

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of Duke)
Energy Ohio for Recovery of Costs, Lost)
Margin, and Performance Incentives)
Associated with the Implementation of) Case No. 09-283-EL-RDR
Electric Residential and Non-Residential)
Demand Side Management Programs.)

ENTRY

The attorney examiner finds:

- (1) On March 31, 2009, as amended July 13, 2009, Duke Energy Ohio (Duke) filed a status report on its existing demand side management (DSM) programs and an application 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.
- (2) On January 11, 2010, a telephone status conference was held, during which Duke, Staff, the Office of the Ohio Consumers' Counsel, Ohio Partners for Affordable Energy, and the Kroger Company were present. During the status conference, the parties agreed that a hearing in this matter should commence on Thursday, February 18, 2010, at 10:00 a.m., at the offices of the Commission, 180 East Broad Street, 11th floor, Hearing Room 11-C, Columbus, Ohio 43215-3793.
- (3) In addition, the attorney examiner finds that, the parties must file with the Commission, by 9:00 a.m. on February 17, 2010, one of the following documents:
 - (a) A stipulation signed by all or some of the parties;
 - (b) A statement that no stipulation will be forthcoming and the hearing should go forward on Thursday, February 18, 2010; or
 - (c) A motion to continue the hearing.

It is, therefore,

ORDERED, That a hearing be scheduled for Thursday, February 18, 2010, at 10:00 a.m., at the offices of the Commission. It is, further,

ORDERED, That the parties file one of the documents described in finding (3) by 9:00 a.m., on February 17, 2010. 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

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/dah

Entered in the Journal FEB 05 2010



Renee J. Jenkins
Secretary