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BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

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In the Matter of the 2010 Long-Term
Forecast Report of Duke Energy Ohio, Inc.

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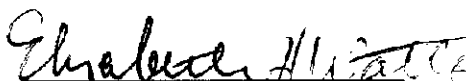
Case No. 10-503-EL-FOR

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**MOTION OF DUKE ENERGY OHIO, INC. TO CONTINUE SCHEDULE FOR
PROCEEDINGS IN ITS LONG TERM FORECAST AND RESOURCE PLAN
AND
REQUEST FOR EXPEDITED TREATMENT**

Pursuant to Ohio Admin. Code, Rule 4901-1-13(A), Duke Energy Ohio, Inc. respectfully requests that this Commission, on an expedited basis, grant this motion for an extension of time for the completion of discovery, the filing of testimony by all parties and the holding of a hearing on this matter. The reasons for this motion are set forth more fully in the attached memorandum.

Respectfully submitted,



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MEMORANDUM IN SUPPORT

Duke Energy Ohio, Inc. (Duke Energy Ohio or the Company) submitted an application for approval of its Long-Term Forecast and Resource Plan in compliance with Ohio Administrative Code 4901:5-1-02 on June 15, 2010. Subsequently, motions to intervene were filed by The Office of the Ohio Consumers' Counsel, Ohio Environmental Council, Ohio Environmental Law & Policy Center, The Sierra Club, The National Resources Defense Council, The Solar Alliance, and the Mid-Atlantic Renewable Energy Coalition.

A prehearing conference was held on July 28, 2010, wherein a procedural schedule was discussed. The procedural schedule issued by the Attorney Examiner on August 12, 2010 contemplated a technical conference on August 17, 2010, a public hearing on September 13, 2010, and an evidentiary hearing on November 8, 2010. The technical conference occurred on the date set by the Attorney Examiner and parties were afforded an opportunity to pose questions as needed. The public hearing was held on September 13, 2010 and members of the public appeared and testified.

While the matter has been pending, the Company has responded to numerous discovery requests for information and documents. The Company is presently responding to discovery propounded by all of the parties and the Commission Staff. Much of the discovery is related to the parties' concerns regarding the potential construction of a nuclear power plant.

Revised Code Section 4928.143(B)(2)(c), provides a mechanism whereby the Company may seek a non-bypassable surcharge for the life of a new generating facility if the Commission first determines, among other things, a need for such new facility based on resource planning projections submitted by the electric distribution utility. It appears that intervening parties to this

case anticipate that the application in this proceeding is the first step in a process whereby Duke Energy Ohio would seek to justify the construction of a nuclear power plant as a precursor to seeking cost recovery in separate standard service offer, electric security plan. Duke Energy Ohio anticipates that the filing of an SSO case will clarify this point and may alleviate any undue attention or concern with regard to this issue in this case.

Additionally, based upon comments submitted by members of the public at the public hearing held on September 13, 2010, there is an additional misperception with regard to Duke Energy Ohio's compliance with new renewable and energy efficiency mandates as set forth in Amended Substitute Senate Bill 221 (SB 221). Members of the public expressed their concern that the Commission should "hold the Company's feet to the fire" and require the Company to comply with the mandates set forth in SB 221. Duke Energy Ohio submitted its plans for compliance in other dockets presently pending before the Commission.¹ In each of these applications, Duke Energy Ohio demonstrated that it has achieved compliance for 2009 and intends to remain in compliance so long as it is economically feasible to do so.² Duke Energy Ohio has a notably long and successful history of pursuing energy efficiency and peak demand reduction. The Company intends to maintain its status as a leader in this area and will make every effort to comply with the mandates of SB 221.

Since the filing of this case, the Company has engaged in deliberative internal planning for its next Standard Service Offer (SSO) filing, which is expected to be submitted to the

¹ *In the Matter of the Report of Duke Energy Ohio, Inc. concerning its Energy Efficiency and Peak Demand Reduction Programs and Portfolio Planning*, Case No. 09-1999-EL-EEC, (Application, December 29, 2009) and, *In the Matter of the Report of Duke Energy Ohio, Inc. concerning its Advanced and Renewable Energy Baseline and Benchmarks*, Case No. 10-513-EL-ACP, (Application, April 15, 2010).

² Duke Energy Ohio sought a force majeure with respect to in-state solar compliance since none was available.

Commission prior to the end of 2010. The Company's filing will significantly impact the consideration of issues in the Long-Term Forecast and Resource Plan. Due to the interaction between and SSO application and this proceeding, the Company submits that it is reasonable to delay further development of the issues in this docket.

Duke Energy Ohio submits that it makes good regulatory and public policy sense to delay further activity in this proceeding until after the Company has filed its next SSO. At such time as the SSO filing has been made, the Commission will be in a better position to set a schedule that is appropriate to its needs and parties will be able to determine whether or not to pursue further discovery or procedural development of their respective issues.

Therefore, for the reasons above stated, Duke Energy Ohio respectfully requests that the procedural schedule set by the Attorney Examiner in an Entry docketed on August 12, 2010 be suspended until early 2011. At that time, Duke would respectfully request that the Attorney Examiners schedule an additional procedural conference.

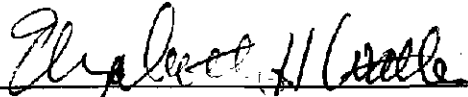
Respectfully submitted,



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Certificate of Service

I hereby certify that a true and accurate copy of the foregoing has been served upon the following parties via electronic mail, regular mail or by hand delivery this 7th day of October, 2010.


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