

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of Duke)
Energy Ohio, Inc. for an Adjustment to) Case No. 09-1849-GA-RDR
Rider AMRP Rates.)

In the Matter of the Application of Duke) Case No. 09-1850-GA-ATA
Energy Ohio, Inc. for Tariff Approval.)

ENTRY

The attorney examiner finds:

- (1) On February 26, 2010, Duke Energy Ohio, Inc. (Duke) filed an application requesting an adjustment to its Accelerated Main Replacement Program (AMRP) rider (Rider AMRP), consistent with the Commission's May 28, 2008, order approving the stipulation 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., (Duke Distribution Rate Case)*.
- (2) By entry issued March 19, 2010, the attorney examiner, *inter alia*, established the procedural schedule in this case. Specifically, April 2, 2010, was set as the deadline for the filing of motions to intervene, as well as comments on the application by staff and intervenors. Duke was directed to file a statement, informing the Commission whether the issues raised in comments have been resolved by April 7, 2010. In addition, the attorney examiner scheduled the evidentiary hearing to commence on April 19, 2010.
- (3) The attorney examiner notes that, given the time frame agreed to by the parties in the *Duke Distribution Rate Case*, the deadline for the filing of expert testimony should be modified from that typically observed in proceedings before the Commission. Accordingly, the attorney examiner finds that expert testimony should be filed no later than noon on April 14, 2010. This deadline applies to all parties to the proceeding, including staff.
- (4) In light of the time frame for this proceeding, the attorney examiner directs the parties to provide service, to all parties including staff, by hand delivery, facsimile, or email, of any expert testimony filed.

- (5) All other procedural matters established in the March 19, 2010, entry remain in place.

It is, therefore,

ORDERED, That the procedural schedule set forth in finding (3) be adopted. It is, further,

ORDERED, That the process set forth in finding (4) be adhered to by the parties. 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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Entered in the Journal

APR 02 2010



Renee J. Jenkins
Secretary