

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of Duke Energy Ohio to Adjust and Set its Gas and Electric Recovery Rate for SmartGrid Deployment Under Riders AU and DR-IM.)	Case No. 09-543-GE-UNC
)	
In the Matter of the Application of Duke Energy Ohio for Tariff Approval.)	Case No. 09-544-GE-ATA
)	
In the Matter of the Application of Duke Energy Ohio to Change its Accounting Methods.)	Case No. 09-545-GE-AAM
)	

ENTRY

The attorney examiner finds:

- (1) By opinion and order issued May 28, 2008, in *In the Matter of the Application of Duke Energy Ohio, Inc., for an Increase in Rates*, Case No. 07-589-GA-AIR, et al. (*Gas Distribution Rate Case*), the Commission approved a stipulation that, *inter alia*, provided a process for filing deployment plans for the installation of a gas SmartGrid system, and a method for recovering costs associated with the plans, which was designated the advanced utility rider (Rider AU).
- (2) By opinion and order issued December 17, 2008, in *In the Matter of the Application of Duke Energy Ohio, Inc., for Approval of an Electric Security Plan*, Case No. 08-920-EL-SSO, et al. (*ESP Case*), the Commission approved a stipulation that, *inter alia*, provided a process for recovering costs associated with the deployment of an electric SmartGrid system, designated the distribution rider-infrastructure modernization rider (Rider DR-IM).
- (3) On June 30, 2009, Duke filed an application to adjust the gas and electric recovery rates for SmartGrid deployment, pursuant to the processes approved in the *Gas Distribution Rate Case* and the *ESP Case*. On August 19, 2009, the attorney examiner set the procedural schedule for the matter.

(4) On October 27, 2009, Duke filed a motion to extend the procedural schedule, proposing that the following dates be substituted for those adopted in the August 19 entry:

- November 2, 2009 - Staff and Intervenor testimony due
- November 9, 2009 - Duke to file supplemental testimony
- November 16, 2009 - hearing to commence at 10:00 a.m.

In support of its motion, Duke contends that the parties to this case are currently negotiating and hope to achieve a settlement and file a stipulation in the matter. As such, Duke asserts that the parties request a 4-day extension for the Staff and intervenor testimony deadline, as well as the deadline for Duke to file supplemental testimony.


(5) The attorney examiner finds that the arguments advanced in the motion to extend the procedural schedule are persuasive and that the motion should be granted.

It is, therefore,

ORDERED, That the motion to extend the procedural schedule be granted, in accordance with findings (4) and (5). It is, further,

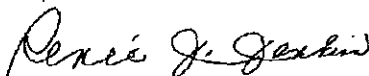
ORDERED, That a copy of this entry be served upon all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO


By: Rebecca Hussey
Attorney Examiner

Entered in the Journal

OCT 29 2009



Renee J. Jenkins
Secretary