either customer or Company subject to Paragraph 4 or 6 under General Conditions.

#### **GENERAL CONDITIONS**

- (1) If the customer requires the installation of a unit at a location which requires the extension, relocation, or rearrangement of the Company's distribution system, the customer shall, in addition to the monthly charge, pay the Company on a time and material basis, plus overhead charges, the cost of such extension, relocation, or rearrangement, unless in the judgment of the Company no charge should be made. An estimate of the cost will be submitted for approval before work is carried out.
- (2) Installation of street lighting units will be predicated on the ability of the Company to obtain, without cost to itself or the payment or consideration, all easements and rights-of-way which, in the opinion of the Company, are necessary for the construction, maintenance and operation of the street lights, standards, anchors and/or service wires. If such easements and rights-of-way cannot be so obtained, the Company shall have no obligation hereunder to install such units.
- (3) The time within which the Company will be able to commence or to complete the services to be performed is dependent on the Company's ability to secure the materials required, and the Company shall not be responsible for failure to install these street light units for such reason.
- (4) If an installed street lighting unit is required to be relocated, removed, or replaced with another unit of the same or less rated lamp wattage, the ordering Authority shall pay the Company the sacrifice value of the unit, plus labor and overhead charges, unless in the judgment of the Company no charge should be made. An estimate of the cost will be submitted for approval before work is carried out.
- (5) Lamps and refractors which are maintained by the Company shall be kept in good operating condition by and at the expense of the Company.

In cases of vandalism, the Company will repair the damaged property and the customer shall pay for such repair on a time and material basis, plus overhead charges, unless in the judgment of the Company no charge should be made. An estimate of the cost will be submitted for approval before work is carried out.

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**GENERAL CONDITIONS (Cont'd)**

- (6) When a street lighting unit reaches end of life or becomes obsolete and parts cannot be reasonably obtained, the Company can remove the unit at no expense to the customer after notifying the customer. The customer shall be given the opportunity to arrange for another type lighting unit provided by the Company.

**SERVICE REGULATIONS**

The supplying of, and billing for, service and all conditions applying thereto, are subject to the jurisdiction of the Public Utilities Commission of Ohio, and to the Company's Service Regulations currently in effect, as filed with the Public Utilities Commission of Ohio.

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**RATE TL**

**TRAFFIC LIGHTING SERVICE**

**APPLICABILITY**

Applicable to the supplying of energy for traffic signals or other traffic control lighting on public streets and roads. After January 1, 1992, this tariff schedule shall only be applicable to municipal, county, state and local governments. In the application of this tariff, each point of delivery shall be considered as a separate customer.

For customers taking service under any or all of the provisions of this tariff schedule, this same schedule shall constitute the Company's Standard Service Offer.

**TYPE OF SERVICE**

Alternating current 60 Hz, single phase at the Company's standard secondary voltage.

**NET MONTHLY BILL**

Computed in accordance with the following charges:

1. Base Rate

- (a) Where the Company supplies energy only all kilowatt-hours shall be billed as follows:

Distribution Energy and Equipment Charge	\$0.003660 per kWh
Price to Compare Base Generation Charge	
2009	\$0.005171 per kWh
2010	\$0.005967 per kWh
2011	\$0.009086 per kWh

- (b) Where the Company supplies energy from a separately metered source and the Company has agreed to provide limited maintenance for traffic signal equipment all kilowatt-hours shall be billed at \$0.024476 per kWh

- (c) Where the Company supplies energy and has agreed to provide limited maintenance for traffic signal equipment all kilowatt-hours shall be billed as follows:

Distribution Energy and Equipment Charge	\$0.025607 per kWh
Price to Compare Base Generation Charge	
2009	\$0.005171 per kWh
2010	\$0.005967 per kWh
2011	\$0.009086 per kWh

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**NET MONTHLY BILL (Contd.)**

2. Applicable Riders

The following riders are applicable pursuant to the specific terms contained within each rider:

Sheet No. 51, Rider PTC-AAC, Annually Adjusted Component Rider  
Sheet No. 53, Rider PTC-FPP, Fuel and Economy Purchased Power Rider  
Sheet No. 54, Rider SRA-CD, Capacity Dedication Rider  
Sheet No. 56, Rider SRA-SRT, System Reliability Tracker  
Sheet No. 57, Rider TCR, Transmission Cost Recovery Rider  
Sheet No. 58, Rider DRI, Distribution Reliability Investment Rider  
Sheet No. 59, Rider RSS, Rate Stabilization Surcredit Rider  
Sheet No. 81, Rider EER, Energy-Efficiency Revolving Loan Program Rider  
Sheet No. 83, Rider OET, Ohio Excise Tax Rider  
Sheet No. 84, Rider RTC, Regulatory Transition Charge Rider  
Sheet No. 85, Rider SC, Shopping Credit Rider  
Sheet No. 86, Rider USR, Universal Service Fund Rider  
Sheet No. 103, Rider MSR-E, Merger Savings Credit Rider-Electric  
Sheet No. 105, Rider DR-ECF, Economic Competitiveness Fund Rider  
Sheet No. 106, Rider DR-SAWR, Energy Efficiency Recovery Rate

**PRICE TO COMPARE GENERATION CHARGES**

The Generation Charges listed above are applicable to all customers except those customers that switch to a Certified Supplier for their generation service.

**AVOIDANCE OF SYSTEM RELIABILITY TRACKER CHARGE AND RECEIPT OF SHOPPING CREDIT**

Non-residential customers who have signed or will sign a contract with DE-Ohio, or provide a CRES contract to DE-Ohio, or provide a release in the form approved by the Commission in Case No. 03-93-EL-ATA indicating that the customer will remain off of ESP-SSO service through December 31, 2011, may avoid Rider SRA-SRT charges and receive a shopping credit. More specifically, to avoid Rider SRA-SRT charges and receive a shopping credit, the customer must be willing to return to DE-Ohio's ESP-SSO service at 115% of DE-Ohio's ESP-SSO price, including all riders except for distribution riders.

**LATE PAYMENT CHARGE**

Payment of the total amount due must be received in the Company's office by the due date shown on the bill. When not so paid, an additional amount equal to one and one-half percent (1.5%) of the unpaid balance is due and payable. The late payment charge is not applicable to unpaid account balances for services received from a Certified Supplier.

**TERM OF SERVICE**

One year, terminable thereafter on thirty (30) days written notice by either customer or Company.

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Filed pursuant to an Order dated December 17, 2008 in Case No. 08-920-EL-SSO before the Public Utilities Commission of Ohio.

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Issued: December 18, 2008

Effective: January 2, 2009

Issued by Julie Janson, President



#### **GENERAL CONDITIONS**

- (1) Billing will be based on the calculated kilowatt-hour consumption taking into consideration the size and characteristics of the load.
- (2) Where the average monthly usage is less than 110 kWh per point of delivery, the customer shall pay the Company, in addition to the monthly charge, the cost of providing the electric service on the basis of time and material plus overhead charges. An estimate of the cost will be submitted for approval before the work is carried out.
- (3) The location of each point of delivery shall be mutually agreed upon by the Company and the customer. In overhead distribution areas, the point of delivery shall be within 150 feet of existing secondary wiring. In underground distribution areas, the point of delivery shall be at an existing secondary wiring service point.
- (4) If the customer needs a point of delivery which requires the extension, relocation, or rearrangement of Company's distribution system, the customer shall pay the Company, in addition to the monthly charge, the cost of such extension, relocation, or rearrangement on the basis of time and material plus overhead charges, unless such extension, relocation or rearrangement is performed in the course of the Company's routine system upgrade, or where a municipality requires such work when acting in its governmental capacity; then, no payment will be made. An estimate of the cost will be submitted for approval before work is carried out.

#### **LIMITED MAINTENANCE**

Limited maintenance for traffic signals is defined as cleaning and replacing lamps, and repairing connections in wiring which are of a minor nature. Limited maintenance for traffic controllers is defined as cleaning, oiling, adjusting and replacing contacts which are provided by customer, time-setting when requested, and minor repairs to defective wiring.

#### **SERVICE REGULATIONS**

The supplying and billing for service and all conditions applying thereto, are subject to the jurisdiction of the Public Utilities Commission of Ohio, and to the Company's Service Regulations currently in effect, as filed with the Public Utilities Commission of Ohio.

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Filed pursuant to an Order dated December 17, 2008 in Case No. 08-920-EL-SSO before the Public Utilities Commission of Ohio.

Issued: December 18, 2008

Effective: January 2, 2009

Issued by Julie Janson, President

**RATE OL**

**OUTDOOR LIGHTING SERVICE**

**APPLICABILITY**

Applicable for outdoor lighting services on private property with Company owned fixtures in the Company's entire service area where secondary distribution lines are adjacent to the premises to be served. Not applicable for lighting public roadways which are dedicated, or anticipated to be dedicated, except to meet the occasional singular need of a customer who has obtained written approval from the proper governmental authority.

For customers taking service under any or all of the provisions of this tariff schedule, this same schedule shall constitute the Company's Standard Service Offer.

Mercury Vapor lighting fixtures will not be installed by the Company after June 1, 2003. As currently installed Mercury Vapor fixtures are retired and/or replaced, they may be replaced with either Metal Halide or Sodium Vapor fixtures as the customer chooses.

This service will no longer be available for units installed after December 31, 2004.

**TYPE OF SERVICE**

All equipment will be installed, owned and maintained by the Company on rights-of-way provided by the customer. The Company will perform maintenance only during regularly scheduled working hours and will endeavor to replace burned-out lamps within 48 hours after notification by the customer. The Company does not guarantee continuous lighting and shall not be liable to the customer or anyone else for damage, loss or injury resulting from any interruption in such lighting due to any cause. All lamps will burn from dusk to dawn, approximately 4,160 hours per annum.

**NET MONTHLY BILL**

**1. Base Rate**

**A. Private outdoor lighting units:**

The following monthly charge for each fixture, which includes lamp and luminaire, controlled automatically, mounted on a utility pole, as specified by the Company, with a maximum mast arm of 16 feet for overhead units will be assessed:

	Lamp Watts	KW/Unit	Annual kWh	Distribution Energy & Equipment \$/Unit	2009 PTC-BG Generation Charge \$/Unit	2010 PTC-BG Generation Charge \$/Unit	2011 PTC-BG Generation Charge \$/Unit
<b>Standard Fixtures (Cobra Head)</b>							
<b>Mercury Vapor</b>							
7,000 lumen (Open Refractor)	175	0.205	853	5.479	1.251	1.343	1.601
7,000 lumen	175	0.210	874	9.307	1.282	1.376	1.640
10,000 lumen	250	0.292	1,215	9.499	1.781	1.912	2.281
21,000 lumen	400	0.460	1,914	10.461	2.806	3.013	3.593

Filed pursuant to an Order dated December 17, 2008 in Case No. 08-920-EL-SSO before the Public Utilities Commission of Ohio.

	Lamp Watts	KW/Unit	Annual kWh	Distribution Energy & Equipment \$/Unit	2009 PTC-BG Generation Charge \$/Unit	2010 PTC-BG Generation Charge \$/Unit	2011 PTC-BG Generation Charge \$/Unit
<u>Metal Halide</u>							
14,000 lumen	175	0.210	874	9.307	1.282	1.376	1.640
20,500 lumen	250	0.292	1,215	9.499	1.781	1.912	2.281
36,000 lumen	400	0.460	1,914	10.461	2.806	3.013	3.593
<u>Sodium Vapor</u>							
9,500 lumen (Open Refractor)	100	0.117	487	5.597	0.714	0.767	0.914
9,500 lumen	100	0.117	487	7.273	0.714	0.767	0.914
16,000 lumen	150	0.171	711	8.582	1.043	1.119	1.335
22,000 lumen	200	0.228	948	8.194	1.390	1.492	1.779
27,500 lumen	100	0.117	487	7.273	0.714	0.767	0.914
27,500 lumen	200	0.228	948	8.194	1.390	1.492	1.779
50,000 lumen	400	0.471	1,959	7.285	2.872	3.083	3.677
<u>Decorative Fixtures (a)</u>							
<u>Mercury Vapor</u>							
7,000 lumen (Town & Country)	175	0.205	853	12.461	1.251	1.343	1.601
7,000 lumen (Aspen)	175	0.210	874	17.730	1.282	1.376	1.640
<u>Sodium Vapor</u>							
9,500 lumen (Town & Country)	100	0.117	487	19.008	0.714	0.767	0.914
9,500 lumen (Holograph)	100	0.128	532	19.728	0.780	0.837	0.999
9,500 lumen (Gas Replica)	100	0.128	532	35.163	0.780	0.837	0.999
22,000 lumen (Rectilinear)	200	0.246	1,023	20.879	1.500	1.610	1.920

(a) When requesting installation of a decorative unit, the customer may elect to make an additional contribution to obtain the monthly rate per unit charge for the same size standard (cobra head) outdoor lighting fixture.

B. Flood lighting units served in overhead distribution areas (FL):

The following monthly charge for each fixture, which includes lamp and luminaire, controlled automatically, mounted on a utility pole, as specified by the Company, will be assessed:

**NET MONTHLY BILL (Contd.)**

	Lamp Watts	KW/Unit	Annual kWh	Distribution Energy & Equipment \$/Unit	2009 PTC-BG Generation Charge \$/Unit	2010 PTC-BG Generation Charge \$/Unit	2011 PTC-BG Generation Charge \$/Unit
<u>Mercury Vapor</u>							
21,000 lumen	400	0.460	1,914	9.674	2.806	3.013	3.593
<u>Metal Halide</u>							
20,500 lumen	250	0.246	1,023	7.150	1.500	1.610	1.920
36,000 lumen	400	0.460	1,914	9.674	2.806	3.013	3.593
<u>Sodium Vapor</u>							
9,500 lumen	100	0.117	487	6.752	0.714	0.767	0.914
22,000 lumen	200	0.246	1,023	7.150	1.500	1.610	1.920
30,000 lumen	200	0.246	1,023	7.150	1.500	1.610	1.920
50,000 lumen	400	0.480	1,997	7.867	2.928	3.143	3.748

Additional facilities, if needed will be billed at the time of installation.

2. Applicable Riders

The following riders are applicable pursuant to the specific terms contained within each rider:

- Sheet No. 51, Rider PTC-AAC, Annually Adjusted Component Rider
- Sheet No. 53, Rider PTC-FPP, Fuel and Economy Purchased Power Rider
- Sheet No. 54, Rider SRA-CD, Capacity Dedication Rider
- Sheet No. 56, Rider SRA-SRT, System Reliability Tracker
- Sheet No. 57, Rider TCR, Transmission Cost Recovery Rider
- Sheet No. 58, Rider DRI, Distribution Reliability Investment Rider
- Sheet No. 59, Rider RSS, Rate Stabilization Surcredit Rider
- Sheet No. 81, Rider EER, Energy-Efficiency Revolving Loan Program Rider
- Sheet No. 83, Rider OET, Ohio Excise Tax Rider
- Sheet No. 84, Rider RTC, Regulatory Transition Charge Rider
- Sheet No. 85, Rider SC, Shopping Credit Rider
- Sheet No. 86, Rider USR, Universal Service Fund Rider
- Sheet No. 103, Rider MSR-E, Merger Savings Credit Rider-Electric
- Sheet No. 105, Rider DR-ECF, Economic Competitiveness Fund
- Sheet No. 106, Rider DR-SAWR, Energy Efficiency Recovery Rate

**PRICE TO COMPARE BASE GENERATION CHARGES**

The Generation Charges listed above are applicable to all customers except those customers that switch to a Certified Supplier for their generation service.

Filed pursuant to an Order dated December 17, 2008 in Case No. 08-920-EL-SSO before the Public Utilities Commission of Ohio.

#### **AVOIDANCE OF SYSTEM RELIABILITY TRACKER CHARGE AND RECEIPT OF SHOPPING CREDIT**

Non-residential customers who have signed or will sign a contract with DE-Ohio, or provide a CRES contract to DE-Ohio, or provide a release in the form approved by the Commission in Case No. 03-93-EL-ATA indicating that the customer will remain off of ESP-SSO service through December 31, 2011, may avoid Rider SRA-SRT charges and receive a shopping credit. More specifically, to avoid Rider SRA-SRT charges and receive the shopping credit, the customer must be willing to return to DE-Ohio's ESP-SSO service at 115% of DE-Ohio's ESP-SSO price, including all riders except for distribution riders.

#### **LATE PAYMENT CHARGE**

Payment of the total amount due must be received in the Company's office by the due date shown on the bill. When not so paid, an additional amount equal to one and one-half percent (1.5%) of the unpaid balance is due and payable. The late payment charge is not applicable to unpaid account balances for services received from a Certified Supplier.

#### **TERM OF SERVICE**

Three (3) years for a new and/or succeeding customer until the initial period is fulfilled. The service is terminable thereafter on ten (10) days written notice by the customer or the Company.

At the Company's option, a longer contract may be required for large installations.

#### **GENERAL CONDITIONS**

1. In cases of repeated vandalism, the Company at its option will repair or remove its damaged equipment and the customer shall pay for repairs on a time and material basis, plus overhead charges. If the equipment is removed the customer will be billed for the unexpired term of the contract.
2. If the customer requires the extension, relocation or rearrangement of the Company's system, the customer will pay, in addition to the monthly charge, the Company on a time and materials basis, plus overhead charges, for such extension, relocation or rearrangement unless in the judgment of the Company no charge should be made. An estimate of the cost will be submitted for customer approval before work is carried out.
3. If any Company owned lighting unit is required to be relocated, removed or replaced with another unit of the same or lower lamp wattage, the customer ordering this shall pay the Company the sacrifice value of the unit, plus labor and overhead charges, unless in the judgment of the Company no charges should be made. An estimate of the cost will be submitted for customer approval before work is carried out.
4. Installation of lighting units will be predicated on the ability of the Company to obtain, without cost to itself or the payment or consideration, all easements and rights-of-way which, in the opinion of the Company, are necessary for the construction, maintenance and operation of the lights, standards, anchors and/or service wires. If such easements and rights-of-way cannot be so obtained, the Company shall have no obligation hereunder to install such units.
5. The time within which the Company will be able to commence or to complete the services to be performed is dependent on the Company's ability to secure the materials required, and the Company shall not be responsible for failure to install these light units for such reason.
6. When a lighting unit reaches end of life or becomes obsolete and parts cannot be reasonably obtained, the Company can remove the unit at no expense to the customer after notifying the customer. The customer shall be given the opportunity to arrange for another type lighting unit provided by the Company.

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Filed pursuant to an Order dated December 17, 2008 in Case No. 08-920-EL-SSO before the Public Utilities Commission of Ohio.

Duke Energy Ohio  
139 East Fourth Street  
Cincinnati, Ohio 45202

P.U.C.O. Electric No. 19  
Sheet No. 62.12  
Cancels and Supersedes  
Sheet No. 62.11  
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#### **SERVICE REGULATIONS**

The supplying of, and billing for, service and all conditions applying thereto, are subject to the jurisdiction of the Public Utilities Commission of Ohio, and to the Company's Service Regulations, currently in effect, as filed with the Public Utilities Commission of Ohio.

Filed pursuant to an Order dated December 17, 2008 in Case No. 08-920-EL-SSO before the Public Utilities Commission of Ohio.

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Issued: December 18, 2008

Issued by Julie Janson, President

Effective: January 2, 2009

## RATE NSU

### STREET LIGHTING SERVICE FOR NON-STANDARD UNITS

#### APPLICABILITY

Applicable to municipal, county, state and Federal governments, including divisions thereof, hereafter referred to as Customer, for the lighting of public streets and roads with existing Company and Customer owned lighting fixtures. This service is not available for units installed after December 2, 1983.

For customers taking service under any or all of the provisions of this tariff schedule, this same schedule shall constitute the Company's Standard Service Offer.

#### TYPE OF SERVICE

All equipment owned by the Company will be maintained by the Company. All lamps will burn from dusk to dawn, approximately 4,160 hours per annum. The Company will endeavor to replace burned-out lamps maintained by the Company within 48 hours after notification by the customer. The Company does not guarantee continuous lighting or electric service and shall not be liable to the customer or anyone else for any damage, loss or injury due to any cause.

#### NET MONTHLY BILL

The following monthly charge for each unit with lamp and luminaire, controlled automatically, will be assessed.

	<u>Lamp Watts</u>	<u>KW/Unit</u>	<u>Annual kWh</u>	<u>Distribution Energy &amp; Equipment \$/Unit</u>	<u>2009 PTC-BG Generation Charge \$/Unit</u>	<u>2010 PTC-BG Generation Charge \$/Unit</u>	<u>2011 PTC-BG Generation Charge \$/Unit</u>
1. Base Rate							
A. Company owned							
1) Steel boulevard units and 15 and 30 ft. steel poles served underground							
a. 1,000 lumen incandescent	65	0.065	270	6.104	0.396	0.425	0.507
b. 4,000 lumen incandescent	295	0.295	1,227	12.795	1.799	1.931	2.303
c. 6,000 lumen incandescent	405	0.405	1,685	12.364	2.471	2.652	3.163
d. 50,000 lumen sodium vapor	400	0.471	1,959	11.436	2.872	3.083	3.677
2) Street light units served overhead on Company owned pole							
a. 2,500 lumen incandescent	148	0.148	616	3.780	0.903	0.970	1.156
b. 6,000 lumen incandescent	405	0.405	1,685	1.436	2.471	2.652	3.163
c. 2,500 lumen mercury vapor	100	0.115	478	4.083	0.701	0.752	0.897

Filed pursuant to an Order dated December 17, 2008 in Case No. 08-920-EL-SSO before the Public Utilities Commission of Ohio.

**NET MONTHLY BILL (Contd.)**

	<u>Lamp Watts</u>	<u>KW/Unit</u>	<u>Annual kWh</u>	<u>Distribution Energy &amp; Equipment \$/Unit</u>	<u>2009 PTC-BG Generation Charge \$/Unit</u>	<u>2010 PTC-BG Generation Charge \$/Unit</u>	<u>2011 PTC-BG Generation Charge \$/Unit</u>
B. Customer owned							
1) Lighting system on steel poles served either overhead or under- ground with limited maintenance by Company							
a. 21,000 lumen mercury vapor	400	0.460	1,914	0.127	2.806	3.013	3.593
2) Fixtures mounted on Company owned pole served underground in conduit with limited maintenance by Company							
a. 21,000 lumen mercury vapor (Two fixtures per pole)	400	0.460	1,914	9.940	2.806	3.013	3.593

**2. Applicable Riders**

The following riders are applicable pursuant to the specific terms contained within each rider:

Sheet No. 51, Rider PTC-AAC, Annually Adjusted Component Rider  
Sheet No. 53, Rider PTC-FPP, Fuel and Economy Purchased Power Rider  
Sheet No. 54, Rider SRA-CD, Capacity Dedication Rider  
Sheet No. 56, Rider SRA-SRT, System Reliability Tracker  
Sheet No. 57, Rider TCR, Transmission Cost Recovery Rider  
Sheet No. 58, Rider DRI, Distribution Reliability Investment Tracker  
Sheet No. 59, Rider RSS, Rate Stabilization Surcredit Rider  
Sheet No. 81, Rider EER, Energy-Efficiency Revolving Loan Program Rider  
Sheet No. 83, Rider OET, Ohio Excise Tax Rider  
Sheet No. 84, Rider RTC, Regulatory Transition Charge Rider  
Sheet No. 85, Rider SC, Shopping Credit Rider  
Sheet No. 86, Rider USR, Universal Service Fund Rider  
Sheet No. 103, Rider MSR-E, Merger Savings Credit Rider-Electric  
Sheet No. 105, Rider DR-ECF, Economic Competitiveness Fund Rider  
Sheet No. 106, Rider DR-SAWR, Energy Efficiency Recovery Rate

**PRICE TO COMPARE BASE GENERATION CHARGE**

The Generation Charges listed above are applicable to all customers except those customers that switch to a Certified Supplier for their generation service.

Filed pursuant to an Order dated December 17, 2008 in Case No. 08-920-EL-SSO before the Public Utilities Commission of Ohio.



#### **AVOIDANCE OF SYSTEM RELIABILITY TRACKER CHARGE AND RECEIPT OF SHOPPING CREDIT**

Non-residential customers who have signed or will sign a contract with DE-Ohio, or provide a CRES contract to DE-Ohio, or provide a release in the form approved by the Commission in Case No. 03-93-EL-ATA indicating that the customer will remain off of ESP-SSO service through December 31, 2011, may avoid Rider SRA-SRT charges and receive a shopping credit. More specifically, to avoid Rider SRA-SRT charges and receive a shopping credit, the customer must be willing to return to DE-Ohio's ESP-SSO service at 115% of DE-Ohio's ESP-SSO price, including all riders except for distribution riders.

#### **LATE PAYMENT CHARGE**

Payment of the total amount due must be received in the Company's office by the due date shown on the bill. When not so paid, an additional amount equal to one and one-half percent (1.5%) of the unpaid balance is due and payable. The late payment charge is not applicable to unpaid account balances for services received from a Certified Supplier.

#### **TERM OF SERVICE**

The street lighting units are installed for the life of the unit, terminable on one hundred twenty (120) days written notice by either customer or Company subject to Paragraph 1 or 3 under General Conditions.

#### **GENERAL CONDITIONS**

(1) If an installed street lighting unit is required to be relocated, removed, or replaced with another unit of the same or less rated lamp wattage, the ordering Authority shall pay the Company the sacrifice value of the unit, plus labor and overhead charges, unless in the judgment of the Company no charge should be made. An estimate of the cost will be submitted for approval before work is carried out.

(2) Lamps and refractors which are maintained by the Company shall be kept in good operating condition by, and at the expense of, the Company.

In case of vandalism, the Company will repair the damaged property and the customer shall pay for such repair on a time and material basis, plus overhead charges, unless in the judgment of the Company no charge should be made. An estimate of the cost will be submitted for approval before work is carried out.

(3) When a Company owned street lighting unit reaches end of life or becomes obsolete and parts cannot be reasonably obtained, the Company can remove the unit at no expense to the customer after notifying the customer. The customer shall be given the opportunity to arrange for another type lighting unit provided by the Company.

(4) When a customer owned lighting unit becomes inoperative, the cost of repair or replacement of the unit will be at the customer's expense. The replacement unit shall be an approved Company fixture.

(5) Limited maintenance by the Company includes only fixture cleaning, relamping, and glassware and photo cell replacement.

Filed pursuant to an Order dated December 17, 2008 in Case No. 08-920-EL-SSO before the Public Utilities Commission of Ohio.

Duke Energy Ohio  
139 East Fourth Street  
Cincinnati, Ohio 45202

P.U.C.O. Electric No. 19  
Sheet No. 63.12  
Cancels and Supersedes  
Sheet No. 63.11  
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**SERVICE REGULATIONS**

The supplying of, and billing for, service and all conditions applying thereto, are subject to the jurisdiction of the Public Utilities Commission of Ohio, and to the Company's Service Regulations currently in effect, as filed with the Public Utilities Commission of Ohio.

Filed pursuant to an Order dated December 17, 2008 in Case No. 08-920-EL-SSO before the Public Utilities Commission of Ohio.

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Issued: December 18, 2008

Issued by Julie Janson, President

Effective: January 2, 2009

## RATE NSP

### PRIVATE OUTDOOR LIGHTING FOR NON-STANDARD UNITS

#### APPLICABILITY

Applicable to service for outdoor lighting on private property with Company owned overhead lighting fixtures in the Company's entire territory where secondary distribution lines are adjacent to the premise to be served. Not applicable to service for lighting of dedicated or undedicated public thoroughfares.

For customers taking service under any or all of the provisions of this tariff schedule, this same schedule shall constitute the Company's Standard Service Offer.

#### TYPE OF SERVICE

All equipment will be installed, owned and maintained by the Company on rights-of-way provided by the customer. The Company will perform maintenance only during regularly scheduled working hours and will endeavor to replace burned-out lamps within 48 hours after notification by the customer. The Company does not guarantee continuous lighting and shall not be liable to the customer or anyone else for damage, loss or injury resulting from any interruption in such lighting due to any cause. All lamps will burn from dusk to dawn, approximately 4,160 hours per annum.

#### NET MONTHLY BILL

##### 1. Private outdoor lighting units:

The following monthly charge for Town and Country fixtures installed, or for which customer has contracted with Company to install, prior to March 1, 1991 will be assessed:

	<u>Lamp Watts</u>	<u>KW/Unit</u>	<u>Annual kWh</u>	<u>Distribution Energy &amp; Equipment \$/Unit</u>	<u>2009 PTC-BG Generation Charge \$/Unit</u>	<u>2010 PTC-BG Generation Charge \$/Unit</u>	<u>2011 PTC-BG Generation Charge \$/Unit</u>
9,500 lumen Sodium Vapor	100	0.117	487	8.602	0.714	0.767	0.914

The following monthly charge will be assessed for existing facilities, but this unit will not be available to new customers after March 2, 1972:

	<u>Lamp Watts</u>	<u>KW/Unit</u>	<u>Annual kWh</u>	<u>Distribution Energy &amp; Equipment \$/Unit</u>	<u>2009 PTC-BG Generation Charge \$/Unit</u>	<u>2010 PTC-BG Generation Charge \$/Unit</u>	<u>2011 PTC-BG Generation Charge \$/Unit</u>
2,500 lumen Mercury, Open Refractor	100	0.115	478	6.771	0.701	0.752	0.897
2,500 lumen Mercury, End. Refractor	100	0.115	478	9.572	0.701	0.752	0.897

Filed pursuant to an Order dated December 17, 2008 in Case No. 08-920-EL-SSO before the Public Utilities Commission of Ohio.

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### NET MONTHLY BILL (Contd.)

#### 2. Outdoor lighting units served in underground residential distribution areas:

The following monthly charge will be assessed for existing fixtures which include lamp and luminaire, controlled automatically, with an underground service wire not to exceed 35 feet from the service point, but these units will not be available to new customers after March 1, 1991:

	<u>Lamp Watts</u>	<u>KW/Unit</u>	<u>Annual kWh</u>	<u>Distribution Energy &amp; Equipment \$/Unit</u>	<u>2009 PTC-BG Generation Charge \$/Unit</u>	<u>2010 PTC-BG Generation Charge \$/Unit</u>	<u>2011 PTC-BG Generation Charge \$/Unit</u>
7,000 lumen Mercury, Mounted on a 17-foot Fiberglass Pole	175	0.205	853	12.216	1.251	1.343	1.601
7,000 lumen Mercury, Mounted on a 30-foot Wood Pole	175	0.205	853	10.999	1.251	1.343	1.601

#### 3. Flood lighting units served in overhead distribution areas:

The following monthly charge will be assessed for each existing fixture, which includes lamp and luminaire, controlled automatically, mounted on a utility pole, as specified by the Company, with a span of wire not to exceed 120 feet, but these units will not be available to new customers after June 1, 1982:

	<u>Lamp Watts</u>	<u>KW/Unit</u>	<u>Annual kWh</u>	<u>Distribution Energy &amp; Equipment \$/Unit</u>	<u>2009 PTC-BG Generation Charge \$/Unit</u>	<u>2010 PTC-BG Generation Charge \$/Unit</u>	<u>2011 PTC-BG Generation Charge \$/Unit</u>
52,000 lumen Mercury (35-foot Wood Pole)	1,000	1.102	4,584	9.389	6.721	7.215	8.604

#### 4. Applicable Riders

The following riders are applicable pursuant to the specific terms contained within each rider:

- Sheet No. 51, Rider PTC-AAC, Annually Adjusted Component Rider
- Sheet No. 53, Rider PTC-FPP, Fuel and Economy Purchased Power Rider
- Sheet No. 54, Rider SRA-CD, Capacity Dedication Rider
- Sheet No. 56, Rider SRA-SRT, System Reliability Tracker
- Sheet No. 57, Rider TCR, Transmission Cost Recovery Rider
- Sheet No. 58, Rider DRI, Distribution Reliability Investment Tracker
- Sheet No. 59, Rider RSS, Rate Stabilization Surcredit Rider
- Sheet No. 81, Rider EER, Energy-Efficiency Revolving Loan Program Rider
- Sheet No. 83, Rider OET, Ohio Excise Tax Rider

Filed pursuant to an Order dated December 17, 2008 in Case No. 08-920-EL-SSO before the Public Utilities Commission of Ohio.

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Issued by Julie Janson, President

**NET MONTHLY BILL (Contd.)**

Sheet No. 84, Rider RTC, Regulatory Transition Charge Rider  
Sheet No. 85, Rider SC, Shopping Credit Rider  
Sheet No. 86, Rider USR, Universal Service Fund Rider  
Sheet No. 103, Rider MSR-E, Merger Savings Credit Rider-Electric  
Sheet No. 105, Rider DR-ECF, Economic Competitiveness Fund Rider  
Sheet No. 106, Rider DR-SAWR, Energy Efficiency Recovery Rate

**PRICE TO COMPARE BASE GENERATION CHARGES**

The Generation Charges listed above are applicable to all customers except those customers that switch to a Certified Supplier for their generation service.

**AVOIDANCE OF SYSTEM RELIABILITY TRACKER CHARGE AND RECEIPT OF SHOPPING CREDIT**

Non-residential customers who have signed or will sign a contract with DE-Ohio, or provide a CRES contract to DE-Ohio, or provide a release in the form approved by the Commission in Case No. 03-93-EL-ATA indicating that the customer will remain off of ESP-SSO service through December 31, 2011, may avoid Rider SRA-SRT charges and receive a shopping credit. More specifically, to avoid Rider SRA-SRT charges and receive a shopping credit, the customer must be willing to return to DE-Ohio's ESP-SSO service at 115% of DE-Ohio's ESP-SSO price, including all riders except for distribution riders.

**LATE PAYMENT CHARGE**

Payment of the total amount due must be received in the Company's office by the due date shown on the bill. When not so paid, an additional amount equal to one and one-half percent (1.5%) of the unpaid balance is due and payable. The late payment charge is not applicable to unpaid account balances for services received from a Certified Supplier.

**TERM OF SERVICE**

Three (3) years, terminable thereafter on ten (10) days written notice by either customer or Company.

**GENERAL CONDITIONS**

1. In cases of repeated vandalism, the Company at its option will repair or remove its damaged equipment and the customer shall pay for repairs on a time and material basis, plus overhead charges. If the equipment is removed the customer will be billed for the unexpired term of the contract.
2. If any Company owned lighting unit is required to be relocated, removed or replaced with another unit of the same or lower lamp wattage, the customer ordering this shall pay the Company the sacrifice value of the unit, plus labor and overhead charges, unless in the judgment of the Company no charges should be made. An estimate of the cost will be submitted for customer approval before work is carried out.
3. When a lighting unit reaches end of life or becomes obsolete and parts cannot be reasonably obtained, the Company can remove the unit at no expense to the customer after notifying the customer. The customer shall be given the opportunity to arrange for another type lighting unit provided by the Company.

Filed pursuant to an Order dated December 17, 2008 in Case No. 08-920-EL-SSO before the Public Utilities Commission of Ohio.

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Duke Energy Ohio  
139 East Fourth Street  
Cincinnati, Ohio 45202

P.U.C.O. Electric No. 19  
Sheet No. 64.12  
Cancels and Supersedes  
Sheet No. 64.11  
Page 4 of 4

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**SERVICE REGULATIONS**

The supplying of, and billing for, service and all conditions applying thereto, are subject to the jurisdiction of the Public Utilities Commission of Ohio, and to the Company's Service Regulations, currently in effect, as filed with the Public Utilities Commission of Ohio.

Filed pursuant to an Order dated December 17, 2008 in Case No. 08-920-EL-SSO before the Public Utilities Commission of Ohio.

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Issued: December 18, 2008

Effective: January 2, 2009

Issued by Julie Janson, President

## RATE SC

### STREET LIGHTING SERVICE - CUSTOMER OWNED

#### APPLICABILITY

Applicable to municipal, county, state and Federal governments, including divisions thereof, and incorporated homeowners associations for the lighting of public streets and roads when the total investment and installation costs of the fixtures are borne by the customer. The fixture shall be a Company approved unit used in overhead and underground distribution areas.

For customers taking service under any or all of the provisions of this tariff schedule, this same schedule shall constitute the Company's Standard Service Offer.

Mercury Vapor lighting fixtures will not be installed by the Company after June 1, 2003. As currently installed Mercury Vapor fixtures are retired and/or replaced, they may be replaced with either Metal Halide or Sodium Vapor fixtures as the customer chooses.

#### TYPE OF SERVICE

All equipment will be owned by the customer but may be installed by customer or Company with limited maintenance performed by the Company. Limited maintenance includes only fixture cleaning, relamping, and glassware and photo cell replacement. All lamps will burn from dusk to dawn, approximately 4,160 hours per annum. The Company will endeavor to replace burned-out lamps within 48 hours after notification by the customer. The Company does not guarantee continuous lighting and shall not be liable to the customer or anyone else for any damage, loss or injury due to any cause.

#### NET MONTHLY BILL

The following monthly charge for each lamp with luminaire, controlled automatically, will be assessed:

			Lamp Watts	KW/Unit	Annual kWh	Distribution Energy & Equipment \$/Unit	2009 PTC-BG Generation Charge \$/Unit	2010 PTC-BG Generation Charge \$/Unit	2011 PTC-BG Generation Charge \$/Unit
1. Base Rate									
Fixture Description									
Standard	Fixture	(Cobra Head)							
Mercury Vapor									
	21,000 lumen		400	0.430	1,788	0.280	2.622	2.814	3.356
Sodium Vapor									
	9,500 lumen		100	0.117	487	1.099	0.714	0.767	0.914
	16,000 lumen		150	0.171	711	1.099	1.043	1.119	1.335
	22,000 lumen		200	0.228	948	1.100	1.390	1.492	1.779
	27,500 lumen		250	0.318	1,323	0.421	1.940	2.082	2.483
	50,000 lumen		400	0.471	1,959	0.641	2.872	3.083	3.677

Filed pursuant to an Order dated December 17, 2008 in Case No. 08-920-EL-SSO before the Public Utilities Commission of Ohio.

**NET MONTHLY BILL (Contd.)**

	Lamp Watts	KW/Unit	Annual kWh	Distribution Energy & Equipment \$/Unit	2009 PTC-BG Generation Charge \$/Unit	2010 PTC-BG Generation Charge \$/Unit	2011 PTC-BG Generation Charge \$/Unit
<b>Decorative Fixtures</b>							
<b>Sodium Vapor</b>							
16,000 lumen (Hadco)	150	0.171	711	1.406	1.043	1.119	1.335
22,000 lumen (Rectilinear)	200	0.246	1,023	0.925	1.500	1.610	1.920
50,000 lumen (Rectilinear)	400	0.471	1,959	0.948	2.872	3.083	3.677

Where a street lighting fixture served overhead is to be installed on another utility's pole on which the Company does not have a contact, a monthly pole charge will be assessed.

<u>Pole Description</u>	<u>Pole Type</u>	<u>\$/ Pole</u>
<b>Wood</b>		
30 foot	W30	4.41
35 foot	W35	4.66
40 foot	W40	5.39

**Customer Owned and Maintained Units**

The rate for energy used for this type street lighting will be \$0.014030 per kilowatt-hour as shown below. The monthly kilowatt-hour usage will be mutually agreed upon between the Company and the customer. Where the average monthly usage is less than 150 kWh per point of delivery, the customer shall pay the Company, in addition to the monthly charge, the cost of providing electric service on the basis of time and material plus overhead charges. An estimate of the cost will be submitted for approval before work is carried out.

Distribution	\$0.004290 per kWh
PTC-Base Generation	
2009	(\$0.000444) per kWh
2010	\$0.000128 per kWh
2011	\$0.003013 per kWh

**2. Applicable Riders**

The following riders are applicable pursuant to the specific terms contained within each rider:

- Sheet No. 51, Rider PTC-AAC, Annually Adjusted Component Rider
- Sheet No. 53, Rider PTC-FPP, Fuel and Economy Purchased Power Rider
- Sheet No. 54, Rider SRA-CD, Capacity Dedication Rider
- Sheet No. 56, Rider SRA-SRT, System Reliability Tracker
- Sheet No. 57, Rider TCR, Transmission Cost Recovery Rider
- Sheet No. 58, Rider DRI, Distribution Reliability Investment Tracker
- Sheet No. 59, Rider RSS, Rate Stabilization Surcredit Rider
- Sheet No. 81, Rider EER, Energy-Efficiency Revolving Loan Program Rider
- Sheet No. 83, Rider OET, Ohio Excise Tax Rider

Filed pursuant to an Order dated December 17, 2008 in Case No. 08-920-EL-SSO before the Public Utilities Commission of Ohio.



**NET MONTHLY BILL (Contd.)**

Sheet No. 84, Rider RTC, Regulatory Transition Charge Rider  
Sheet No. 85, Rider SC, Shopping Credit Rider  
Sheet No. 86, Rider USR, Universal Service Fund Rider  
Sheet No. 103, Rider MSR-E, Merger Savings Credit Rider-Electric  
Sheet No. 105, Rider DR-ECF, Economic Competitiveness Fund Rider  
Sheet No. 106, Rider DR-SAWR, Energy Efficiency Recovery Rate

The Generation Charges listed above are applicable to all customers except those customers that switch to a Certified Supplier for their generation service.

**AVOIDANCE OF SYSTEM RELIABILITY TRACKER CHARGE AND RECEIPT OF SHOPPING CREDIT**

Non-residential customers who have signed or will sign a contract with DE-Ohio, or provide a CRES contract to DE-Ohio, or provide a release in the form approved by the Commission in Case No. 03-93-EL-ATA indicating that the customer will remain off of ESP-SSO service through December 31, 2011, may avoid Rider SRA-SRT charges and receive a shopping credit. More specifically, to avoid Rider SRA-SRT charges and receive a shopping credit, the customer must be willing to return to DE-Ohio's ESP-SSO service at 115% of DE-Ohio's ESP-SSO price, including all riders except for distribution riders.

**LATE PAYMENT CHARGE**

Payment of the total amount due must be received in the Company's office by the due date shown on the bill. When not so paid, an additional amount equal to one and one-half percent (1.5%) of the unpaid balance is due and payable. The late payment charge is not applicable to unpaid account balances for services received from a Certified Supplier.

**TERM OF SERVICE**

The street lighting units are installed for the life of the unit, terminable on one hundred twenty (120) days written notice by either customer or Company subject to Paragraph 4 or 6 under General Conditions.

**GENERAL CONDITIONS**

- (1) If the customer requires the installation of a unit at a location which requires the extension, relocation, or rearrangement of the Company's distribution system, the customer shall, in addition to the monthly charge, pay the Company on a time and material basis, plus overhead charges, the cost of such extension, relocation, or rearrangement, unless in the judgment of the Company no charge should be made. An estimate of the cost will be submitted for approval before work is carried out.
- (2) Installation of street lighting units will be predicated on the ability of the Company to obtain, without cost to itself or the payment or other consideration, all easements and rights-of-way which, in the opinion of the Company, are necessary for the construction, maintenance and operation of the street lights, standards, anchors and/or service wires. If such easements and rights-of-way cannot be so obtained, the Company shall have no obligation hereunder to install such units.

Filed pursuant to an Order dated December 17, 2008 in Case No. 08-920-EL-SSO before the Public Utilities Commission of Ohio.

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#### **GENERAL TERMS (Contd.)**

- (3) The time within which the Company will be able to commence or to complete the services to be performed is dependent on the Company's ability to secure the materials required, and the Company shall not be responsible for failure to install these street light units for such reason.
- (4) If an installed street lighting unit is required to be relocated, removed, or replaced by the Company, the ordering Authority shall pay the Company the cost agreed upon under a separate contract.
- (5) Lamps and refractors which are maintained by the Company shall be kept in good operating condition by and at the expense of the Company.  
In cases of vandalism, the Company will repair the damaged property and the customer shall pay for such repair on a time and material basis, plus overhead charges, unless in the judgment of the Company no charge should be made. An estimate of the cost will be submitted for approval before work is carried out.
- (6) When a customer owned lighting unit becomes inoperative the cost or repair, replacement or removal of the unit will be at the customer's expense.
- (7) All lights installed on an overhead distribution system will be installed by Company under a separate contract with customer.

#### **SERVICE REGULATIONS**

The supplying of, and billing for, service and all conditions applying thereto, are subject to the jurisdiction of the Public Utilities Commission of Ohio, and to the Company's Service Regulations currently in effect, as filed with the Public Utilities Commission of Ohio.

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Filed pursuant to an Order dated December 17, 2008 in Case No. 08-920-EL-SSO before the Public Utilities Commission of Ohio.

## RATE SE

### STREET LIGHTING SERVICE - OVERHEAD EQUIVALENT

#### APPLICABILITY

Applicable to municipal, county, state and federal governments, including divisions thereof, and incorporated homeowners associations, for the lighting of public streets and roads with Company lighting fixtures in underground distribution areas, where the customer elects to make a contribution for the installation of the fixture, mounting, pole and secondary wiring to obtain the rate/unit for the same size standard fixture (cobra head) in an overhead distribution area.

For customers taking service under any or all of the provisions of this tariff schedule, this same schedule shall constitute the Company's Standard Service Offer.

Mercury Vapor lighting fixtures will not be installed by the Company after June 1, 2003. As currently installed Mercury Vapor fixtures are retired and/or replaced, they may be replaced with either Metal Halide or Sodium Vapor fixtures as the customer chooses.

This service will no longer be available for units installed after December 31, 2004.

#### TYPE OF SERVICE

All equipment will be installed, owned and maintained by the Company. All lamps will burn from dusk to dawn, approximately 4,160 hours per annum. The Company will endeavor to replace burned-out lamps within 48 hours after notification by the customer. The Company does not guarantee continuous lighting and shall not be liable to the customer or anyone else for any damage, loss or injury due to any cause.

#### NET MONTHLY BILL

The following monthly charge for each lamp with luminaire, controlled automatically, will be assessed:

	Lamp Watts	KW/Unit	Annual kWh	Distribution Energy & Equipment \$/Unit	2009 PTC-BG Generation Charge \$/Unit	2010 PTC-BG Generation Charge \$/Unit	2011 PTC-BG Generation Charge \$/Unit
1. Base Rate							
Fixture Description							
Decorative Fixtures							
Mercury Vapor							
7,000 lumen (Town & Country)	175	0.205	853	3.302	1.251	1.343	1.601
7,000 lumen (Holophane)	175	0.210	874	3.256	1.282	1.376	1.640
7,000 lumen (Gas Replica)	175	0.210	874	3.256	1.282	1.376	1.640
7,000 lumen (Aspen)	175	0.210	874	3.256	1.282	1.376	1.640

Issued pursuant to an Order dated December 17, 2008 in Case No. 08-920-EL-SSO before the Public Utilities Commission of Ohio.

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Effective: January 2, 2009

Issued by Julie Janson, President

**NET MONTHLY BILL (Contd.)**

	Lamp Watts	KW/Unit	Annual kWh	Distribution Energy & Equipment \$/Unit	2009 PTC-BG Generation Charge \$/Unit	2010 PTC-BG Generation Charge \$/Unit	2011 PTC-BG Generation Charge \$/Unit
<b>Sodium Vapor</b>							
9,500 lumen (Town & Country)	100	0.117	487	5.310	0.714	0.767	0.914
9,500 lumen (Hollophane)	100	0.128	532	5.212	0.780	0.837	0.999
9,500 lumen (Rectilinear)	100	0.117	487	5.310	0.714	0.767	0.914
9,500 lumen (Gas Replica)	100	0.128	532	5.212	0.780	0.837	0.999
9,500 lumen (Aspen)	100	0.128	532	5.212	0.780	0.837	0.999
22,000 lumen (Rectilinear)	200	0.246	1,023	5.556	1.500	1.610	1.920
50,000 lumen (Rectilinear)	400	0.471	1,959	6.999	2.872	3.083	3.677
<b>Metal Halide</b>							
14,000 lumen (Town & Country)	175	0.205	853	3.302	1.251	1.343	1.601
14,000 lumen (Granville)	175	0.210	874	3.256	1.282	1.376	1.640
14,400 lumen (Rectangular Cutoff)	175	0.210	874	9.236	1.282	1.376	1.640
14,500 lumen (Gas Replica)	175	0.210	874	3.256	1.282	1.376	1.640
36,000 lumen (Low Profile)	400	0.455	1,893	7.962	2.776	2.980	3.553

Additional facilities, other than specified above, if required, will be billed at the time of installation.

**2. Applicable Riders**

The following riders are applicable pursuant to the specific terms contained within each rider:

- Sheet No. 51, Rider PTC-AAC, Annually Adjusted Component Rider
- Sheet No. 53, Rider PTC-FPP, Fuel and Economy Purchased Power Rider
- Sheet No. 54, Rider SRA-CD, Capacity Dedication Rider
- Sheet No. 56, Rider SRA-SRT, System Reliability Tracker
- Sheet No. 57, Rider TCR, Transmission Cost Recovery Rider
- Sheet No. 58, Rider DRI, Distribution Reliability Investment Tracker
- Sheet No. 59, Rider RSS, Rate Stabilization Surcredit Rider
- Sheet No. 81, Rider EER, Energy-Efficiency Revolving Loan Program Rider
- Sheet No. 83, Rider OET, Ohio Excise Tax Rider
- Sheet No. 84, Rider RTC, Regulatory Transition Charge Rider
- Sheet No. 85, Rider SC, Shopping Credit Rider
- Sheet No. 86, Rider USR, Universal Service Fund Rider
- Sheet No. 103, Rider MSR-E, Merger Savings Credit Rider-Electric
- Sheet No. 105, Rider DR-ECF, Economic Competitiveness Fund Rider
- Sheet No. 106, Rider DR-SAWR, Energy Efficiency Recovery Rate

**PRICE TO COMPARE BASE GENERATION CHARGES**

Issued pursuant to an Order dated December 17, 2008 in Case No. 08-920-EL-SSO before the Public Utilities Commission of Ohio.

Issued: December 18, 2008

Effective: January 2, 2009

Issued by Julie Janson, President

The Generation Charges listed above are applicable to all customers except those customers that switch to a Certified Supplier for their generation service.

#### **AVOIDANCE OF SYSTEM RELIABILITY TRACKER CHARGE AND RECEIPT OF SHOPPING CREDIT**

Non-residential customers who have signed or will sign a contract with DE-Ohio, or provide a CRES contract to DE-Ohio, or provide a release in the form approved by the Commission in Case No. 03-93-EL-ATA indicating that the customer will remain off of ESP-SSO service through December 31, 2011, may avoid Rider SRA-SRT charges and receive a shopping credit. More specifically, to avoid Rider SRA-SRT charges and receive a shopping credit, the customer must be willing to return to DE-Ohio's ESP-SSO service at 115% of DE-Ohio's ESP-SSO price, including all riders except for distribution rider.

#### **LATE PAYMENT CHARGE**

Payment of the total amount due must be received in the Company's office by the due date shown on the bill. When not so paid, an additional amount equal to one and one-half percent (1.5%) of the unpaid balance is due and payable. The late payment charge is not applicable to unpaid account balances for services received from a Certified Supplier.

#### **TERM OF SERVICE**

The street lighting units are installed for the life of the unit, terminable on one hundred twenty (120) days written notice by either customer or Company subject to Paragraph 4 or 6 under General Conditions.

#### **GENERAL CONDITIONS**

- (1) If the customer requires the installation of a unit at a location which requires the extension, relocation, or rearrangement of the Company's distribution system, the customer shall, in addition to the monthly charge, pay the Company on a time and material basis, plus overhead charges, the cost of such extension, relocation, or rearrangement, unless in the judgment of the Company no charge should be made. An estimate of the cost will be submitted for approval before work is carried out.
- (2) Installation of street lighting units will be predicated on the ability of the Company to obtain, without cost to itself or the payment or other consideration, all easements and rights-of-way which, in the opinion of the Company, are necessary for the construction, maintenance and operation of the street lights, standards, anchors and/or service wires. If such easements and rights-of-way cannot be so obtained, the Company shall have no obligation hereunder to install such units.
- (3) The time within which the Company will be able to commence or to complete the services to be performed is dependent on the Company's ability to secure the materials required, and the Company shall not be responsible for failure to install these street light units for such reason.
- (4) If an installed street lighting unit is required to be relocated, removed, or replaced with another unit of the same or less rated lamp wattage, the ordering Authority shall pay the Company the sacrifice value of the unit, plus labor and overhead charges, unless in the judgment of the Company no charge should be made. An estimate of the cost will be submitted for approval before work is carried out.

Issued pursuant to an Order dated December 17, 2008 in Case No. 08-920-EL-SSO before the Public Utilities Commission of Ohio.

**GENERAL CONDITIONS (Contd.)**

- (5) Lamps and refractors which are maintained by the Company shall be kept in good operating condition by and at the expense of the Company.

In cases of vandalism, the Company will repair the damaged property and the customer shall pay for such repair on a time and material basis, plus overhead charges, unless in the judgment of the Company no charge should be made. An estimate of the cost will be submitted for approval before work is carried out.

- (6) When a street lighting unit reaches end of life or becomes obsolete and parts cannot be reasonably obtained, the Company can remove the unit at no expense to the customer after notifying the customer. The customer shall be given the opportunity to arrange for another type lighting unit provided by the Company.
- (7) The contribution only provides for replacement of these facilities due to occasional damage or premature malfunction. It does not cover replacement at end of life.

**SERVICE REGULATIONS**

The supplying of, and billing for, service and all conditions applying thereto, are subject to the jurisdiction of the Public Utilities Commission of Ohio, and to the Company's Service Regulations currently in effect, as filed with the Public Utilities Commission of Ohio.

Issued pursuant to an Order dated December 17, 2008 in Case No. 08-920-EL-SSO before the Public Utilities Commission of Ohio.

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Issued: December 18, 2008

Effective: January 2, 2009

Issued by Julie Janson, President

## RATE UOLS

### UNMETERED OUTDOOR LIGHTING ELECTRIC SERVICE

#### APPLICABILITY

Applicable for electric energy usage only for any street or outdoor area lighting system (System), operating during the dusk to dawn time period, on private or public property and owned by the customer or the Company. The customer must be adjacent to an electric power line of the Company that is adequate and suitable for supplying the necessary electric service.

Service under this tariff schedule shall require a written agreement between the customer and the Company specifying the calculated lighting kilowatt-hours. The System shall comply with the connection requirements in the Company's Electric Service Regulations, Section III, Customer's and Company's Installations.

For customers taking service under any or all of the provisions of this tariff schedule, this same schedule shall constitute the Company's Standard Service Offer.

#### CONTRACT FOR SERVICE

The customer will enter into an Agreement for Electric Service for Outdoor Lighting for a minimum of one year and renewable annually, automatically, thereafter.

The Company will provide unmetered electric service based on the calculated annual energy usage for each luminaire's lamp wattage plus ballast usage (impact wattage). The System kilowatt-hour usage shall be determined by the number of lamps and other System particulars as defined in the written agreement between the customer and Company. The monthly kilowatt-hour amount will be billed at the rate contained in the NET MONTHLY BILL section below.

#### LIGHTING HOURS

The unmetered lighting System will be operated automatically by either individual photoelectric controllers or System controller(s) set to operate on either dusk-to-dawn lighting levels or on pre-set timers for any hours between dusk-to-dawn. The hours of operation will be agreed upon between the customer and the Company and set out in the Agreement. Dusk-to-dawn lighting typically turns on and off approximately one-half (1/2) hour after sunset and one-half (1/2) hour before sunrise which is approximately 4160 hours annually.

#### NET MONTHLY BILL

Computed in accordance with the following charge:

1. Base Rate Distribution		\$0.004293 per kWh
PTC-BG:	2009	(\$0.000029) per kWh
	2010	\$0.000559 per kWh
	2011	\$0.003462 per kWh

Filed pursuant to an Order dated December 17, 2008 in Case No. 08-920-EL-SSO before the Public Utilities Commission of Ohio.

**NET MONTHLY BILL (Contd.)**

**2. Applicable Riders**

The following riders are applicable pursuant to the specific terms contained within each rider:

Sheet No. 51, Rider PTC-AAC, Annually Adjusted Component Rider  
Sheet No. 53, Rider PTC-FPP, Fuel and Economy Purchased Power Rider  
Sheet No. 54, Rider SRA-CD, Capacity Dedication Rider  
Sheet No. 56, Rider SRA-SRT, System Reliability Tracker  
Sheet No. 57, Rider TCR, Transmission Cost Recovery Rider  
Sheet No. 58, Rider DRI, Distribution Reliability Investment Tracker  
Sheet No. 59, Rider RSS, Rate Stabilization Surcredit Rider  
Sheet No. 81, Rider EER, Energy-Efficiency Revolving Loan Program Rider  
Sheet No. 83, Rider OET, Ohio Excise Tax Rider  
Sheet No. 84, Rider RTC, Regulatory Transition Charge Rider  
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Sheet No. 103, Rider MSR-E, Merger Savings Credit Rider-Electric  
Sheet No. 105, Rider DR-ECF, Economic Competitiveness Fund Rider  
Sheet No. 106, Rider DR-SAWR, Energy Efficiency Recovery Rate

**PRICE TO COMPARE BASE CHARGES**

The Generation Charges listed above are applicable to all customers except those customers that switch to a Certified Supplier for their generation service.

**AVOIDANCE OF SYSTEM RELIABILITY TRACKER CHARGE AND RECEIPT OF SHOPPING CREDIT**

Non-residential customers who have signed or will sign a contract with DE-Ohio, or provide a CRES contract to DE-Ohio, or provide a release in the form approved by the Commission in Case No. 03-93-EL-ATA indicating that the customer will remain off of ESP-SSO service through December 31, 2011, may avoid Rider SRA-SRT charges and receive a shopping credit. More specifically, to avoid Rider SRA-SRT charges and receive a shopping credit, the customer must be willing to return to DE-Ohio's ESP-SSO service at 115% of DE-Ohio's ESP-SSO price, including all riders except for distribution riders.

**LATE PAYMENT CHARGE**

Payment of the total amount due must be received in the Company's office by the due date shown on the bill. When not so paid, an additional amount equal to one and one-half percent (1.5%) of the unpaid balance is due and payable. The late payment charge is not applicable to unpaid account balances for services received from a Certified Supplier.

**OWNERSHIP OF SERVICE LINES**

Company will provide, install, own, operate and maintain the necessary facilities for furnishing electric service to the System defined in the agreement. If the customer requires the installation of a System at a location which requires the extension, relocation, or rearrangement of the Company's distribution system, the customer shall, in addition to the monthly charge, pay the Company on a time and material basis, plus overhead charges, the cost of such extension, relocation, or rearrangement, unless in the judgment of the Company no charge should be made. An estimate of the cost will be submitted for approval before work is carried out.

Filed pursuant to an Order dated December 17, 2008 in Case No. 08-920-EL-SSO before the Public Utilities Commission of Ohio.

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#### **OWNERSHIP OF SERVICE LINES (CONTD.)**

The Company shall erect the service lines necessary to supply electric energy to the System within the limits of the public streets and highways or on private property as mutually agreed upon by the Company and the customer. The customer shall assist the Company, if necessary, in obtaining adequate written easements covering permission to install and maintain any service lines required to serve the System.

The Company shall not be required to pay for obtaining permission to trim or re-trim trees where such trees interfere with lighting output or with service lines or wires of the Company used for supplying electric energy to the System. The customer shall assist the Company, if necessary, in obtaining permission to trim trees where the Company is unable to obtain such permission through its own best efforts.

#### **SERVICE REGULATIONS**

The supplying of, and billing for, service and all conditions applying thereto, are subject to the jurisdiction of the Public Utilities Commission of Ohio, and to the Company's Service Regulations currently in effect, as filed with the Public Utilities Commission of Ohio.

Filed pursuant to an Order dated December 17, 2008 in Case No. 08-920-EL-SSO before the Public Utilities Commission of Ohio.

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**RIDER GP**

**GOGREEN RIDER**

**APPLICABILITY**

Applicable to all customers who wish to purchase GoGreen units from the Company-sponsored GoGreen program and who enter a service agreement with the company. This rider will be available until December 31, 2011.

**DEFINITION OF GOGREEN**

GoGreen supports alternative energy sources brought into service on or after 1997, such as:

Wind, Solar Photovoltaic, Biomass Co-firing of Agricultural Crops, Hydro – as certified by the Low Impact Hydro Institute, Incremental Improvements in Large Scale Hydro, Coal Mine Methane, Landfill Gas, Biogas Digesters, Biomass Co-firing of All Woody Waste including mill residue, but excluding painted or treated lumber.

The GoGreen Program includes the purchase of Renewable Energy Certificates and/or Carbon Credits from the sources described above.

**GOGREEN COMPETITIVE RETAIL ELECTRIC SERVICE MARKET PRICE**

1. Rate RS, Rate ORH, and Rate TD:

For all GoGreen units .....\$1.00 per unit per month

Minimum purchase is two (2) 100 kWh units. Additional purchases to be made in 100 kWh unit increments.

2. All other rates:

Individually calculated GoGreen Rate per service agreement which may also include carbon credits.

**NET MONTHLY BILL**

Customers who participate under this Rider will be billed for electric service under all standard applicable tariffs including all applicable riders.

The purchase of GoGreen units, under this rider, will be billed at the applicable GoGreen Rate times the number of GoGreen units the customer has agreed to purchase per month. The customer's monthly bill will consist of the sum of all kWh billed at the applicable rate tariffs, including all applicable riders, and the agreed to GoGreen units billed at the applicable Green Power Rate.

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Filed pursuant to an Order dated December 17, 2008 in Case No. 08-920-EL-SSO before the Public Utilities Commission of Ohio.

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Issued: December 18, 2008

Issued by Julie Janson, President

Effective: January 2, 2009

#### **TERMS AND CONDITIONS**

1. The customer shall enter into a service agreement with Company that shall specify the amount in GoGreen units and price of GoGreen units to be purchased monthly. Customer shall give Company thirty (30) days notice prior to cancellation of participation in this rider.
2. Funds from the GoGreen Rate will be used to purchase Renewable Energy Certificates and/or carbon credits from renewable and environmentally friendly sources as described in the DEFINITION OF GOGREEN section and for customer education, marketing, and costs of the GoGreen Program.
3. Renewable Energy Certificate ("REC") shall mean tradable units that represent the commodity formed by unbundling the environmental attributes of a unit of renewable or environmentally friendly energy from the underlying electricity. One REC would be equivalent to the environmental attributes of one MWH of electricity from a renewable or environmentally friendly generation source.
4. Company may transfer RECs or Carbon Credits at the prevailing wholesale market prices to and from third parties, including affiliated Companies.
5. Company reserves the right to terminate the Rider or revise the pricing or minimum purchase amount of the Rider after giving 60 days notice.
6. Carbon Credit shall mean tradable units that represent the reduction of the release of a greenhouse gas in the equivalent of one ton CO<sub>2</sub>.

Company may obtain carbon credits from purchased power, company owned generation, or purchased with funds collected from this rider.

#### **SERVICE REGULATIONS**

The billing for service and all conditions applying thereto, are subject to the jurisdiction of the Public Utilities Commission of Ohio, and to the Company's Service Regulations currently in effect, as filed with the Public Utilities Commission of Ohio

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Filed pursuant to an Order dated December 17, 2008 in Case No. 08-920-EL-SSO before the Public Utilities Commission of Ohio.

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Issued: December 18, 2008

Issued by Julie Janson, President

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**RIDER RTC**

**REGULATORY TRANSITION CHARGE RIDER**

**APPLICABILITY**

Applicable to all jurisdictional retail customers in the Company's electric service area.

**CHARGE**

The Regulatory Transition Charges detailed below are applicable after January 2, 2005 for non-residential customers. All applicable kWh are subject to the Regulatory Transition Charge.

<u>Tariff Sheet</u>	<u>RTC Charge</u> Per kWh
Rate RS, Residential Service	
Summer, First 1000 kWh	\$0.000000
Summer, Additional kWh	\$0.000000
Winter, First 1000 kWh	\$0.000000
Winter, Additional kWh	\$0.000000
Rate ORH, Optional Residential Service With Electric Space Heating	
Summer, First 1000 kWh	\$0.000000
Summer, Additional kWh	\$0.000000
Winter, First 1000 kWh	\$0.000000
Winter, Additional kWh	\$0.000000
Winter, kWh greater than 150 times demand	\$0.000000
Rate CUR, Common Use Residential Service	
Summer, First 1000 kWh	\$0.006484
Summer, Additional kWh	\$0.007556
Winter, First 1000 kWh	\$0.006484
Winter, Additional kWh	\$0.003877
Rate TD, Optional Time-of-Day Rate	
Summer, On-Peak kWh	\$0.000000
Summer, Off-Peak kWh	\$0.000000
Winter, On-Peak kWh	\$0.000000
Winter, Off-Peak kWh	\$0.000000
Rate DS, Service at Secondary Distribution Voltage	
Billing Demand Times 300	\$0.008992
Additional kWh	\$0.000100
Rate GS-FL, Optional Unmetered For Small Fixed Loads	
kWh Greater Than or Equal to 540 Hours	\$0.006719
kWh Less Than 540 Hours	\$0.006719

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**CHARGES (Contd.)**

Tariff Sheet

RTC Charge

Per kWh

Rate EH, Optional Rate For Electric Space Heating	
All kWh	\$0.006719
Rate DM, Secondary Distribution Service, Small	
Summer, First 2800 kWh	\$0.012166
Summer, Next 3200 kWh	\$0.003221
Summer, Additional kWh	\$0.002484
Winter, First 2800 kWh	\$0.009822
Winter, Next 3200 kWh	\$0.003203
Winter, Additional kWh	\$0.002442
Rate DP, Service at Primary Distribution Voltage	
Billing Demand Times 300	\$0.006850
Additional kWh	\$0.000100
Rate TS, Service at Transmission Voltage	
Billing Demand Times 300	\$0.005590
Additional kWh	\$0.000100
Rate SL, Street Lighting Service	
All kWh	\$0.002290
Rate TL, Traffic Lighting Service	
All kWh	\$0.002290
Rate OL, Outdoor Lighting Service	
All kWh	\$0.002290
Rate NSU, Street Lighting Service for Non-Standard Units	
All kWh	\$0.002290
Rate NSP, Private Outdoor Lighting for Non-Standard Units	
All kWh	\$0.002290
Rate SC, Street Lighting Service - Customer Owned	
All kWh	\$0.002290
Rate SE, Street Lighting Service - Overhead Equivalent	
All kWh	\$0.002290
Rate UOLS, Unmetered Outdoor Lighting Electric Service	
All kWh	\$0.002290

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**RIDER SC**

**SHOPPING CREDIT RIDER**

**APPLICABILITY**

This Rider is applicable to certain jurisdictional retail non-residential customers in the Company's electric service area that choose to purchase generation services from a Certified Supplier.

**CHARGE**

Non-residential customers who have signed or will sign a contract with DE-Ohio, or provide a CRES contract to DE-Ohio, or provide a release in the form approved by the Commission in Case No. 03-93-EL-ATA indicating that the customer will remain off of ESP-SSO service through December 31, 2011, may receive these shopping credits. More specifically, to receive the shopping credits, the customer must be eligible to return to DE-Ohio's ESP-SSO service at 115% of DE-Ohio's ESP-SSO price, including all riders except for distribution riders.

The following shopping credits are effective from January 1, 2009 through December 31, 2011.

<u>Tariff Sheet</u>	<u>SC Credit</u> (per kWh/kW)
Rate RS, Residential Service	
Summer, First 1000 kWh	\$0.000000
Summer, Additional kWh	\$0.000000
Winter, First 1000 kWh	\$0.000000
Winter, Additional kWh	\$0.000000
Rate ORH, Optional Residential Service With Electric Space Heating	
Summer, First 1000 kWh	\$0.000000
Summer, Additional kWh	\$0.000000
Winter, First 1000 kWh	\$0.000000
Winter, Additional kWh	\$0.000000
Winter, kWh greater than 150 times demand	\$0.000000
Rate TD, Optional Time-of-Day Rate	
Summer, On-Peak kWh	\$0.000000
Summer, Off-Peak kWh	\$0.000000
Winter, On-Peak kWh	\$0.000000
Winter, Off-Peak kWh	\$0.000000
Rate CUR, Common Use Residential Service	
Summer, First 1000 kWh	\$0.002651
Summer, Additional kWh	\$0.003359
Winter, First 1000 kWh	\$0.002651
Winter, Additional kWh	\$0.001000

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Rate DS, Service at Secondary Distribution Voltage	
First 1000 kW	\$0.459400
Additional kW	\$0.363400
Billing Demand Times 300	\$0.001175
Additional kWh	\$0.000976
Rate GS-FL, Optional Unmetered For Small Fixed Loads	
kWh Greater Than or Equal to 540 Hours	\$0.003902
kWh Less Than 540 Hours	\$0.004486
Rate EH, Optional Rate For Electric Space Heating	
All kWh	\$0.001601
Rate DM, Secondary Distribution Service, Small	
Summer, First 2800 kWh	\$0.003514
Summer, Next 3200 kWh	\$0.000897
Summer, Additional kWh	\$0.000391
Winter, First 2800 kWh	\$0.002789
Winter, Next 3200 kWh	\$0.000898
Winter, Additional kWh	\$0.000371
Rate DP, Service at Primary Distribution Voltage	
First 1000 kW	\$0.414900
Additional kW	\$0.327300
Billing Demand Times 300	\$0.001323
Additional kWh	\$0.001061
Rate TS, Service at Transmission Voltage	
First 50,000 kVA	\$0.503000
Additional kVA	\$0.362600
Billing Demand Times 300	\$0.000864
Additional kWh	\$0.000983
Rate SL, Street Lighting Service	
All kWh	\$0.001728
Rate TL, Traffic Lighting Service	
All kWh	\$0.001011
Rate OL, Outdoor Lighting Service	
All kWh	\$0.001728
Rate NSU, Street Lighting Service for Non-Standard Units	
All kWh	\$0.001728
Rate NSP, Private Outdoor Lighting for Non-Standard Units	
All kWh	\$0.001728
Rate SC, Street Lighting Service - Customer Owned	
All kWh	\$0.001728
Energy Only - All kWh	\$0.000688
Rate SE, Street Lighting Service - Overhead Equivalent	
All kWh	\$0.001728
Rate UOLS, Unmetered Outdoor Lighting Electric Service	
All kWh	\$0.000711

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## **RIDER USR**

### **UNIVERSAL SERVICE FUND RIDER**

#### **APPLICABILITY**

Ohio Amended Substitute Senate Bill No. 3 established a Universal Service Fund in the State of Ohio. This Rider is applicable to all jurisdictional retail customers, including interdepartmental sales, in the Company's electric service area.

#### **CHARGE**

All kWh are subject to the Universal Service Fund Rider. The amount to be charged monthly beginning January 2, 2008 shall be as follows:

First 833,000 kilowatt-hours	\$0.0010857 per kWh
All Additional kilowatt-hours	\$0.0004690 per kWh

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## **RATE RTP**

### **REAL TIME PRICING PROGRAM**

#### **APPLICABILITY**

Applicable to Customers served under the Electric Security Plan Standard Offer Rate DS, Rate DP, or Rate TS. Service under the RTP Program will be offered through December 31, 2011. The incremental cost of any special metering required for service under this Program beyond that normally provided under the applicable Standard Tariff shall be borne by the Customer. Customers must enter into a service agreement with a minimum term of one year. Customers electing a Certified Supplier will not be eligible to participate in the Program.

For customers taking service under any or all of the provisions of this tariff schedule, this same schedule shall constitute the Company's Electric Security Plan Standard Service Offer.

#### **PROGRAM DESCRIPTION**

The RTP Program is voluntary and offers Customers the opportunity to manage their electric costs by either shifting load from higher cost to lower cost pricing periods and adding new load during lower cost pricing periods or to learn about market pricing. Binding Price Quotes will be sent to each Customer on a day-ahead basis. The program is intended to be bill neutral to each Customer with respect to their historical usage through the use of a Customer Baseline Load (CBL) and the Company's Electric Security Plan Standard Offer Rates.

#### **CUSTOMER BASELINE LOAD**

The CBL is one complete year of Customer hourly load data that represents the electricity consumption pattern and level of the Customer's operation under the Standard Rate Schedule. The CBL is the basis for achieving bill neutrality for Customers billed under this Rate RTP, and must be mutually agreeable to by both the Customer and the Company as representing the Customer's usage pattern under the Standard Rate Schedule (non-RTP). Agreement on the CBL is a requirement for participation in the RTP Program.

#### **RTP BILLING**

Customers participating in the RTP Program will be billed monthly based on the following calculation:

$$\text{RTP Bill} = \text{BC} + \text{PC} + \sum_{t=1}^n \{ (\text{CC}_t + \text{ED}_t) \times (\text{AL}_t - \text{CBL}_t) \}$$

Where:

- BC = Baseline Charge
- PC = Program Charge
- CC<sub>t</sub> = Commodity Charge for hour t
- ED<sub>t</sub> = Energy Delivery Charge for hour t
- AL<sub>t</sub> = Customer Actual Load for hour t
- CBL<sub>t</sub> = Customer Baseline Load in hour t
- n = total number of hours in the billing period
- t = an hour in the billing period

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### **BASELINE CHARGE**

The Baseline Charge is independent of Customer's current monthly usage, and is designed to achieve bill neutrality with the Customer's standard offer tariff if no change in electricity usage pattern occurs (less applicable program charges). The Baseline Charge is calculated at the end of the billing period and changes each billing period to maintain bill neutrality for a Customer's CBL.

The Baseline Charge will be calculated as follows:

$$BC = (\text{Standard Bill @ CBL})$$

Where:

BC = Baseline Charge  
Standard Bill @ CBL = Customer's bill for the specific month on the applicable Rate Schedule using the CBL to establish the applicable billing determinants

The CBL shall be adjusted to reflect applicable metering adjustments under the standard Rate Schedule.

### **PRICE QUOTES**

The Company will send to Customer, by 3:00 p.m. each day, Price Quotes to be charged the next day. Such Price Quotes shall include the applicable Commodity Charge, the Energy Delivery Charge, and the Ancillary Services Charge.

The Company may send more than one-day-ahead Price Quotes for weekends and holidays identified in Company's tariffs. The Company may revise these prices by 3:00 p.m. the day before they become effective.

The Company is not responsible for failure of Customer to receive and act upon the Price Quotes. It is Customer's responsibility to inform Company of any failure to receive the Price Quotes by 5:00 p.m. the day before they become effective.

### **COMMODITY CHARGE**

The Commodity Charge is a charge for generation. The applicable hourly Commodity Charge (Credit) shall be applied on an hour by hour basis to Customer's incremental (decremental) usage from the CBL.

Charge (Credit) For Each kW Per Hour From The CBL:

For kWh<sub>t</sub> above the CBL<sub>t</sub>,  $CC_t = MVG_t \times LAF$   
For kWh<sub>t</sub> below the CBL<sub>t</sub>,  $CC_t = MVG_t \times 80\% \times LAF$

Where:

LAF = loss adjustment factor  
= 1.0530 for Rate TS  
= 1.0800 for Rate DP  
= 1.1100 for Rate DS  
MVG<sub>t</sub> = Market Value Of Generation As Determined By Company for hour t

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**COMMODITY CHARGE (Contd.)**

The MVG<sub>i</sub> will be based on the expected market price of capacity and energy for the next day. The expected market price will be based on forecasts of market conditions for the next day using publicly available market indices and/or bona fide third-party price quotes to establish the expected market price.

The kW Per Hour incremental or decremental usage from the CBL shall be adjusted to reflect applicable metering adjustments under the standard Rate Schedule.

**ENERGY DELIVERY CHARGE**

The hourly Energy Delivery Charge is a charge for using the distribution system to deliver energy to the Customer. The applicable hourly Energy Delivery Charge (Credit) shall be applied on an hour by hour basis to Customer's incremental (decremental) usage from the CBL.

Charge (Credit) For Each kW Per Hour From The CBL:

Rate DS .....	\$ 0.012088 per kW Per Hour
Rate DP .....	\$ 0.006838 per kW Per Hour
Rate TS .....	\$ 0.000327 per kW Per Hour

The kW Per Hour incremental or decremental usage from the CBL shall be adjusted to reflect applicable metering adjustments under the standard Rate Schedule.

**PROGRAM CHARGE**

Company will provide Internet based communication software to be used to provide Customer with the Price Quotes. Customer will be responsible for providing its own Internet access. A charge of \$183 per billing period per Customer shall be added to Customer's bill to cover the additional billing, administrative, and cost of communicating the hourly Price Quotes associated with the RTP Program. Customer may purchase from either Company or any other third-party suppliers any other necessary equipment or software packages to facilitate participation in this program. While Customers are encouraged to use such equipment or software packages to maximize benefits under this Program, it is not a requirement for program participation. It is Customer's responsibility to ensure the compatibility of third-party equipment or software packages with any Company owned equipment or software packages.

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#### **APPLICABLE RIDERS**

The following riders are applicable pursuant to the specific terms contained within each rider

- Sheet No. 51, Rider PTC-AAC, Annually Adjusted Component Rider
- Sheet No. 53, Rider PTC-FPP, Fuel and Economy Purchased Power Rider
- Sheet No. 54, Rider SRA-CD, Capacity Dedication Rider
- Sheet No. 56, Rider SRA-SRT, System Reliability Tracker
- Sheet No. 57, Rider TCR, Transmission Cost Recovery Rider
- Sheet No. 58, Rider DRI, Distribution Reliability Investment Rider
- Sheet No. 59, Rider RSS, Rate Stabilization Surcredit Rider
- Sheet No. 81, Rider EER, Energy Efficiency Revolving Loan Program Rider
- Sheet No. 83, Rider OET, Ohio Excise Tax Rider
- Sheet No. 84, Rider RTC, Regulatory Transition Charge Rider
- Sheet No. 86, Rider USR, Universal Service Fund Rider
- Sheet No. 103, Rider MSR-E, Merger Savings Credit Rider-Electric
- Sheet No. 104, Rider DR-IM, Infrastructure Modernization Rider
- Sheet No. 105, Rider DR-ECF, Economic Competitiveness Fund Rider
- Sheet No. 106, Rider DR-SAWR, Energy Efficiency Recovery Rate

#### **TERM AND CONDITIONS**

Except as provided in this Rate RTP, all terms, conditions, rates, and charges outlined in the Standard Rate Schedule will apply. Participation in the RTP Program will not affect Customer's obligations for electric service under the Standard Rate Schedule.

The primary term of service is one (1) year consisting of a consecutive twelve month period.

Customers who terminate their service agreement under Rate RTP after the initial one (1) year term shall not be eligible to return to the program for twelve (12) months from the termination date.

Customers returning to the standard tariff shall have any historical demands in excess of the CBL, waived for purposes of calculating applicable billing demands.

The supplying and billing for service and all conditions applying thereto, are subject to the jurisdiction of the Public Utilities Commission of Ohio, and to the Company's Service Regulations currently in effect, as filed with the Public Utilities Commission of Ohio.

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**RIDER DSM**

**DEMAND SIDE MANAGEMENT COST RECOVERY RIDER**

**THIS TARIFF IS HEREBY CANCELLED AND WITHDRAWN**

Filed pursuant to an Order dated December 17, 2008 in Case No. 08-920-EL-SSO et al., before the Public Utilities Commission of Ohio.

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**RIDER DR-IM**  
**INFRASTRUCTURE MODERNIZATION RIDER**

Rider DR-IM is applicable to all jurisdictional retail customers in the Company's electric service area.

The DR-IM rate to be applied to customer bills beginning with the January 2009 revenue month shown below:

Rate RS	\$0.00 per month
Rate ORH	\$0.00 per month
Rate TD	\$0.00 per month
Rate RS3P	\$0.00 per month
Rate CUR	\$0.00 per month
Rate DS	\$0.00 per month
Rate EH	\$0.00 per month
Rate DM	\$0.00 per month
Rate DP	\$0.00 per month

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**RIDER DR-ECF**  
**ECONOMIC COMPETITIVENESS FUND RIDER**

Rider DR-ECF is applicable to all jurisdictional retail customers in the Company's electric service area.

The DR-ECF rate to be applied to residential customer bills beginning with the January 2009 revenue month is \$0.0000 per kilowatt-hour.

The DR-ECF rate to be applied to non-residential service customer bills beginning with the January 2009 revenue month for distribution service is \$0.0000 per kilowatt-hour, and \$0.00000 per kilowatt-hours for transmission service.

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**RIDER DR-SAWR**  
**ENERGY EFFICIENCY RECOVERY RATE**

The DR-SAWR rate shall be determined in accordance with the provisions of Rider DR-SAW, Energy Efficiency Cost Recovery Rider, Sheet No. 97 of this Tariff.

The DR-SAWR to be applied to residential customer bills beginning with the January 2009 revenue month is \$0.0016018 per kilowatt-hour.

The DR-SAWR to be applied to non-residential service customer bills, including transmission service customers participating in SAW programs, beginning with the January 2009 revenue month for distribution service is \$0.001631 per kilowatt-hour.

The DR-SAWR to be applied to transmission service customer bills, not participating in SAW programs, beginning with the January 2009 revenue month is \$0.000049 per kilowatt-hour.

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**RIDER DR-SAW**

**ENERGY EFFICIENCY COST RECOVERY RIDER**

**APPLICABILITY**

Applicable to service rendered under the provisions of Rates RS, TD and ORH (residential class) and Rates DS, DM, DP, TS, EH, GS-FL, SFL-ADPL, RTP and CUR (non-residential class). A mercantile customer, whose total annual usage in the Company's certified service territory exceeds 700,000 kWh or who is part of a national account involving multiple locations, may be exempt from this tariff by complying with the Commission's rules regarding exemption. The customer must provide written notification which will list all of their accounts to be exempted from this tariff. Customers electing to be exempted from the program will not be credited for any periods previously billed.

**CHARGES**

The monthly amount computed under each of the rate schedules to which this rider is applicable shall be increased or decreased by the energy DR-SAW Charge at a rate per kilowatt-hour of monthly consumption and, where applicable, a rate per kilowatt of monthly billing demand, in accordance with the following formula:

$$\text{DR-SAW (residential)} = \frac{\text{ACDRC} + \text{ACCOE} + \text{ACCOC} + \text{LM} + \text{TUA, as assigned to the residential class of customers}}{S_{\text{residential}}}$$

$$\text{DR-SAW (nonresidential)} = \frac{\text{ACDRC} + \text{ACCOE} + \text{ACCOC} + \text{LM} + \text{TUA, as assigned to the nonresidential class of customers}}{S_{\text{nonresidential}}}$$

Where,

DR-SAW = Energy Efficiency Adjustment Amount

ACDRC = Avoided Cost of Capacity for Demand Response Revenue Requirement

ACCOE = Avoided Cost of Energy for Conservation Revenue Requirement

ACCOC = Avoided Cost of Capacity for Conservation Revenue Requirement

LM = Lost Margins

TUA = True-up Adjustment to be included in the fourth year of the rider only

S = Projected kWh Sales for the Rider Period for the class (residential or nonresidential) of Ohio retail customers

DR-SAW is calculated for a 12 month period, referred to as the Rider Period.

DR-SAW will be grossed-up for applicable revenue related taxes.

Non-residential Rider DR-SAW recovery shall be allocated 1% to transmission service customers. A transmission service customer that participates in the Save-A-Watt program will be charged the full Rider DR-SAW nonresidential rate.

$$\text{ACDRC} = \text{PDRC} \times \text{ACC} \times \text{X\%}$$

Where,

PDRC = Projected Demand impacts for the measure/program for the vintage applicable to the Rider Period

ACC = Annual Avoided Capacity Market-Based Rate, in \$/year for the year of the Rider Period

X% = Percentage of avoided costs for demand response to be collected through the rider

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**CHARGES (Cont'd)**

$ACCOE = (\text{NPV at the after-tax weighted average cost of capital of } (PCOE \times ACE) \text{ for each year for the life of the measure/program}) \times Y\%$

Where,

$PCOE = \text{Projected Energy impacts for the measure/program by year for the life of the measure/program for the vintage applicable to the Rider Period}$

$ACE = \text{Marginal energy cost rate by year for the life of the measure/program from the IRP analysis}$

$Y\% = \text{Percentage of avoided costs for conservation to be collected through the rider}$

$ACCOC = (\text{NPV at the after-tax weighted average cost of capital of } (PCOC \times ACC) \text{ for each year for the life of the measure/program}) \times Y\%$

Where,

$PCOC = \text{Projected Demand impacts for the measure/program by year for the life of the measure/program for the vintage applicable to the Rider Period}$

$ACC = \text{Annual Avoided Capacity Market-Based Rate, in \$/year by year for the life of the measure/program escalated at Z.ZZ\% per year}$

$Y\% = \text{Percentage of avoided costs for conservation to be collected through the rider}$

$LM = PLME \times LMR$

Where,

$PLME = \text{Projected Energy impacts for all measures/programs for the vintage applicable to the Rider Period}$

$LMR = \text{Average Retail \$/kwh excluding fuel}$

In the fourth Rider Period, a true-up amount will be included in the Rider DR-SAW rate as follows:

$TUA = ACT + LMT + ECT$

Where,

$ACT = \text{Avoided Cost True-up}$

$LMT = \text{Lost Margins True-up}$

$ECT = \text{Earnings Cap True-up}$

$ACT = ADRCT + ACOET + ACOCT$

Where,

$ADRCT = \text{Avoided Demand Response Capacity True-up}$

$ACOET = \text{Avoided Conservation Energy True-up}$

$ACOCT = \text{Avoided Conservation Capacity True-up}$

$ADRCT = (\text{Year 1}((ADRC - PDRC) \times ACC) + \text{Year 2}((ADRC - PDRC) \times ACC) + \text{Year 3}((ADRC - PDRC) \times ACC)) \times X\%$

Where,

$ADRC = \text{Actual Demand impacts for the measure/program for each vintage year}$

$PDRC = \text{Projected Demand impacts for the measure/program for each vintage year as used in the Rider DR-SAW calculation for each year}$

$ACC = \text{Annual Avoided Capacity Market-Based Rate, in \$/year for the each vintage year as used in the Rider DR-SAW calculation each year}$

$X\% = \text{Percentage of avoided costs for demand response collected through the rider}$

$ACOET = (\text{NPV at the after-tax weighted average cost of capital of } (\text{Year 1}((ACOE - PCOE) \times ACE) \text{ for each year for the life of the measure/program}) + (\text{NPV at the after-tax weighted average cost of capital of } (\text{Year 2}((ACOE - PCOE) \times ACE) \text{ for each year for the life of the measure/program}) + (\text{NPV at the after-tax weighted average cost of capital of } (\text{Year 3}((ACOE - PCOE) \times ACE) \text{ for each year for the life of the measure/program}) \times Y\%$

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**CHARGES (Cont'd)**

Where,

ACOE = Actual Energy impacts for the measure/program by year for the life of the measure/program for years 1-3 and projected Energy impacts for the measure/program for the remaining years of the life of the measure/program by vintage year

PCOE = Projected Energy impacts for the measure/program by year for the life of the measure/program for each vintage as used in the Rider DR-SAW calculation each year

ACE = Marginal energy cost rate by year for the life of the measure/program from the IRP analysis as used in the Rider DR-SAW calculation each year

Y% = Percentage of avoided costs for conservation collected through the rider

$ACOC = (NPV \text{ at the after-tax weighted average cost of capital of } (Year 1((ACOC - PCOC) \times ACC) \text{ for each year for the life of the measure/program}) + (NPV \text{ at the after-tax weighted average cost of capital of } (Year 2((ACOC - PCOC) \times ACC) \text{ for each year for the life of the measure/program}) + (NPV \text{ at the after-tax weighted average cost of capital of } (Year 3((ACOC - PCOC) \times ACC) \text{ for each year for the life of the measure/program}) \times Y\%$

Where,

ACOC = Actual Demand impacts for the measure/program by year for the life of the measure/program for years 1-3 and projected Demand impacts for the measure/program for the remaining years in the life of the measure/program by vintage year

PCOC = Projected Demand impacts for the measure/program by year for the life of the measure/program for the vintage as used in the Rider DR-SAW calculation each year

ACC = Annual Avoided Capacity Market-Based Rate, in \$/year by year for the life of the measure/program escalated at Z.ZZ% per year as used in the Rider DR-SAW calculation each year

Y% = Percentage of avoided costs for conservation to be collected through the rider

$LMT = Year 1(ALME - PLME) \times LMR + Year 2(ALME - PLME) \times LMR + Year 3(ALME - PLME) \times LMR$

Where,

ALME = Actual Energy impacts for all measures/programs for the vintage

PLME = Projected Energy impacts for all measures/programs for the vintage as used in the Rider DR-SAW calculation each year

LMR = Average Retail \$/kwh excluding fuel as used in the Rider DR-SAW calculation each year

ECT = NIC minus (Greater of NIC or CNI) grossed-up for applicable income and revenue related taxes

Where,

NIC = Net Income Cap

CNI = Calculated Net Income

$NIC = ROIP \times APC$

Where,

ROIP = Return on Investment Cap Percentage

APC = Actual Program Costs for the Years 1-3

#### CHARGES (Cont'd)

ROIP is derived from the following table:

Percentage of Mandate Achieved	Cumulative Return on Investment Cap Percentage (ROIP)
> 125%	15%
116% to 125%	13%
111% – 115%	11%
100% – 110%	6%
< 100%	0%

AACS = Actual Avoided Cost Savings

TACS = Targeted Avoided Cost Savings

$AACS = (\text{Sum of Years 1-3 (ACDRC + ACCOE + ACCOC)}) + ACT$

$CNI = AACS \text{ grossed-up for applicable revenue related taxes} - \text{Sum Years 1-3 APC} - RRT - IT$

Where,

$RRT = \text{Revenue related taxes calculated as the appropriate revenue related tax rate} \times AACS$

$IT = \text{Income taxes calculated as the appropriate composite income tax rate} \times (AACS - \text{Sum Years 1-3 APC} - RRT)$

#### DEMAND RATCHETS

Customer served under the provisions of Rate DS or Rate DP may be eligible to have their billing demand re-determined in recognition of a permanent change in load due to the installation of load control equipment or other measures taken by the customer to permanently reduce the customer's demand.

#### SERVICE REGULATIONS

The supplying of, and billing for, service and all conditions applying thereto, are subject to the jurisdiction of the Public Utilities Commission of Ohio, and to Company's Service Regulations currently in effect, as filed with the Public Utilities Commission of Ohio, as provided by law.

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**Certified Supplier Tariff  
Duke Energy Ohio**

**P.U.C.O. Electric No. 20**

## SECTION VII END-USE CUSTOMER ENROLLMENT PROCESS

### 7.1. Certified Supplier Authorization

In order to be authorized to enroll End-use Customers in the Company's Customer Choice Program, a Certified Supplier must meet the requirements contained in Section V - Certified Supplier Registration and Participation Requirements, must have submitted a TSA Designation form to the Company, and must, where applicable, have the appropriate rates in production within the Company's billing system, as described in Section X - Billing Services and Obligations. Aggregators or governmental aggregators must either become a Certified Supplier as described above or must act through a Certified Supplier.

### 7.2. Percentage of Income Payment Plan (PIPP) Customers

In the event the Director of the Ohio Department of Development (ODOD) aggregates PIPP customers for the purpose of competitively auctioning the supply of Competitive Retail Electric Service, such customers will receive their Commodity service from the successful bidder. In this event, PIPP customers would not be eligible to select another Certified Supplier or to opt out of the Customer Choice Program, as ODOD would mandate the source of electric Commodity for these customers.

### 7.3. Pre-Enrollment End-use Customer Information List

- a) Upon request, the Company will electronically provide to any supplier certified by the Commission the most recent End-use Customer information list. The supplier will pay the Company \$150.00 for providing the list to the supplier.
- b) The Company will offer the End-use Customer information list beginning on October 1, 2000 with updates available quarterly throughout the Market Development Period. Once the list has been updated, a supplier may not use an End-use Customer information list from a prior quarter to contact End-use Customers, but suppliers shall not be required to purchase subsequent lists.
- c) The Company will provide End-use Customers the option to have all the End-use Customer's information listed in the section below removed from the End-use Customer information list. At the same time, the Company will also provide End-use Customers the option to have all End-use Customer's information listed below reinstated on the End-use Customer information list. The End-use Customer will be provided written notice of his or her options quarterly throughout the Market Development Period and prior to the distribution of the first list.
- d) The following information will be provided on the End-use Customer information list for each End-use Customer who has not requested that all information be removed from this list:
  - i) End-use Customer name
  - ii) Service Address
  - iii) Service City
  - iv) Service State and Zip Code
  - v) Mailing Address
  - vi) Mailing City
  - vii) Mailing State and Zip Code
  - viii) Rate Schedule under which service is rendered, including class and sub-class (if applicable)
  - ix) Rider (if applicable)
  - x) Load Profile Reference Category

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- xi) Meter Type (will provide information that is readily available)
  - xii) Interval Meter data indicator (will provide information that is readily available)
  - xiii) Budget Bill/PIPP indicator
  - xiv) Meter Read Cycle
  - xv) Most recent twelve (12) months of historical consumption data (actual energy usage plus demand, if available)
- e) The Company will provide the End-use Customer information list by either a compact disc or on a designated website. The information will be prepared and distributed in a uniform and useable format that allows for data sorting. End-use Customers participating in the percentage of income payment plan (PIPP) program will be served exclusively through the PIPP program administered by the Ohio Department of Development.

**7.4. Certified Supplier Requests for End-use Customer Information**

- a) Certified Suppliers may request historical Interval Meter data through a DASR after receiving the appropriate End-use Customer authorization. The Interval Meter data will be transferred in a standardized electronic transaction. The Certified Supplier will be responsible for the incremental costs incurred to prepare and send such data. The charges for these services are listed in this tariff.
- b) Generic End-use Customer information will be readily available on a designated web site.
- c) For End-use Customer specific information and to decrease the possibility of End-use Customer "slamming", the Certified Suppliers must obtain, and maintain in their files, End-use Customer authorizations, as dictated by Commission rules, which authorize the release of the End-use Customer's historical usage data. These authorizations must be made available to the Company, upon request, within three (3) business days and must be retained by the Certified Supplier for a period not less than two calendar years after the calendar year in which received.
- d) Specific End-use Customer information will include twelve (12) months of historical data (if available) including monthly kWh usage, Meter Read Dates, and associated monthly maximum demand history, if applicable.

**7.5. Direct Access Service Requests (DASRs)**

- a) Enrollment of individual End-use Customers, including individual End-use Customers participating in an aggregation or governmental aggregation program, is done through a DASR for each service account, which may be submitted only by Certified Suppliers.
- b) Certified Suppliers may begin to submit enrollment DASRs on November 20, 2000.
- c) Enrollment DASRs received November 20, 2000 through December 23, 2000 will be effective on the End-use Customer's January Meter Read Date. Starting December 24, 2000, enrollment DASRs will be effective on the next Meter Read Date provided that it is received by the Company at least twelve (12) calendar days before the next Meter Read Date.
- d) Enrollment DASRs will be effective according to the following schedule:

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- i) If an enrollment DSR is received twelve (12) or more days prior to the next regularly scheduled Meter Read Date and no other enrollment DSR is currently pending, the enrollment DSR will be effective on the next regularly scheduled Meter Read Date.
  - ii) If an enrollment DSR is received less than twelve (12) days prior to the next regularly scheduled Meter Read Date and no other enrollment DSR is currently pending, the enrollment DSR will be effective on the second regularly scheduled Meter Read Date after the enrollment DSR is received.
  - iii) If an enrollment DSR is currently pending, and another enrollment DSR is received, the first enrollment DSR will be effective and the second enrollment DSR will be rejected. There cannot be two pending enrollment DSRs for the same account at the same time.
- e) The Company will process all valid DSRs within one (1) business day and send the End-use Customer confirmation within two (2) business days. The Company will electronically advise the Certified Supplier of acceptance. Notice of rejection of the DSR to the Certified Supplier shall also be sent in one business day, if possible, but in no event later than four (4) calendar days, and include the reasons for the rejection.
  - f) The Company shall provide a rescission period as provided by the Commission's rules. If the End-use Customer rescinds, the Company shall send a drop notice to the Certified Supplier. In the event of End-use Customer rescission, the previous Certified Supplier will continue to serve the End-use Customer under the same terms and conditions.
  - g) Enrollments will be processed on a "first in" priority basis based on the received date, using contract date as the tiebreaker. If the contract date is the same, enrollments will be processed "first in" based on when the enrollment was electronically received by the Company.
  - h) To participate in the Customer Choice Program, an End-use Customer must have an active electric service account with the Company. After the electric service account is active, a Certified Supplier may submit a DSR as described herein.
  - i) If an enrollment DSR for an End-use Customer's active electric service account is submitted for Company Consolidated and Rate Ready or Bill Ready Billing and the Certified Supplier is participating in the Company's Purchase of Accounts Receivable (PAR) Program, the Company will reject the DSR if the Company's account with the End-use Customer has an arrears of 30 days or more totaling \$50.00 or more.
  - j) If an enrollment DSR for an End-use Customer's active electric service account is submitted for Company Consolidated and Bill Ready Billing and the account is currently involved in the Company's summary billing program, the DSR will be rejected until the Company's information system has the capability to accept such DSRs, which will occur by July 1, 2002. Prior to July 1, 2002, in order for an enrollment DSR to be accepted for a summary billing account, the Certified Supplier must submit the DSR with a billing option for either Certified Supplier billing or Company Consolidated and Rate Ready Billing.

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- k) If an enrollment DASR for an End-use Customer's active electric service account is submitted for Company Consolidated and Bill Ready Billing and the account is currently involved in the Company's adjusted due date program, the DASR will be rejected until the Company's information system has the capability to accept such DASRs, which will occur by November 1, 2002. Prior to November 1, 2002, in order for an enrollment DASR to be accepted for an account with an adjusted due date, the Certified Supplier must submit the DASR with a billing option for either Certified Supplier billing or Company Consolidated and Rate Ready Billing.
- l) The Certified Supplier must submit a TSA Designation Agreement executed by an eligible TSA prior to an enrollment DASR being accepted.
- m) For Consolidated Rate-Ready Company Billing, the Certified Supplier's rates must be in production before a DASR will be accepted.
- n) A separate DASR must be submitted for each service account.
- o) If a Certified Supplier has reached its participation limit as described in Section VI - Credit Requirements, additional enrollment DASRs from the Certified Supplier will be rejected and returned to the Certified Supplier until the Company approves additional credit enhancements.
- p) The Certified Supplier will be responsible for paying any Charge for a successfully processed enrollment DASR, except that the Company shall waive the switching fee for the first 20% of residential End-use Customers that switch to a Certified Supplier during the Market Development Period.

**7.6. Communications from the Company to the End-use Customer**

- a) Upon confirmation of a valid Enrollment DASR from a Certified Supplier, the Company will mail the End-use Customer a confirmation notice within one (1) business day after confirmation.
- b) Upon confirmation of a valid Drop DASR from a Certified Supplier, the Company will mail the End-use Customer a confirmation notice within one (1) business day after confirmation.
- c) Within one (1) business day after receiving an End-use Customer's request to rescind an enrollment, the Company will initiate the rescission and mail the End-use Customer confirmation that such action has been taken.

**7.7 Waiver of Rider SRA-SRT**

- a) During the ESP period, Small Commercial and Industrial End-use Customers and Large Commercial and Industrial End-use Customers served by a Certified Supplier may avoid Rider SRA-SRT and receive a shopping credit (Rider SC) if they agree to remain off ESP-SSO service through December 31, 2011.
- b) For a Small Commercial and Industrial End-use Customer or a Large Commercial and Industrial End-use Customer to avoid (waive) Rider SRA-SRT and receive a shopping credit (Rider SC), the following steps must be followed:
  - i) The Small Commercial and Industrial End-use Customer or Large Commercial and Industrial End-use Customer or their agent must submit a Rider SRA-SRT Waiver Notification form found on the Company's web site.
  - ii) Within 30 days of the Company's receipt of the Rider SRA-SRT Waiver Notification form, the Small Commercial and Industrial End-use Customer or Large Commercial and Industrial End-

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use Customer must either sign the Company's Customer Agreement for the waiver program or provide the Company acceptable proof that they have a fully executed contract with a Certified Supplier securing generation service through December 31, 2011.

- iii) If the requirements in paragraphs i) and ii) above are met, the waiver of Rider SRA-SRT and the associated shopping credit (Rider SC) become effective for the appropriate account number(s) on the regularly scheduled Meter Read Date(s) for the account number(s) that occur(s) at least 60 days subsequent to the Company's receipt of the Rider SRA-SRT Waiver Notification form submitted per paragraph i) above.
- c) Small Commercial and Industrial End-use Customers and Large Commercial and Industrial End-use Customers receiving generation service through a governmental aggregator will avoid (waive) Rider SRA-SRT and receive a shopping credit (Rider SC) if the governmental aggregator notifies the Company at least sixty (60) days prior to the start of the governmental aggregation of its intent to place all Small Commercial and Industrial End-use Customers and Large Commercial and Industrial End-use Customers served by the governmental aggregation on the Rider SRA-SRT waiver program and to maintain the governmental aggregation through December 31, 2011. Small Commercial and Industrial End-use Customers and Large Commercial and Industrial End-use Customers receiving generation service through such a governmental aggregation who do not want to participate in the Rider SRA-SRT waiver program may request the Company to bill them monthly for Rider SRA-SRT and to not apply a monthly shopping credit (Rider SC) to their bill.
- d) Any Small Commercial and Industrial End-use Customer or Large Commercial and Industrial End-use Customer participating in the Rider SRA-SRT waiver program, including those receiving generation service through a governmental aggregation, who returns to the ESP-SSO prior to December 31, 2011, will be billed a monthly early return premium described in section 7.8 of this Tariff Sheet.
- e) Residential End-use customers receiving generation service through a governmental aggregator will avoid (waive) Rider SRA-SRT if the governmental aggregator notifies the Company at least sixty (60) days prior to the start of the governmental aggregation of its intent to place all Residential End-Use Customers served by the governmental aggregation on the Rider SRA-SRT waiver program and to maintain the governmental aggregation through December 31, 2011. Residential End-use Customers receiving generation service through such a governmental aggregation who do not want to participate in the Rider SRA-SRT waiver program may request the Company to bill them monthly for Rider SRA-SRT. If a Residential End-use Customer receiving generation service through a governmental aggregation that has agreed to remain off the ESP-SSO through December 31, 2011 (in exchange for avoiding Rider SRT), and then returns to the ESP-SSO prior to December 31, 2011, such Residential End-use Customer will be billed a monthly early return premium based on 15% of the applicable generation charges and Riders described in Tariff 19 in addition to the normal charges calculated per the ESP-SSO.

**7.8. End-use Customer Return to ESP-SSO Service**

- a) An End-use Customer's return to ESP-SSO service may be a result of End-use Customer choice, Certified Supplier default, termination of a Certified Supplier contract, opt out or termination of a governmental aggregation program, or Certified Supplier withdrawal.

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- b) An End-use Customer may contact the Company to return to the Company's ESP-SSO service. The return to the Standard Offer Rate shall be conducted under the same terms and conditions applicable to an enrollment with a Certified Supplier. Thus, the Company will provide a rescission period consistent with the Commission's rules. Provided the End-use Customer has observed the applicable notification requirements and the Company has effectuated the request to return to the Standard Offer Rate twelve (12) calendar days prior to the next regularly scheduled Meter Read Date, the End-use Customer will be returned to the Standard Offer Rate on the next regularly scheduled Meter Read Date.
- c) Residential End-use Customers
  - i) Residential End-use Customers are not subject to a minimum stay.
  - ii) If a Residential End-use Customer's Certified Supplier defaults or the Residential End-use Customer opts out of a governmental aggregation program, the Residential End-use Customer will return to the Company's ESP-SSO and may switch to another Certified Supplier at any time. A Residential End-use Customer opting out of a governmental aggregation program must contact and inform the Company of the "opt out". The Residential End-use Customer will be mailed a letter the day following the successful processing of a DASR returning the Residential End-use Customer to the Company.
- d) Small Commercial and Industrial End-use Customers
  - i) A Small Commercial and Industrial End-use Customer participating in the Rider SRT/IMF waiver program who as of September 30, 2008 was being served by a Certified Supplier under a contract that expires on or after January 1, 2009, may return to the ESP-SSO without being charged a monthly early return premium (described in paragraph iii) below) if the Small Commercial and Industrial End-use Customer notifies the Company of its desire to return to the ESP-SSO no less than sixty (60) days prior to the expiration of their current contract with the Certified Supplier, excluding contract extensions.
  - ii) Small Commercial and Industrial End-use Customers are not subject to a minimum stay.
  - iii) If a Small Commercial and Industrial End-use Customer served by a Certified Supplier agrees to remain off the ESP-SSO through December 31, 2011 (in exchange for avoiding Rider SRA-SRT and receiving a shopping credit) or receives generation service through a governmental aggregation that has agreed to this arrangement returns to the ESP-SSO prior to December 31, 2011, such Small Commercial and Industrial End-use Customer will be billed a monthly early return premium based on 15% of the applicable generation charges and Riders described in Tariff 19 in addition to the normal charges calculated per the ESP-SSO.
  - iv) If a Small Commercial and Industrial End-use Customer served by a Certified Supplier individually or as part of a governmental aggregation pays Rider SRA-SRT while switched and does not receive a shopping credit, such Small Commercial and Industrial End-use Customer may return to the ESP-SSO without being charged an early return premium.
  - v) A Small Commercial and Industrial End-use Customer who enters a contract to be served by a Certified Supplier after December 31, 2008, and participates in the Rider SRT waiver program may return to the ESP-SSO on the January, 2012 regularly scheduled Meter Read Date(s) for their account(s) without being charged a monthly early return premium (described in paragraph iii) above) if the Small Commercial and Industrial End-use Customer notifies the Company of its desire to return to the ESP-SSO no less than sixty (60) days prior to the January, 2012 regularly scheduled Meter Read Date(s).

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If a Small Commercial and Industrial Customer returns to the Company, the Small Commercial and Industrial Customer is placed on the ESP-SSO. The Small Commercial and Industrial End-use Customer will be mailed a letter the day following the successful processing of a DASR returning the Small Commercial and Industrial End-use Customer to the Company.

**e) Large Commercial and Industrial End-use Customers**

- i) A Large Commercial and Industrial End-use Customer participating in the Rider SRT/IMF waiver program who as of September 30, 2008 was being served by a Certified Supplier under a contract that expires on or after January 1, 2009, may return to the ESP-SSO without being charged a monthly early return premium (described in paragraph iii) below) if the Large Commercial and Industrial End-use Customer notifies the Company of its desire to return to the ESP-SSO no less than sixty (60) days prior to the expiration of their current contract with the Certified Supplier, excluding contract extensions.
- ii) If a Large Commercial and Industrial End-use Customer served by a Certified Supplier agrees to remain off the ESP-SSO through December 31, 2011 (in exchange for avoiding Rider SRA-SRT and receiving a shopping credit) or receives generation service through a governmental aggregation that has agreed to this arrangement returns to the ESP-SSO between May 15th and September 16th and prior to December 31, 2011, such Large Commercial and Industrial End-use Customer must remain on the ESP-SSO for twelve (12) consecutive billing cycles (minimum stay) and will be billed a monthly early return premium based on 15% of the applicable generation charges and Riders described in Tariff 19 in addition to the normal monthly charges calculated per the ESP-SSO.
- iii) If a Large Commercial and Industrial End-use Customer served by a Certified Supplier agrees to remain off the ESP-SSO through December 31, 2011 (in exchange for avoiding Rider SRA-SRT and receiving a shopping credit) or receives generation service through a governmental aggregation that has agreed to this arrangement returns to the ESP-SSO outside the May 15th through September 16th timeframe and prior to December 31, 2011, such Large Commercial and Industrial End-use Customer will not be subject to a minimum stay and will be billed a monthly early return premium based on 15% of the applicable generation charges and Riders described in Tariff 19 in addition to the normal charges calculated per the ESP-SSO.
- iv) If a Large Commercial and Industrial End-use Customer served by a Certified Supplier individually or as part of a governmental aggregation pays Rider SRA-SRT while switched and does not receive a shopping credit, such Large Commercial and Industrial End-use Customer may return to the ESP-SSO without being subject to a minimum stay and without being charged an early return premium.
- v) A Large Commercial and Industrial End-use Customer who enters a contract to be served by a Certified Supplier after December 31, 2008, and participates in the Rider SRT waiver program may return to the ESP-SSO on the January, 2012 regularly scheduled Meter Read Date(s) for their account(s) without being charged a monthly early return premium (described in paragraph iii) above) if the Small Commercial and Industrial End-use Customer notifies the Company of its desire to return to the ESP-SSO no less than sixty (60) days prior to the January, 2012 regularly scheduled Meter Read Date(s).

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vi) Notification Periods for Large Commercial and Industrial End-use Customers

- 1) Large Commercial and Industrial End-use Customers are subject to a ninety (90) day notification period before returning to the Company's Standard Offer Rate between May 1 and October 31.
- 2) Large Commercial and Industrial End-use Customers are subject to a minimum of sixty (60) days notification period before returning to the Company's Standard Offer Rate between November 1 and April 30.
- 3) Large Commercial and Industrial End-use Customers returning to the Company's Standard Offer Rate without 60 or 90 days prior notice (whichever is applicable) will be assessed a charge of \$10/kW, based on peak kW demand during the three (3) Billing Cycles subsequent to their return.

7.9. Dispute Resolution

Any disputes concerning an End-use Customer's selection of a Certified Supplier that cannot be resolved among the End-use Customer and the affected Certified Suppliers may be directed to the Public Interest Center of the Commission by any of the parties involved.

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