

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the 2009 Electric Long- )  
Term Forecast Report of Duke Energy ) Case No. 09-503-EL-FOR  
Ohio, Inc. )

ENTRY

The attorney examiner finds:

- (1) On March 5, 2009, the Commission initiated this case, involving the electric long-term forecast report (LTFR) of Duke Energy Ohio, Inc. (Duke).
- (2) On April 16, 2009, Duke filed notification that a substantial change would be reflected in its electric LTFR that will be filed in this case in the near future. According to Duke, the substantial change results from the calculations done pursuant to Rule 4901:5-3-03 (C), Ohio Administrative Code, which sets forth the manner in which the average annual compound rate of change in electric peak loads for a given forecast are required to be calculated.
- (3) On May 11, 2009, Duke filed its 2009 electric LTFR. Section 4935.04(D)(3)(c), Revised Code, requires that the Commission hold a public hearing after the filing of an LTFR that contains a substantial change from the preceding report.
- (4) The attorney examiner finds that, in light of the substantial change contained in Duke's LTFR, a hearing should be scheduled in this matter. Accordingly, the hearing in this matter should commence on Thursday, January 21, 2010, at 10:00 a.m., at the offices of the Commission, 180 East Broad Street, 11<sup>th</sup> floor, Hearing Room 11-C, Columbus, Ohio 43215-3793
- (5) Duke should cause the following notice to be published once, not less than 15 days nor more than 30 days prior to January 21, 2010, in at least one newspaper of general circulation in each county in which Duke has or intends to locate a major utility

facility and will provide service during the period covered by the LTFR:

#### LEGAL NOTICE

The Public Utilities Commission of Ohio has scheduled a public hearing in Case No. 09-503-EL-FOR to review the 2009 electric long-term forecast report filed by Duke Energy Ohio, Inc. The long-term forecast report contains information regarding the company's annual energy demand, peak load, reserves, and a general description of the resource plan to meet demand over the forecast period. The public hearing will begin at 10:00 a.m., on Thursday, January 21, 2010, at the offices of the Commission, 180 East Broad Street, 11<sup>th</sup> floor, Hearing Room 11-C, Columbus, Ohio 43215.

Further information may be obtained by contacting the Public Utilities Commission of Ohio, 180 East Broad Street, Columbus, Ohio 43215-3793, viewing the Commission's web page at <http://www.puc.state.oh.us> or contacting the Commission's hotline at 1-800-686-7826.

- (6) On May 20, 2009, The Ohio Energy Group (OEG) filed a motion to intervene in this case. In its motion to intervene, OEG asserts that many of its member companies receive electric generation service from Duke; therefore, they may be directly affected by the outcome of this proceeding. OEG states that no other party can adequately represent its interest in this proceeding and that its participation in this proceeding will not unduly delay the proceeding or prejudice any party. No one filed memorandum contra the motion to intervene filed by OEG. The attorney examiner finds that OEG has set forth reasonable grounds for intervention. Accordingly, OEG's motion to intervene should be granted.

It is, therefore,

ORDERED, That a hearing be scheduled for Thursday, January 21, 2010, at 10:00 a.m., at the offices of the Commission. It is, further,

ORDERED, That Duke cause notice of the public hearing to be published as set forth in finding (5). It is, further,

ORDERED, That the motion to intervene filed by OEG be granted. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO



By: Katie L. Stenman  
Attorney Examiner

grg/dah

Entered in the Journal

DEC 21 2009



Renee J. Jenkins  
Secretary