

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of Duke )  
Energy Ohio, Inc. to Adjust and Set the ) Case No. 10-1268-EL-RDR  
Annually Adjusted Component of its )  
Market-Based Standard Service Offer. )

ENTRY

The attorney examiner finds:

- (1) 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., the Commission approved a stipulation submitted by Duke Energy Ohio, Inc. (Duke) and other parties in that case. The stipulation, as approved, provides that Duke may submit a request annually for the recovery of net incremental costs or credits associated with environmental compliance, homeland security, and changes in tax law included in the price-to-compare, annually adjusted component rider (Rider PTC-AAC). The stipulation states that such request will be subject to due process and the opportunity for hearing.
- (2) On September 1, 2010, Duke filed an application to establish a new price for Rider PTC-AAC, along with testimony supporting the application.
- (3) In order to accomplish the review of Duke's proposed adjustment to Rider PTC-AAC, the attorney examiner finds that the following procedural schedule should be established:
  - (a) October 12, 2010 – Deadline for the filing of motions to intervene.
  - (b) October 12, 2010 – Deadline for the filing of comments on the application by Staff and intervenors.
  - (c) October 22, 2010 – Deadline for all parties to file reply comments.
  - (d) November 1, 2010 – 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 Staff and intervenor testimony will be due on this date.

- (e) November 8, 2010 – In the event a hearing is deemed necessary, Duke's supplemental testimony will be due on this day.
- (f) November 15, 2010 – In the event a hearing is deemed necessary, the hearing will commence at 10:00 a.m., at the offices of the Commission, 180 East Broad Street, 11<sup>th</sup> floor, 11-C, Columbus, Ohio 43215.

It is, therefore,

ORDERED, That the procedural schedule set forth in finding (3) 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: Katie L. Stenman  
Attorney Examiner

/dah <sup>710</sup>

Entered in the Journal

SEP 03 2010



Renee J. Jenkins  
Secretary