BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application for Recovery)
of Costs, Lost Margin, and Performance)
Incentive Associated with the Implementation) Case No. 08-1227-EL-UNC
of Electric Residential Demand Side)
Management Programs by Duke Energy Ohio.)

In the Matter of the Application for Recovery)
of Costs, Lost Margin, and Performance)
Incentive Associated with the Implementation) Case No. 08-1228-EL-UNC
of Electric Non-Residential Demand Side)
Management Programs by Duke Energy Ohio.)

ENTRY

The attorney examiner finds:

(1) On November 17, 2008, Duke Energy Ohio (Duke) filed a status report on its existing demand side management (DSM) programs and applications to reconcile and update the DSM riders for recovery of program costs, lost margins, and shared savings associated with the implementation of a set of DSM programs. The application in Case No. 08-1227-EL-UNC (08-1227) is for residential consumers and the application in Case No. 08-1228-EL-UNC (08-1228) is for small/medium size business consumers.

(2) On February 20, 2009, and March 16, 2009, the motions to intervene filed by the Office of the Ohio Consumers' Counsel, Ohio Energy Group, The Kroger Co., and Ohio Partners for Affordable Energy were granted.

(3) By entry of February 20, 2009, a prehearing conference was scheduled for March 19, 2009. At the request of the parties, the prehearing conference was cancelled.

(4) The attorney examiner finds that a prehearing conference should now be held in these proceedings on May 13, 2009, at 10:00 a.m., in the offices of the Commission, Hearing Room 11-F, 180 East Broad Street, Columbus, Ohio 43215.

It is, therefore,

ORDERED, That a prehearing conference be held as set forth in finding 4. It is, further,

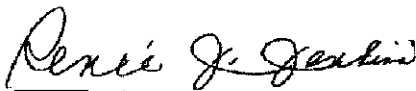ORDERED, That a copy of this entry be served upon all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

By: Scott Farkas
        Attorney Examiner

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Entered in the Journal
                    APR 16 2009

Reneé J. Jenkins
Secretary