

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of Vectren)
Energy Delivery of Ohio, Inc. for Authority) Case No. 10-595-GA-RDR
to Adjust its Distribution Replacement)
Rider Charges.)

ENTRY

The attorney examiner finds:

- (1) By opinion and order issued January 7, 2009, in Case No. 07-1080-GA-AIR, et. al., the Commission approved a stipulation that, *inter alia*, authorized Vectren Energy Delivery of Ohio, Inc. (VEDO) to establish a Distribution Replacement Rider (DRR), allowing VEDO to recover and receive a return on investments made by the company during the accelerated implementation of a program to replace bare steel and cast iron pipelines. The initial DRR charges became effective March 1, 2009, for a period of 12 months, in accordance with the terms of the stipulation. The DRR charges were reset to zero effective March 1, 2010. The stipulation also requires that VEDO file an application by May 1 each year, beginning in 2010, to establish the DRR to be effective on the following September 1 for the subsequent 12-month period. The stipulation further states that Staff will conduct an investigation of VEDO's application and shall issue a recommendation regarding the level of the DRR charge proposed in the application. If Staff finds, as part of its recommendation, that VEDO's application is unjust or unreasonable, or if any other party files an objection that is not resolved by VEDO, the stipulation provides that none of the parties, including VEDO, will object to a request for a hearing process in order to effectuate, to the extent possible and as long as consistent with there being full and reasonable discovery that provides for an expedited response time (i.e., ten days), the implementation of a successor DRR charge. In addition, the stipulation states

that VEDO will not oppose a request by any party to conduct permissible discovery.

- (2) On April 30, 2010, VEDO filed its application in the instant case, requesting approval of its proposed DRR charge.
- (3) On May 19, 2010, the office of the Ohio Consumer's Counsel (OCC) filed a motion to intervene. No memorandum contra OCC's motion to intervene was filed. The attorney examiner finds that OCC's motion to intervene is reasonable and should be granted.
- (4) In order to accomplish the review of VEDO's proposed DRR charge, the attorney examiner finds that the following procedural schedule should be established:
 - (a) July 30, 2010 – Deadline for the filing of motions to intervene.
 - (b) July 30, 2010 – Deadline for Staff and intervenors to file comments on the application.
 - (c) August 4, 2010 – Deadline for VEDO to file a statement, informing the Commission whether the issues raised in the comments have been resolved.
 - (d) In the event all of the issues raised in the comments are not resolved, or if the Commission deems the application may be unjust or unreasonable, a hearing will be held and the following procedural schedule will be followed:
 - (i) August 9, 2010 – VEDO's testimony will be due on this date.

- (ii) August 13, 2010 – Deadline for Staff and intervenors to file testimony.
- (iii) August 19, 2010 – The hearing will commence at 10:00 a.m., at the offices of the Commission, 180 East Broad Street, 11th floor, Hearing Room 11-C, Columbus, Ohio 43215.
- (iv) By 10 a.m. on August 18, 2010, the parties must file one of the following documents with the Commission:
 - (a) A stipulation signed by all or some of the parties;
 - (b) A statement that no stipulation will be forthcoming and that the hearing should go forward on August 19, 2010; or
 - (c) A motion to continue the hearing. If one or more parties request a continuance of the hearing, they should notify the attorney examiner and the other parties to this case as soon as they are aware that a continuance is necessary. The movant should coordinate with the other parties and, in its motion, provide several possible alternative hearing dates for the examiner's consideration.


It is, therefore,

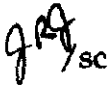
ORDERED, That OCC's motion to intervene be granted, in accordance with finding (3). It is, further,

ORDERED, That the procedural schedule set forth in finding (4) be adopted. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO


By: Henry H. Phillips-Gary
Attorney Examiner



Entered in the Journal

JUN 16 2010


Renee J. Jenkins

Reneé J. Jenkins
Secretary