

# Large Filing Separator Sheet

Case Number: 10-2586-EL-SSO

File Date: 11/15/2010

Section: 2 of 3

Number of Pages: 102

Description of Document: Volume 3 / Testimony  
of  
James E. Ziolkowski

Duke Energy Ohio  
139 East Fourth Street  
Cincinnati, Ohio 45202

P.U.C.O. Electric No. 19  
Sheet No. 64.13  
Cancels and Supersedes  
Sheet No. 64.12  
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Sheet No. 105, Rider DR-ECF, Economic Competitiveness Fund Rider  
Sheet No. 108, Rider UE-ED, Uncollectible Expense – Electric Distribution Rider  
Sheet No. 109, Rider RECON, Fuel Reserve Capacity Reconciliation Rider  
Sheet No. 110, Rider AER-R, Alternative Energy Recovery Rider  
Sheet No. 111, Rider GEN, Generation Service Rider  
Sheet No. 112, Rider MRO, Market Rate Offer Tracker

#### **LATE PAYMENT CHARGE**

Payment of the total amount due must be received in the Company's office by the due date shown on the bill. When not so paid, an additional amount equal to one and one-half percent (1.5%) of the unpaid balance is due and payable. The late payment charge is not applicable to unpaid account balances for services received from a Certified Supplier.

#### **TERM OF SERVICE**

Three (3) years, terminable thereafter on ten (10) days written notice by either customer or Company.

#### **GENERAL CONDITIONS**

1. In cases of repeated vandalism, the Company at its option will repair or remove its damaged equipment and the customer shall pay for repairs on a time and material basis, plus overhead charges. If the equipment is removed the customer will be billed for the unexpired term of the contract.
2. If any Company owned lighting unit is required to be relocated, removed or replaced with another unit of the same or lower lamp wattage, the customer ordering this shall pay the Company the sacrifice value of the unit, plus labor and overhead charges, unless in the judgment of the Company no charges should be made. An estimate of the cost will be submitted for customer approval before work is carried out.
3. When a lighting unit reaches end of life or becomes obsolete and parts cannot be reasonably obtained, the Company can remove the unit at no expense to the customer after notifying the customer. The customer shall be given the opportunity to arrange for another type lighting unit provided by the Company.

#### **SERVICE REGULATIONS**

The supplying of, and billing for, service and all conditions applying thereto, are subject to the jurisdiction of the Public Utilities Commission of Ohio, and to the Company's Service Regulations, currently in effect, as filed with the Public Utilities Commission of Ohio.

Filed pursuant to an Order dated \_\_\_\_\_ in Case No. \_\_\_\_\_ before the  
Public Utilities Commission of Ohio.

Issued:

Effective:

Issued by Julie Janson, President

Duke Energy Ohio  
139 East Fourth Street  
Cincinnati, Ohio 45202

P.U.C.O. Electric No. 19 Attachment JEZ-1  
Sheet No. 65.13 Page 128 of 227  
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## RATE SC

### STREET LIGHTING SERVICE - CUSTOMER OWNED

#### APPLICABILITY

Applicable to municipal, county, state and Federal governments, including divisions thereof, and incorporated homeowners associations for the lighting of public streets and roads when the total investment and installation costs of the fixtures are borne by the customer. The fixture shall be a Company approved unit used in overhead and underground distribution areas.

For customers taking service under any or all of the provisions of this tariff schedule, this same schedule shall constitute the Company's Standard Service Offer.

Mercury Vapor lighting fixtures will not be installed by the Company after June 1, 2003. As currently installed Mercury Vapor fixtures are retired and/or replaced, they may be replaced with either Metal Halide or Sodium Vapor fixtures as the customer chooses.

This service will no longer be available for units installed after December 31, 2008.

#### TYPE OF SERVICE

All equipment will be owned by the customer but may be installed by customer or Company with limited maintenance performed by the Company. Limited maintenance includes only fixture cleaning, relamping, and glassware and photo cell replacement. All lamps will burn from dusk to dawn, approximately 4,160 hours per annum. The Company will endeavor to replace burned-out lamps within 48 hours after notification by the customer. The Company does not guarantee continuous lighting and shall not be liable to the customer or anyone else for any damage, loss or injury due to any cause.

#### NET MONTHLY BILL

The following monthly charge for each lamp with luminaire, controlled automatically, will be assessed:

	Lamp Watts	KW/Unit	Annual kWh	Distribution Energy & Equipment \$/Unit
1. Base Rate				
Fixture Description				
Standard Fixture				
(Cobra Head)				
Mercury Vapor				
21,000 lumen	400	0.430	1,788	0.301
Sodium Vapor				
9,500 lumen	100	0.117	487	1.180
16,000 lumen	150	0.171	711	1.180
22,000 lumen	200	0.228	948	1.182
27,500 lumen	250	0.318	1,323	0.452
50,000 lumen	400	0.471	1,959	0.689

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**NET MONTHLY BILL (Contd.)**

	<u>Lamp Watts</u>	<u>KW/Unit</u>	<u>Annual kWh</u>	<u>Distribution Energy &amp; Equipment \$/Unit</u>
Decorative Fixtures				
Sodium Vapor				
16,000 lumen (Hadco)	150	0.171	711	1.510
22,000 lumen (Rectilinear)	200	0.246	1,023	0.994
50,000 lumen (Rectilinear)	400	0.471	1,959	1.018

Where a street lighting fixture served overhead is to be installed on another utility's pole on which the Company does not have a contact, a monthly pole charge will be assessed.

<u>Pole Description</u>	<u>Pole Type</u>	<u>\$/ Pole</u>
Wood		
30 foot	W30	4.74
35 foot	W35	5.01
40 foot	W40	5.79
Aluminum		
12 foot	A12	12.70
28 foot	A28	7.05

**Customer Owned and Maintained Units**

The rate for energy used for this type street lighting will be shown below. The monthly kilowatt-hour usage will be mutually agreed upon between the Company and the customer. Where the average monthly usage is less than 150 kWh per point of delivery, the customer shall pay the Company, in addition to the monthly charge, the cost of providing electric service on the basis of time and material plus overhead charges. An estimate of the cost will be submitted for approval before work is carried out.

Distribution	\$0.004610 per kWh
PTC-Base Generation	
2009	(\$0.000444) per kWh
2010	\$0.000128 per kWh
2011	\$0.003013 per kWh

**2. Applicable Riders**

The following riders are applicable pursuant to the specific terms contained within each rider:

Sheet No. 53, Rider PTC-FPP, Fuel and Economy Purchased Power Rider  
Sheet No. 57, Rider RTD, Regional Transmission Organization  
Sheet No. 58, Rider DRI, Distribution Reliability Investment Tracker  
Sheet No. 70 Rider DR, Storm Recovery Rider  
Sheet No. 80, Rider SCR, Supplier Cost Reconciliation Rider  
Sheet No. 81, Rider EER, Energy-Efficiency Revolving Loan Program Rider  
Sheet No. 83, Rider OET, Ohio Excise Tax Rider

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### NET MONTHLY BILL (Contd.)

Sheet No. 84, Rider RTC, Regulatory Transition Charge Rider  
Sheet No. 86, Rider USR, Universal Service Fund Rider  
Sheet No. 88, Rider UE-GEN, Uncollectible Expense – Electric Generation Rider  
Sheet No. 89, Rider BTR, Base Transmission Rider  
Sheet No. 103, Rider EIR – Environmental Investment Rider  
Sheet No. 105, Rider DR-ECF, Economic Competitiveness Fund Rider  
Sheet No. 108, Rider UE-ED, Uncollectible Expense – Electric Distribution Rider  
Sheet No. 109, Rider RECON, Fuel Reserve Capacity Reconciliation Rider  
Sheet No. 110, Rider AER-R, Alternative Energy Recovery Rider  
Sheet No. 111, Rider GEN, Generation Service Rider  
Sheet No. 112, Rider MRO, Market Rate Offer Tracker

### LATE PAYMENT CHARGE

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### TERM OF SERVICE

The street lighting units are installed for the life of the unit, terminable on one hundred twenty (120) days written notice by either customer or Company subject to Paragraph 4 or 6 under General Conditions.

### GENERAL CONDITIONS

- (1) If the customer requires the installation of a unit at a location which requires the extension, relocation, or rearrangement of the Company's distribution system, the customer shall, in addition to the monthly charge, pay the Company on a time and material basis, plus overhead charges, the cost of such extension, relocation, or rearrangement, unless in the judgment of the Company no charge should be made. An estimate of the cost will be submitted for approval before work is carried out.
- (2) Installation of street lighting units will be predicated on the ability of the Company to obtain, without cost to itself or the payment or other consideration, all easements and rights-of-way which, in the opinion of the Company, are necessary for the construction, maintenance and operation of the street lights, standards, anchors and/or service wires. If such easements and rights-of-way cannot be so obtained, the Company shall have no obligation hereunder to install such units.
- (3) The time within which the Company will be able to commence or to complete the services to be performed is dependent on the Company's ability to secure the materials required, and the Company shall not be responsible for failure to install these street light units for such reason.
- (4) If an installed street lighting unit is required to be relocated, removed, or replaced by the Company, the ordering Authority shall pay the Company the cost agreed upon under a separate contract.

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#### GENERAL CONDITIONS (Cont'd)

- (5) Lamps and refractors which are maintained by the Company shall be kept in good operating condition by and at the expense of the Company.  
In cases of vandalism, the Company will repair the damaged property and the customer shall pay for such repair on a time and material basis, plus overhead charges, unless in the judgment of the Company no charge should be made. An estimate of the cost will be submitted for approval before work is carried out.
- (6) When a customer owned lighting unit becomes inoperative the cost of repair, replacement or removal of the unit will be at the customer's expense.
- (7) All lights installed on an overhead distribution system will be installed by Company under a separate contract with customer.

#### SERVICE REGULATIONS

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## RATE SE

### STREET LIGHTING SERVICE - OVERHEAD EQUIVALENT

#### APPLICABILITY

Applicable to municipal, county, state and federal governments, including divisions thereof, and incorporated homeowners associations, for the lighting of public streets and roads with Company lighting fixtures in underground distribution areas, where the customer elects to make a contribution for the installation of the fixture, mounting, pole and secondary wiring to obtain the rate/unit for the same size standard fixture (cobra head) in an overhead distribution area.

For customers taking service under any or all of the provisions of this tariff schedule, this same schedule shall constitute the Company's Standard Service Offer.

Mercury Vapor lighting fixtures will not be installed by the Company after June 1, 2003. As currently installed Mercury Vapor fixtures are retired and/or replaced, they may be replaced with either Metal Halide or Sodium Vapor fixtures as the customer chooses.

This service will no longer be available for units installed after December 31, 2004.

#### TYPE OF SERVICE

All equipment will be installed, owned and maintained by the Company. All lamps will burn from dusk to dawn, approximately 4,160 hours per annum. The Company will endeavor to replace burned-out lamps within 48 hours after notification by the customer. The Company does not guarantee continuous lighting and shall not be liable to the customer or anyone else for any damage, loss or injury due to any cause.

#### NET MONTHLY BILL

The following monthly charge for each lamp with luminaire, controlled automatically, will be assessed:

	Lamp Watts	KW/Unit	Annual kWh	Distribution Energy & Equipment \$/Unit
1. Base Rate				
Fixture Description				
Decorative Fixtures				
Mercury Vapor				
7,000 lumen (Town & Country)	175	0.205	853	3.547
7,000 lumen (Holographane)	175	0.210	874	3.497
7,000 lumen (Gas Replica)	175	0.210	874	3.497
7,000 lumen (Aspen)	175	0.210	874	3.497

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**NET MONTHLY BILL (Cont'd)**

	Lamp Watts	KW/Unit	Annual kWh	Distribution Energy & Equipment \$/Unit
<u>Sodium Vapor</u>				
9,500 lumen (Town & Country)	100	0.117	487	5.704
9,500 lumen (Holophane)	100	0.128	532	5.598
9,500 lumen (Rectilinear)	100	0.117	487	5.704
9,500 lumen (Gas Replica)	100	0.128	532	5.598
9,500 lumen (Aspen)	100	0.128	532	5.598
22,000 lumen (Rectilinear)	200	0.246	1,023	5.968
50,000 lumen (Rectilinear)	400	0.471	1,959	7.518
<u>Metal Halide</u>				
14,000 lumen (Town & Country)	175	0.205	853	3.547
14,000 lumen (Granville)	175	0.210	874	3.497
14,400 lumen (Rectangular Cutoff)	175	0.210	874	9.921
14,500 lumen (Gas Replica)	175	0.210	874	3.497
36,000 lumen (Low Profile)	400	0.455	1,893	8.552

Additional facilities, other than specified above, if required, will be billed at the time of installation.

2. **Applicable Riders**

The following riders are applicable pursuant to the specific terms contained within each rider:

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Sheet No. 57, Rider Rider RTO, Regional Transmission Organization  
Sheet No. 58, Rider DRI, Distribution Reliability Investment Tracker  
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#### **LATE PAYMENT CHARGE**

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#### **TERM OF SERVICE**

The street lighting units are installed for the life of the unit, terminable on one hundred twenty (120) days written notice by either customer or Company subject to Paragraph 4 or 6 under General Conditions.

#### **GENERAL CONDITIONS**

- (1) If the customer requires the installation of a unit at a location which requires the extension, relocation, or rearrangement of the Company's distribution system, the customer shall, in addition to the monthly charge, pay the Company on a time and material basis, plus overhead charges, the cost of such extension, relocation, or rearrangement, unless in the judgment of the Company no charge should be made. An estimate of the cost will be submitted for approval before work is carried out.
- (2) Installation of street lighting units will be predicated on the ability of the Company to obtain, without cost to itself or the payment or other consideration, all easements and rights-of-way which, in the opinion of the Company, are necessary for the construction, maintenance and operation of the street lights, standards, anchors and/or service wires. If such easements and rights-of-way cannot be so obtained, the Company shall have no obligation hereunder to install such units.
- (3) The time within which the Company will be able to commence or to complete the services to be performed is dependent on the Company's ability to secure the materials required, and the Company shall not be responsible for failure to install these street light units for such reason.
- (4) If an installed street lighting unit is required to be relocated, removed, or replaced with another unit of the same or less rated lamp wattage, the ordering Authority shall pay the Company the sacrifice value of the unit, plus labor and overhead charges, unless in the judgment of the Company no charge should be made. An estimate of the cost will be submitted for approval before work is carried out.
- (5) Lamps and refractors which are maintained by the Company shall be kept in good operating condition by and at the expense of the Company.

In cases of vandalism, the Company will repair the damaged property and the customer shall pay for such repair on a time and material basis, plus overhead charges, unless in the judgment of the Company no charge should be made. An estimate of the cost will be submitted for approval before work is carried out.

- (6) When a street lighting unit reaches end of life or becomes obsolete and parts cannot be reasonably obtained, the Company can remove the unit at no expense to the customer after notifying the customer. The customer shall be given the opportunity to arrange for another type lighting unit provided by the Company.

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**GENERAL CONDITIONS (Cont'd)**

- (7) The contribution only provides for replacement of these facilities due to occasional damage or premature malfunction. It does not cover replacement at end of life.

**SERVICE REGULATIONS**

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## RATE UOLS

### UNMETERED OUTDOOR LIGHTING ELECTRIC SERVICE

#### APPLICABILITY

Applicable for electric energy usage only for any street or outdoor area lighting system (System), operating during the dusk to dawn time period, on private or public property and owned by the customer or the Company. The customer must be adjacent to an electric power line of the Company that is adequate and suitable for supplying the necessary electric service.

Service under this tariff schedule shall require a written agreement between the customer and the Company specifying the calculated lighting kilowatt-hours. The System shall comply with the connection requirements in the Company's Electric Service Regulations, Section III, Customer's and Company's Installations.

For customers taking service under any or all of the provisions of this tariff schedule, this same schedule shall constitute the Company's Standard Service Offer.

#### CONTRACT FOR SERVICE

The customer will enter into an Agreement for Electric Service for Outdoor Lighting for a minimum of one year and renewable annually, automatically, thereafter.

The Company will provide unmetered electric service based on the calculated annual energy usage for each luminaire's lamp wattage plus ballast usage (impact wattage). The System kilowatt-hour usage shall be determined by the number of lamps and other System particulars as defined in the written agreement between the customer and Company. The monthly kilowatt-hour amount will be billed at the rate contained in the NET MONTHLY BILL section below.

#### LIGHTING HOURS

The unmetered lighting System will be operated automatically by either individual photoelectric controllers or System controller(s) set to operate on either dusk-to-dawn lighting levels or on pre-set timers for any hours between dusk-to-dawn. The hours of operation will be agreed upon between the customer and the Company and set out in the Agreement. Dusk-to-dawn lighting typically turns on and off approximately one-half (1/2) hour after sunset and one-half (1/2) hour before sunrise which is approximately 4160 hours annually.

#### NET MONTHLY BILL

Computed in accordance with the following charge:

1. Base Rate Distribution	\$0.004611 per kWh
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## NET MONTHLY BILL (Contd.)

### 2. Applicable Riders

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## OWNERSHIP OF SERVICE LINES

Company will provide, install, own, operate and maintain the necessary facilities for furnishing electric service to the System defined in the agreement. If the customer requires the installation of a System at a location which requires the extension, relocation, or rearrangement of the Company's distribution system, the customer shall, in addition to the monthly charge, pay the Company on a time and material basis, plus overhead charges, the cost of such extension, relocation, or rearrangement, unless in the judgment of the Company no charge should be made. An estimate of the cost will be submitted for approval before work is carried out.

The Company shall erect the service lines necessary to supply electric energy to the System within the limits of the public streets and highways or on private property as mutually agreed upon by the Company and the customer. The customer shall assist the Company, if necessary, in obtaining adequate written easements covering permission to install and maintain any service lines required to serve the System.

The Company shall not be required to pay for obtaining permission to trim or re-trim trees where such trees interfere with lighting output or with service lines or wires of the Company used for supplying electric energy to the System. The customer shall assist the Company, if necessary, in obtaining permission to trim trees where the Company is unable to obtain such permission through its own best efforts.

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**RATE OL-E  
OUTDOOR LIGHTING EQUIPMENT INSTALLATION**

**APPLICABILITY**

Applicable for the installation of any street or outdoor area lighting system (System) on private or public property and owned by the Company. The customer must be adjacent to an electric power line of the Company that is adequate and suitable for supplying the necessary electric service.

Service for the System under this tariff shall require a written agreement between the Customer and the Company. The System shall comply with the connection requirements in the Company's Electric Service Regulations, Section III, Customer's and Company's Installations.

A separate written agreement is required for the electrical energy consumed by this lighting system.

**CONTRACT FOR SERVICE**

The Customer will enter into an Outdoor Lighting Equipment Agreement, herein 'Agreement', with the Company for an initial term not to exceed ten years and automatically renewable annually thereafter. Termination by either party shall require 120 days advance written notice. The Agreement shall specify the lighting equipment to be installed and owned by the Company, the term of the agreement, itemized monthly charges for the equipment, maintenance terms, and any other necessary information.

The initial Agreement will include two specific monthly charges: a monthly System Charge based on the Company's cost of purchasing and installing the System (Installed Cost), and a monthly Maintenance Charge. The monthly System Charge will end with the expiration of the initial Agreement term while the monthly Maintenance Charge will continue for the life of the System. When the Agreement is terminated by Customer request before initial term expiration, the Customer must reimburse the Company the sum of all remaining monthly System Charges for the initial term of the Agreement, minus salvage value as determined by the Company.

The System Charge is determined by applying the current Levelized Fixed Charge Rate (LFCR), to the Company's cost of purchasing and installing the System. The Customer agrees to the resulting monthly charge that is dependent on the initial term length of the Agreement. The initial term length is the Customer's choice up to and including ten years. The Customer may make an up-front payment that will be applied against the Installed Cost and will thereby reduce the monthly System Charge.

The monthly Maintenance Charge covers estimated equipment maintenance costs as specified in the Agreement, including the ongoing costs of ownership such as administration, taxes and insurance. The Agreement allows for re-evaluation and possible adjustment to the monthly Maintenance Charges every three years.

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#### LEVELIZED FIXED CHARGE CALCULATION

The annual Levelized Fixed Charge Rate percentage is calculated as follows:

$$LFCR = r + d + \left( \frac{T}{1-T} \right) \times (r + d - D) \times \left( \frac{r - i}{r} \right)$$

Where  $r$  = Rate of Return (Cost of Capital)  
 $D$  = Depreciation Rate (straight line)  
 $T$  = Federal and State Composite Income Tax Rate  
 $i$  = Synchronized Interest Deduction  
 $d$  = Sinking Fund Factor

#### LATE PAYMENT CHARGE

Payment of the total monthly amount due must be received in the Company's office by the due date shown on the bill. When not so paid, an additional amount equal to one and one-half percent (1.5%) of the unpaid balance is due and payable.

#### OWNERSHIP OF SERVICE LINES

Company will provide, install, own, operate and maintain the necessary facilities for furnishing electric service to the System defined in the agreement. If the Customer requests the installation of a System at a location which requires the extension, relocation, or rearrangement of the Company's distribution system, the Customer shall, in addition to the monthly charge, pay the Company on a time and material basis, plus overhead charges, the cost of such extension, relocation, or rearrangement, unless in the judgment of the Company no charge should be made. An estimate of the cost will be submitted for approval and payment before work is carried out.

The Company shall erect the service lines necessary to supply electric energy to the System within the limits of the public streets and highways or on private property as mutually agreed upon by the Company and the Customer. The Customer shall assist the Company, if necessary, in obtaining adequate written easements covering permission to install and maintain any service lines required to serve the System.

The Company shall not be required to pay for obtaining permission to trim or re-trim trees where such trees interfere with lighting output or with service lines or wires of the Company used for supplying electric energy to the System. The Customer shall assist the Company, if necessary, in obtaining permission to trim trees where the Company is unable to obtain such permission through its own efforts.

#### SERVICE REGULATIONS

The supplying of and billing for service and all conditions applying thereto, are subject to the jurisdiction of the Public Utilities Commission of Ohio, and to Company's Service Regulations currently in effect, as filed with the Public Utilities Commission of Ohio.

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**RIDER DR**

**STORM RECOVERY RIDER**

**APPLICABILITY**

Applicable to all retail jurisdictional customers in the Company's electric service areas.

**STORM RECOVERY RIDER**

All retail jurisdictional customers shall be assessed a charge to recover the revenue requirement associated with costs incurred by the Company due to Hurricane Ike. The rate for all customers shall be \$0.000000 pending the Commission's approval of the Company's application in this matter.

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**RIDER DIR**

**DEVELOPMENT INCENTIVE RIDER**

**GENERAL**

Under the terms of this Rider, qualifying customers are required to enter into a Service Agreement with the Company. The Development Incentive Rider consists of three separate programs designed to encourage development and/or redevelopment within the Company's service territory. These three programs are 1. the Economic Development Program 2. the Urban Redevelopment Program and 3. the Brownfield Incentive Program. Requirements of these programs are described below.

**PROGRAM DESCRIPTIONS**

**Economic Development Program**

Available, at the Company's option, to non-residential customers receiving service under the provisions of one of the Company's non-residential tariff schedules. This Rider is available for load associated with initial permanent service to new establishments, expansion of existing establishments, or new customers in existing establishments who make application to the Company for service under this Rider and the Company approves such application. The new load applicable under this Rider must be a minimum of 1,000 kW at one delivery point. To qualify for service under this Rider, the customer must meet the qualifications as set forth below. Further, the customer must have applied for and received economic assistance from the State or local government or other public agency before the Company will approve a Service Agreement under this Rider. Where the customer is new to the Company's service area or is an existing customer expanding:

- 1) the customer must employ an additional workforce in the Company's service area of a minimum of twenty-five (25) full-time equivalent (FTE) employees. Employment additions must occur following the Company's approval for service under this Rider, and;
- 2) the customer's new load must result in minimum customer capital investment of one million dollars (\$1,000,000) at the customers' facility within the Company's service area. This capital investment must occur following the Company's approval for service under this Rider. (Item #1 above may be waived where an existing customers capital investment exceeds \$10 million.)

The Company may also consider applying this Rider to an existing customer who, but for economic incentives being provided by the State and/or local government or public agency, would leave the Company's service area. In this event, the following provision applies:

- 1) The customer must agree, at a minimum, to retain the current number of FTE employees.

**Urban Redevelopment Program**

Applicable to new customers locating in an existing building of 50,000 square feet or more, which has been unoccupied and/or remained dormant for a period of two years or more, as determined by the Company. The new customer load must be a minimum of 500 kW at one delivery point. In addition, the requested service necessary to serve the new load must not result in additional investment in distribution or transmission facilities by the Company, excepting that minor alterations in the service supplied which can be accomplished feasibly and economically may be allowed.

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## PROGRAM DESCRIPTIONS (Contd.)

### **Brownfield Redevelopment Program**

Applicable to customers locating in a qualified "brownfield" redevelopment area so designated by the Ohio Environmental Protection Agency and served by existing service lines. Additionally, customers are required to take service under the provisions of one of the Company's non-residential tariff schedules.

## **TERMS AND CONDITIONS**

These Riders are not available to a new customer which results from a change in ownership of an existing establishment. However, if a change in ownership occurs after the customer enters into a Service Agreement for service under this Rider, the successor customer may be allowed to fulfill the balance of the Service Agreement under this Rider. This Rider is also not available for renewal of service following interruptions such as equipment failure, temporary plant shutdown, strike, or economic conditions. This Rider is not available for load shifted from one customer to another within the Company's service area.

The customer must enter into a Service Agreement with the Company which shall specify, among other things, the voltage at which the customer will be served, a description of the amount and nature of the new load and the basis on which the customer requests qualification for this Rider.

For customers entering into a Service Agreement under this Rider due to expansion, the Company may, at the customer's expense, install metering equipment necessary to measure the new load to be billed under the provisions of this Rider separate from the customer's existing load which shall be billed under the applicable standard tariff schedule.

Following the effective date of the Service Agreement, the customer must maintain a minimum demand in accordance with the Service Agreement and maintain a monthly average of 300 hours use of demand. Failure to do so will result in the customer's Service Agreement being terminated.

The Company is not obligated to extend, expand or rearrange its facilities if it determines that existing distribution/transmission facilities are of adequate capacity to serve the customer's load.

## **NET MONTHLY BILLING**

The customer shall comply with all terms of the standard distribution tariff rate under which the customer takes service except the customers' monthly distribution demand charge shall be reduced by up to fifty (50) percent for a period of twenty-four (24) months. The customer will pay the full amount of all riders and the entirety of the applicable market-based standard service offer.

The customer may request an effective date of the Service Agreement which is no later than twelve (12) months after Company's approval of the Service Agreement with the customer. A Service Agreement must be fully executed within 30 days of taking the subject new service from the Company. All subsequent billings shall be at the appropriate full standard service tariff rate.

## **TYPE OF SERVICE**

The service provided shall be 60Hz alternating current provided at the Company's standard distribution or transmission voltage.

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**SERVICE REGULATIONS**

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## **RIDER TS**

### **TEMPORARY SERVICE**

#### **APPLICABILITY**

Applicable to electric service in the entire service area of a temporary nature, for a period of less than one year and non-recurring, supplied in accordance with provisions of the appropriate rate currently in effect.

#### **TYPE OF SERVICE**

Service will be in accordance with the specifications of the standard applicable rate.

#### **CHARGES**

In addition to charges for service furnished under the applicable rate the customer will pay in advance the entire estimated cost of installing and removing facilities.

#### **TERM OF SERVICE**

Temporary service hereunder will be rendered for a period not longer than six calendar months from the date of installation, provided however, the Company may, at its option, renew said temporary connection for an additional period of three months if required by the temporary need. At the expiration of said initial period or any renewal thereof, the Company may discontinue the service from the premises.

#### **SERVICE REGULATIONS**

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## RIDER X

### LINE EXTENSION POLICY

#### APPLICABILITY

Available in entire service area and applicable to electric service supplied in accordance with provisions of the appropriate rate currently in effect, from the nearest available overhead distribution lines of required type of service, when it is necessary to extend such lines from existing distribution system to provide for new electric service or to provide for a material increase in the customer's load.

#### EXTENSION PLAN

A. For line extensions to residential single family homes, both individual homes and homes in a development, the following shall apply:

1. The Company shall be responsible for all costs associated with standard service installation, up to five thousand dollars per lot. The Company is not responsible for any costs associated with premium service.
2. The Customer shall be responsible for any costs above the five thousand dollars per individual lot.
3. The Customer shall be responsible for the incremental costs of premium services (the sum of the Company's cost to provide the premium installation minus the Company's cost of a standard, single-phase installation) prior to the start of construction.
4. The Customer shall make arrangements with the Company for the payment of the non-premium line extension costs that exceed five thousand dollars per lot. The Company shall afford the Customer (but not including developers of homes) the option of paying those costs, plus carrying costs and any applicable taxes, on a prorated monthly basis for up to fifty months.

B. For line extensions to residential, non-master-metered, multifamily installations (two or more units) the following shall apply:

1. The Company shall be responsible for all costs associated with standard service installation, up to twenty-five hundred dollars per unit.
2. The Customer shall be responsible for any costs above the twenty-five hundred dollars per individual unit.
3. The Customer shall be responsible for the incremental costs of premium services (the sum of the Company's cost to provide the premium installation minus the Company's cost of a standard, single-phase installation) prior to the start of construction.
4. The Customer shall make arrangements with the Company for the payment of the standard line extension costs that exceed twenty-five hundred dollars per unit. The Company shall afford the Customer, (but not including developers) the option of paying those costs, plus carrying costs and any applicable taxes, on a prorated monthly basis for up to fifty months.

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**EXTENSION PLAN (Cont'd)**

C. For line extensions to nonresidential Customers the following shall apply:

1. The Company shall be responsible for sixty percent of the total cost of the line extension, for standard service installation.
2. The Customer shall remit forty percent of the total cost of the line extension for standard service installation prior to the start of construction, which shall be considered a Contribution In Aid of Construction (CIAC).
3. In addition, to the extent the Customer requests premium installation service, the Customer shall be responsible for the incremental costs, including CIAC costs, of premium services (the sum of the Company's costs to provide the premium installation minus the Company's cost to install, in accordance with good utility practice, a standard line extension to the project) prior to the start of construction.
4. If a substation is required as part of the line extension project to a Customer, the Customer shall be given the option of building (pursuant to all applicable electrical standards), owning, and maintaining such substation.

D. Any Customer who paid to the Company a Contribution in Aid of Construction (CIAC), other than for premium services, may be entitled to a refund of a portion of the CIAC paid in accordance with the following:

1. If any new Customer, within fifty months of the completion of a line extension project utilizes all or part of the facilities for which the cost of standard service installation has been paid, the Customer who paid the installation costs may be entitled to a refund which represents a pro rata portion of the original cost calculated to equitably share the cost responsibility for those facilities used in service by both the new and original Customer. The new Customer will pay the pro rata portion of the original installation cost to the Company and if either a premium installation or an additional line extension project is required for such new Customer, any additional costs that would be charged under paragraphs (B), (C) or (D). After receiving the new Customer's pro rata portion, the Company will refund it to the original Customer.
2. If any new additional Customer, within fifty months of the completion of the line extension project for which a party has paid to the Company a CIAC, utilizes all or part of the facilities for which a CIAC has been paid, the party who paid the CIAC may also be entitled to a refund.

E. Nothing contained herein shall be construed to prohibit the Company from making, at its expense, greater extensions than herein prescribed, should its judgment so dictate.

F. The title to all extensions and equipment covered by the extension agreements shall be and remain in the Company.

G. The Company reserves the right to determine the type of equipment which is needed to extend service hereunder, as well as whether overhead or underground electric distribution facilities will be installed. If the Applicant desires to receive service different than that determined by the Company, the Applicant will pay to the Company the difference in cost between the different facilities.

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## DEFINITIONS

1. "Builder/Developer" – someone who builds or contracts for and supervises the construction of any commercial structure or someone who builds or contracts for and supervises the construction of a residence for purposes other than owning and occupying it.
2. "Premium Service Cost" – all costs and expenses incurred by the Company to provide service to the customer in excess of all the costs and expenses of a standard service. Premium Service Costs may include but are not limited to, customer requested oversized facilities or any additional costs that result from customer specifications that are in excess of standard construction, alternate construction routes, special construction costs due to obstructions or other physical factors, additional equipment, as well as costs associated with local ordinances or restrictions and any expenses imposed on the Company that are beyond the Company's control. The Company reserves the right to determine whether the constructions of underground electric distribution facilities are considered standard or premium services.
3. "Residence" – a living structure meeting the permanency requirement which includes a functional domestic kitchen and conventional sleeping facilities in compliance with all applicable residential building codes and regulations.
4. "Standard Service Installation" – is the least cost most direct route to extend facilities, in accordance with good utility practice, to the customer's delivery point from the Company's point of origin at the appropriate voltage level and availability of multi-phase facilities.

## TERM OF CONTRACT

The initial contract shall be for a period of fifty (50) months.

## SERVICE REGULATIONS

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Page 1 of 8

**RIDER EEPF  
ELECTRICITY EMERGENCY PROCEDURES  
FOR  
LONG-TERM FUEL SHORTAGES**

**APPLICABILITY**

Applicable in the entire territory where tariff P.U.C.O. Electric No. 19 applies in the event of a long-term fuel shortage for electric generation, whereby Duke Energy Ohio and consumers of electric energy supplied by Duke Energy Ohio shall take actions set forth herein, except where the Public Utilities Commission of Ohio (PUCO) or other authority having jurisdiction in the matter orders otherwise.

**PROCEDURES**

Electricity emergency procedures may be necessary if there is a shortage in the electric energy supply to meet the requirements of consumers of electric energy in the service area of Duke Energy Ohio. The procedures set forth the actions to be taken by Duke Energy Ohio and consumers of electric energy in the event of a long-term fuel shortage for electric generation jeopardizing electric service to Duke Energy Ohio's customers. These procedures may be superseded by the Rules of the Public Utilities Commission of Ohio (PUCO) if the Governor of the State of Ohio declares an energy emergency and, by executive order, designates which rule or rules of Chapter 4901:5-19 of the Ohio Administrative Code are to be implemented and enforced. In such event, Duke Energy Ohio and its customers must comply with the PUCO rules (included as the Supplement), except where the provisions herein are more restrictive.

**I. DEFINITIONS**

For purposes of this procedure, Duke Energy Ohio has adopted the following definitions:

- A. "electricity priority uses" shall mean the amount of electrical energy necessary for protection of the public's health and safety, and for the prevention of unnecessary or avoidable damage to property, at:
1. Residences (homes, apartments, nursing homes, institutions, and facilities for permanent residents or transients);
  2. Hospitals;
  3. Medical and human life support systems and facilities;
  4. Electric power generating facilities and central heating plants serving the public;
  5. Telephone, radio, television, and newspaper facilities;
  6. Local and suburban transit systems and air terminal facilities;
  7. Police and fire fighting facilities;
  8. Water supply and pumping facilities;

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**DEFINITIONS (Contd.)**

9. Sanitary service facilities for collection, treatment, or disposal of community sewage;
  10. Federal facilities essential to national defense or energy supply;
  11. Production facilities for natural gas, artificial or synthetic gas, propane, and petroleum fuel; and for fuel refineries;
  12. Pipeline transmission and distribution facilities for natural gas, artificial or synthetic gas, propane, and petroleum fuels;
  13. Coal mines and related facilities;
  14. Production, processing, distribution, and storage facilities for dairy products, meat, fish, poultry, eggs, produce, crackers, bread, and livestock and poultry feed;
  15. Buildings and facilities limited to uses protecting the physical plant and structure, appurtenances, product inventories, raw materials, livestock, and other personal or real property; and,
  16. Such other similar uses as may be determined by the Public Utilities Commission of Ohio (hereinafter "PUCO").
- B. "non-priority uses" shall mean all uses of electricity other than priority uses.
- C. "consumer" shall mean that person or entity who consumes electric energy from Duke Energy Ohio.
- D. "normal burn days" shall mean the number of days of Duke Energy Ohio's coal supply available to serve the portion of the sum of Duke Energy Ohio's estimated normal load plus firm sales which will not be provided by firm purchases or by its non-coal generating sources. The methodology for the calculation of normal burn days is contained herein as Section VI.
- E. "normal usage" shall mean electric energy consumption by a consumer during the comparable period during the previous year adjusted for weather or other major changes in usage.

Duke Energy Ohio encourages consumers who have electric priority uses to implement the actions required herein to the extent reasonably possible. Consumers who have electric priority uses or have critical equipment or processes should consider the installation of emergency generation equipment if continuity of service is essential.

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## II. LONG-TERM FUEL SHORTAGE

A. Upon the commencement of a coal miner's strike, officially declared or otherwise, or other happening which could cause a long-term fuel shortage, Duke Energy Ohio shall.

1. notify the PUCO of the potential fuel supply shortage;
2. curtail non-essential use of energy on premises controlled by Duke Energy Ohio including parking and large area lighting and interior lighting except lighting required for security and safety, and other uses of energy both during and outside normal business hours;
3. request authorization from the proper authorities to curtail use of pollution control facilities; and
4. request authorization from the proper authorities to burn non-conforming coal in order to minimize the depletion of coal supplies.
5. apply to the PUCO for a waiver of the economic dispatch provisions of Chapter 4901:1-11, Ohio Administrative Code, to become effective when Duke Energy Ohio's normal burn days reach sixty (60) days, enabling Duke Energy Ohio to minimize depletion of coal supplies by purchasing additional power, utilizing alternate fuels and selective loading of generating units.

### B. Voluntary Curtailment:

1. When Duke Energy Ohio's normal burn days reach forty (40) days, Duke Energy Ohio shall request voluntary conservation by all consumers of at least 25% of all non-priority use of electricity.
2. Duke Energy Ohio shall implement a public appeals campaign through the news media to its consumers making appropriate suggestions for achieving usage reductions. These reductions should include but not be limited to the following:
  - (a) Reduce outdoor lighting;
  - (b) Reduce general interior lighting levels to minimum levels to the extent this contributes to decreased electricity usage;
  - (c) Reduce show window and display lighting to minimum levels to protect property;
  - (d) Reduce the number of elevators operating in office buildings during non-peak hours;
  - (e) Reduce electric water heating temperature to minimum level;
  - (f) Minimize work schedules for building cleaning and maintenance, restocking, etc., in order to eliminate the necessity for office or commercial and industrial facilities to be open beyond normal working hours;

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## II. LONG-TERM FUEL SHORTAGE (Contd.)

- (g) Minimize electricity use by maintaining a building temperature of no less than 78 degrees Fahrenheit by operation of cooling equipment and no more than 68 degrees Fahrenheit by operation of heating equipment;
  - (h) Encourage, to the extent possible, daytime scheduling of entertainment and recreational facilities.
3. Duke Energy Ohio, through the issuing of periodic bulletins to the news media, shall inform the general public of:
- (a) The Duke Energy Ohio coal supply level, based on Section VI herein, at least weekly;
  - (b) The actions which will be required of consumers if it becomes necessary to initiate mandatory curtailment of electric energy and the procedures to be followed prior to and during the period electric usage is restricted; and
  - (c) The procedures to be followed by consumers wishing to substantiate a claim for "electric priority uses."

### C. Mandatory Curtailment - Stage One:

1. When Duke Energy Ohio's normal burn days reach thirty (30) days, consumers shall curtail the use of electricity as follows:
- (a) All previous measures shall be continued except as amended below;
  - (b) All non-priority outdoor lighting is prohibited;
  - (c) All public, commercial, and industrial buildings shall minimize electricity use by maintaining a building temperature of no less than 85 degrees Fahrenheit by cooling equipment and no more than 60 degrees Fahrenheit by the operation of heating equipment, except where health requirements or equipment protection deem such measures to be inappropriate.
  - (d) All public, commercial, and industrial buildings shall reduce interior lighting to the minimum levels essential for continued work and operations to the extent this contributes to decreased use of electric energy.

### D. Mandatory Curtailment - Stage Two:

1. When Duke Energy Ohio's normal burn days reach twenty-five (25) days, consumers shall curtail the use of electricity as follows:
- (a) All previous measures shall be continued except as amended below.

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## II. LONG-TERM FUEL SHORTAGE (Contd.)

- (b) All consumers shall discontinue non-priority use of electricity on two days of each week. Consumers may, in the alternative, elect to reduce total electricity consumption by 25% below normal usage. Consumers choosing the second option must keep records sufficient to document the reduction. Duke Energy Ohio shall inform consumers of the days that non-priority use shall be discontinued. Consumers shall not increase non-priority uses above mandatory stage one level during other days of the week.

### E. Mandatory Curtailment - Stage Three:

- 1. When Duke Energy Ohio's normal burn days reach twenty (20) days, consumers shall curtail the use of electricity as follows:
  - (a) All previous measures shall be continued except as amended below.
  - (b) All consumers shall discontinue non-priority use of electricity on three days of each week. Consumers may, in the alternative, elect to reduce total electricity consumption by 50% below normal usage. Consumers choosing the second option must keep records sufficient to document the reduction. Duke Energy Ohio shall inform consumers of the days that non-priority use shall be discontinued. Consumers shall not increase non-priority use above mandatory stage two levels during other days of the week.

### F. Mandatory Curtailment - Stage Four:

- 1. When Duke Energy Ohio's normal burn days reach fifteen (15) days, all consumers shall discontinue all non-priority use of electricity on all days of each week.

## III. Duke Energy Ohio shall take such measures in connection with its facilities as are necessary and reasonable for the implementation of these procedures.

Where the integrity of Duke Energy Ohio's electric system is in jeopardy, Duke Energy Ohio may take additional measures it deems appropriate, such as voltage reduction up to 5% and interruption of selected distribution circuits on a rotational basis.

## IV. The mandatory curtailment stages set forth in this tariff are also included in Chapter 4901:5-19 of the Ohio Administrative Code, which provides that the governor, by executive order, may require curtailment of electric use by Duke Energy Ohio's consumers based on "statewide normal burn days." Such an order may require Duke Energy Ohio's consumers to curtail electric energy usage prior to the time such curtailment would have been required under the preceding Section II, Requirements B thru F.

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## V. PENALTIES

- A. Failure of a consumer to comply with Duke Energy Ohio's mandatory curtailment stages may subject that consumer's electric service to disconnection by Duke Energy Ohio. Where Duke Energy Ohio discovers that a consumer has exceeded its directed usage limitation by more than 15% in a 30 day period, Duke Energy Ohio shall notify the PUCO that on the third working day after said discovery, it shall disconnect electric service to such consumer until the fuel supply emergency is relieved.
- B. Penalties for failure to comply with rules of Chapter 4901:5-19 of the Ohio Administrative Code, when invoked by the governor, are:  
4901:5-19-05 Penalties

Whoever fails to comply with the requirements of this Chapter is guilty of

- (A) a minor misdemeanor on a first offense, and
- (B) a misdemeanor of the first degree
  - (1) upon subsequent offenses, or
  - (2) if the violation was purposely committed.

## VI. METHODOLOGY FOR THE CALCULATION OF NORMAL BURN DAYS

### Assumptions

#### Energy Forecast

Project normal consumption for predicted weather conditions.

For example, if the current weather was cooler or warmer than normal, the load forecast should have to be adjusted to reflect the impact of the temperature sensitive load.

Consumer conservation in response to curtailment measures is not counted in the calculation of normal burn days. Neither mandatory nor voluntary conservation is considered when preparing energy forecast. "Normal" consumption patterns are assumed to project total available coal supply.

#### Power Exchange

Purchased power is assumed to be unavailable or uncertain in the crisis period and is excluded for normal burn day calculations.

"Purchased power" means power being purchased from other systems on a day-to-day basis. Firm or contracted power/energy sales are included in normal burn day calculations. The seller who has contracted to provide a particular level of service treats this long-term commitment (one week or longer) as part of his load. The buyer who has contracted for service reduces the load he must serve by this amount. In short, all commitments are assumed to be met.

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Effective:

Issued by Julie Janson, President

Duke Energy Ohio  
139 East Fourth Street  
Cincinnati, Ohio 45202

P.U.C.O. Electric No. 19  
Sheet No. 74.1  
Cancels and Supersedes  
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## VI. METHODOLOGY FOR THE CALCULATION OF NORMAL BURN DAYS (Contd.)

Economy and emergency purchases are not considered in calculations.

### Generation from Non-Coal Fuels

Figure in only anticipated MWH on non-coal generation. Only the expected use of non-coal fired units should be considered. The schedule outage time of units should be considered as well as the operating unit constraints.

### Unit Outages

Count coal as it is anticipated that coal will be available to operate generating units.

If a single unit plant is expected to be out of service for the duration of the shortage, that coal cannot be considered as part of the utility's usable coal supply.

If one or more units of a multi-unit plant are out of service, that coal is considered to be part of the coal supply of the units which are in service.

The number that is being developed is coal available for burning; i.e., expected burn days for that plant. Coal which cannot be recovered should not be considered.

### Jointly Owned Units

Use Duke Energy Ohio's share of the coal pile at jointly owned plants and Duke Energy Ohio's share of the generation of the jointly owned units in preparing burn day estimates.

### Efficiency of Coal Burn

Assume current burn efficiency (Tons/MWH).

### Formula for the Calculation of Utility Burn Days

	Utility system forecast (MWH) <sup>1</sup>
plus	Firm sale commitments (MWH)
minus	Firm purchase commitments (MWH)
minus	Anticipated MWH production from non-coal sources

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## VI. METHODOLOGY FOR THE CALCULATION OF NORMAL BURN DAYS

equals Coal-fired requirement (MWH/monthly)\*

Coal-fired requirement X Average burn rate = Daily Requirement  
(MWH/Day) (tons/MWH) (tons/day)

Utility Coal pile available (tons) - Daily requirement (tons/day) = Utility Normal Burn Days

(1) Normal--weather adjusted for the month.

\* Monthly or weekly data is converted into daily data.

### Stepwise Calculation of Normal Burn Days.

- Step 1 Forecast for successive future months the MWH to be provided from company coal-fired generation. This is equal to: (a) company load plus (+) (b) firm sales minus (-) (c) firm purchases minus (-) (d) MWH provided from company non-coal generation.
- Step 2 Convert the MWH to be provided from company coal-fired generation (Step 1) into tons of coal using an average burn rate.
- Step 3 Determine the tons of coal available at the start of the forecast period and at the end of successive months using the data from Step 2.
- Step 4 Determine from Step 3 the number of days it would take to exhaust the coal supply.  
Such number of days is the number of Normal Burn Days.
- Step 5 Divide the tons of coal available at the start of the period by the Normal Burn Days to obtain the daily requirement (tons/day).

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PUBLIC UTILITIES COMMISSION OF OHIO

ENERGY EMERGENCY RULES

SUPPLEMENT TO SHEET NO. 74

OF P.U.C.O. NO. 19

4901:5-19-01 Definitions

(A) "Electric utility" shall mean any person, firm, co-partnership, voluntary association, joint-stock association, company, corporation, municipality, governmental or political subdivision, wherever organized or incorporated, engaged in the business of supplying electricity for lighting, heat or power purposes to consumers within this state.

(B) "Electric priority uses" shall mean the amount of electrical energy necessary for protection of the public's health and safety, and for the prevention of unnecessary or avoidable damage to property, at:

- (1) Residences (homes, apartments, nursing homes, institutions, and facilities for permanent residents or transients);
- (2) Hospitals;
- (3) Medical and human life support systems and facilities;
- (4) Electric power generating facilities and central heating plants serving the public;
- (5) Telephone, radio, and newspaper facilities;
- (6) Local and suburban transit systems and air terminal facilities;
- (7) Police and fire fighting facilities;
- (8) Water supply and pumping facilities;
- (9) Sanitary service facilities for collection, treatment, or disposal of community sewage;
- (10) Federal facilities essential to national defense or energy supply;
- (11) Production facilities for natural gas, artificial or synthetic gas, propane, and petroleum fuel and for fuel refineries;
- (12) Pipeline transmission and distribution facilities for natural gas, artificial or synthetic gas, propane, and petroleum fuels;
- (13) Coal mines and related facilities;
- (14) Production, processing, distribution, and storage facilities for dairy products, meat, fish, poultry, eggs, produce, crackers, bread, and livestock and poultry feed;
- (15) Buildings and facilities limited to uses protecting the physical plant and structure, appurtenances, product inventories, raw materials, livestock, and other personal or real property; and



(16) Such other similar uses as may be determined by the Public Utilities Commission of Ohio (hereinafter "PUCO").

(C) "Non-priority uses" shall mean all uses of electricity other than priority uses.

(D) "Consumer" shall mean that person or entity who consumes electric energy from a specific utility.

(E) "Utility normal burn days" shall mean the number of days of coal supply that each electric utility has available to serve the portion of the sum of its estimated normal load plus firm sales which will not be provided by firm purchases or by its non-coal generating sources. The methodology for the calculation of utility normal burn days is contained in "Appendix A."

(F) "Statewide normal burn days" shall mean the number of days of coal supply that all electric utilities in the state have available to serve the portion of the sum of their estimated normal load plus firm sales which will not be provided by firm purchases or by their non-coal generating sources. The methodology for the calculation of "statewide normal burn days" is contained in "Appendix A."

(G) "Utility advisory group" shall mean the utility representatives as provided for under paragraph (E) of rule 4901:5-19-02 of the Administrative Code.

(H) "Normal usage" shall mean electric energy consumption during the comparable period during the previous year adjusted for weather or other major changes in usage.

#### Appendix A

#### Methodology for the Calculation of Utility Normal Burn Days

##### Assumptions

##### Energy Forecast

Project normal consumption for predicted weather conditions.

For example, if the current weather was cooler or warmer than normal, the load forecast should have to be adjusted to reflect the impact of the temperature sensitive load.

Consumer conservation in response to curtailment measures is not counted in the calculation of utility normal burn days.

Neither mandatory nor voluntary conservation is considered when preparing energy forecast.

"Normal" consumption patterns are assumed to project total available coal supply.

##### Power Exchange

Purchase power is assumed to be unavailable or uncertain in the crisis period and is excluded for utility normal burn day calculations.

"Purchase power" means power being purchased from other systems on a day-to-day basis.

Firm or contracted power/energy sales are included in utility normal burn day calculations. The seller who has contracted to provide a particular level of service treats this long-term commitment (one week or longer) as part of his load. The buyer who has contracted for service reduces the load he must serve by this amount. In short, all commitments are assumed to be met.

Economy and emergency purchase are not considered in calculations.

#### Generation from Non-Coal Fuels

Figure in only anticipated MWH on non-coal generation.

Only the expected use of non-coal fired units should be considered. The scheduled outage time of units should be considered as well as the operating unit constraints.

#### Unit Outages

Count coal as it is anticipated that coal will be available to operate generating units.

If a single unit plant is expected to be out of service for the duration of the shortage, that coal cannot be considered as part of the utility's usable coal supply.

If one of more units of a multi-unit plant are out of service, that coal is considered to be part of the coal supply of the units which are in service.

The number that is being developed is coal available for burning; i.e., expected burn days for that plant. Coal which cannot be recovered should not be considered.

#### Jointly Owned Units

Use your utility's share of the coal pile at a jointly owned plant and your utility's share of the generation of the jointly owned units in preparing burn day estimates.

#### Efficiency of Coal Burn

Assume current burn efficiency (Tons/MWH).

#### Formula for the Calculation of Utility Normal Burn Days

$$\begin{array}{rcl}
 & \text{Utility system forecast (MWH)}^1 & \\
 \text{plus} & \text{Firm sale commitments (MWH)} & \\
 \text{minus} & \text{Firm purchase commitments (MWH)} & \\
 \text{minus} & \text{Anticipated MWH production from non-coal sources} & \\
 \hline
 \text{equals} & \text{Coal-fired requirement (MWH/month)}^* & 
 \end{array}$$

$$\begin{array}{rcl}
 & \text{Daily} & \\
 \text{Coal-fired requirement X Average burn rate} & = & \text{requirement} \\
 \text{(MWH/Day)} & & \text{(tons/MWH)} \quad \text{(tons/day)}
 \end{array}$$

$$\frac{\text{Utility coal pile available (tons)}}{\text{Daily requirement (tons/day)}} = \text{Utility Normal Burn Days}$$

(1) Normal--weather adjusted for the month.

#### Formula for the calculation of Statewide Normal Burn Days

for N utilities

$$\begin{array}{rcl}
 \text{Coal Available} & + & \text{Coal Avail.} + \dots + \text{Coal Available} \\
 \text{Util. \#1 (tons)} & \text{Util. \#2} & \text{Utility N} \\
 \hline
 \text{Daily Requirement} + \text{Daily Req.} + \dots + \text{Daily Req.} & = & \text{Statewide Normal Burn Days} \\
 \text{Util. \#1 (tons/day)} & \text{Util. \#2} & \text{Utility N}
 \end{array}$$

Note: in the calculation of statewide normal burn days, the "coal pile available" and the "daily requirement" for utilities operating across state lines shall be prorated by the Ohio portion of the utilities total energy consumption.

\* Monthly or weekly data is converted into daily data.

Stepwise Calculation of Utility Normal Burn Days and Statewide Normal Burn Days.

- Step 1. Forecast for successive future months the MWH to be provided from company coal-fired generation. This is equal to: (a) company load plus (+) (b) firm sales minus (-) (c) firm purchases minus (-) (d) MWH provided from company non-coal generation.
- Step 2. Convert the MWH to be provided from company coal-fired generation (Step 1) into tons of coal using an average burn rate.
- Step 3. Determine the tons of coal available at the start of the forecast period and at the end of successive months using the data from Step 2.
- Step 4. Determine from Step 3 the number of days it would take to exhaust the coal supply. Such number of days is the number of Utility Normal Burn Days.
- Step 5. Divide the tons of coal available at the start of the period by the Utility Normal Burn Days to obtain the daily requirement (tons/day).
- Step 6. Determine the Statewide Normal Burn Days by determining the number of days it would take to exhaust coal available to all utilities in the state based on their daily requirements.

4901:5-19-02 General provisions

(A) The requirements of Chapter 4901:5-19 of the Administrative Code are intended to provide the governor with the means of managing on a statewide basis a continuing fuel shortage. These requirements are keyed to remaining days' supply of coal for electrical generation. It is expected that electric utilities will take all prudent measures prior to reaching mandatory action levels under Chapter 4901:5-19 of the Administrative Code. Once the mandatory stages of action are invoked under Chapter 4901:5-19 of the Administrative Code electric utilities are required to initiate and to continue implementation of requisite actions until directed to otherwise.

(B) The institutional and regulatory relationship between jurisdictional utilities and the PUCO remains intact.

(C) Measures required by the governor under these rules pursuant to rule 4901:5-19-03 of the Administrative Code, shall prevail over any existing measures of the PUCO inconsistent with said rules.

(D) The actions required of electric utilities in Chapter 4901:5-19 of the Administrative Code shall be implemented by the utilities. All actions required in Chapter 4901:5-19 of the Administrative Code are intended to be implemented by each electric utility to the extent reasonably possible. Actions ordered of consumers stay in effect until terminated or changed.

(E) When the Chairman of the Commission determines an interruption of fuel supplies has occurred or may occur within thirty days which could significantly affect fuel supplies for electric utilities, he shall establish an advisory group of representatives from those electric utilities serving Ohio and having a generating capacity of five hundred megawatts or more to alert and advise the Commission as to the nature of electric supply problems and to make recommendations regarding implementation of these rules. The advisory group may also call upon other people or organizations to participate in such group as it sees fit.

(F) When an advisory group is established, as specified in paragraph (E) of this rule, each electric utility shall determine the recoverable quantity and quality of the coal in storage and verify the accuracy of any coal scale or other measurement device in use or anticipated to be used during the emergency.

(G) When any electric utility having a generating capacity of five hundred megawatts or more advises the Commission of its intention to implement its long-term fuel emergency plan, all electric utilities

having a generating capacity of fifty megawatts or more shall, upon notification by the Commission, file a weekly report of electric supply adequacy in the form prescribed by the Commission. Upon request of the Chairman, the report of electric supply adequacy shall be filed daily.

(H) If fuel supply for electrical generation continues to decrease and it is determined fuel supplies are inadequate for the foreseeable future to continue to provide for the full requirements of consumers' uses, the governor shall require that the appropriate action be taken as required under rule 4901:5-19-04 of the Administrative Code.

(I) After the governor declares an energy emergency, an electric utility may propose for that utility alternative measures to the emergency measures contained in Chapter 4901:5-19 of the Administrative Code. A proposal for any alternative measure shall be in writing and shall be filed with the Chairman of the Commission within twenty-four hours after the emergency is declared by the governor. Such proposal may be implemented only if the Chairman approves the proposal within forty-eight hours after the emergency is declared. The Chairman may approve the proposal only upon demonstration by the requesting utility that the proposed measure is more appropriate for that utility for responding to the declared emergency than are the measures prescribed in Chapter 4901:5-19 of the Administrative Code.

(J) When it is determined such action is appropriate, the governor may request the secretary of the United States department of energy to invoke Section 202 (C) of the Federal Power Act, 16 U.S.C. 824A (1935).

(K) When any electric utility in the state reaches twenty utility normal burn days, or when it is determined that such action is appropriate, the governor may order other electric utilities with greater fuel supplies to increase sales of electric energy to that utility.

(L) The Chairman shall notify the governor when, based on the information available to him, he believes that the current and foreseeable shortage of electricity no longer constitutes a threat of life, property, public health, safety, or welfare.

#### 4901:5-19-03 Enforcement on governor's instruction

(A) No rule shall be implemented and no person shall be penalized under any rule in Chapter 4901:5-19 of the Administrative Code until the governor by executive order, during a declared energy emergency, specifically designates by rule number and title which rule or rules are to be implemented and enforced and fixes the date and time after which the named rule or rules shall be implemented or enforced.

(B) Alternatively, the governor may request, under Section 4935.3 of the Revised Code, that the Commission issue and enforce orders effecting the implementation of these rules.

#### 4901:5-19-04 Action taken upon declaration of "emergency"

(A) Voluntary curtailment:

(1) When the statewide normal burn days reach forty days or when it is determined by the governor that such action is appropriate, each electric utility which has not imposed mandatory curtailments under its Commission plan shall increase its efforts to effect voluntary conservation by all consumers of at least twenty-five percent of all non-priority use of electricity.

(2) Each electric utility shall implement a public appeals campaign through news media to its consumers making appropriate suggestions for achieving usage reductions. These reductions should include but not be limited to the following:

(a) Reduce outdoor lighting;

- (b) Reduce general interior lighting levels to minimum levels to the extent this contributes to decreased electricity usage;
  - (c) Reduce show window and display lighting to minimum levels to protect property;
  - (d) Reduce the number of elevators operating in office buildings during non-peak hours;
  - (e) Reduce electric water heating temperature to minimum level;
  - (f) Minimize work schedules for building cleaning and maintenance, restocking, etc., in order to eliminate the necessity for office or commercial and industrial facilities to be open beyond normal working hours;
  - (g) Minimize electricity use by maintaining a building temperature of no less than seventy-eight degrees Fahrenheit by operation of cooling equipment and no more than sixty-eight degrees Fahrenheit by operation of heating equipment;
  - (h) Encourage, to the extent possible, daytime scheduling of entertainment and recreational facilities.
- (3) Each electric utility through the issuing of periodic bulletins shall inform the general public of:
- (a) The coal supply level, based on "Appendix A," at least weekly;
  - (b) The actions which will be required of consumers if it becomes necessary to initiate mandatory curtailment of electric energy and the procedures to be followed prior to and during the period electric usage is restricted; and
  - (c) The procedures to be followed by consumers wishing to substantiate a claim for "electric priority uses" as defined in rule 4901:5-19-01 of the Administrative Code.
- (4) Each electric utility as part of its report of electric supply adequacy shall provide to the Commission its anticipated and actual load in kilowatt-hours consumed and estimated coal tonnage savings resulting from load reduction or other measures.
- (5) The Commission shall calculate the statewide normal burn days and make it available to the governor, the utilities, and the public.
- (6) The Commission may encourage all utilities to purchase and to share energy among themselves to aid in alleviating existing energy shortages and to prevent even more severe future energy shortages.
- (7) All utilities shall reduce internal consumption of electric energy to the maximum degree possible, consistent with safe, efficient operation. The use of electricity on premises, including parking and large area lighting and interior lighting, shall be curtailed except lighting essential for security or safety.
- (8) Upon the order of the Commission or the governor, each electric utility operating generating capacity shall load plants to optimize fuel usage.
- (9) When it is determined such action is appropriate, the governor, in consultation with the director of the Ohio environmental protection agency, may:
- (a) Request authorization from the proper authorities to curtail use of pollution control facilities;
  - (b) Request authorization from the proper authorities to burn non-conforming coal in order to

maximize use of the remaining stockpiles; and/or

- (c) Request industry to utilize industrial owned generation equipment to supplement utility generation to the maximum extent possible.

(B) Mandatory curtailment – stage one:

- (1) When the statewide normal burn days reach thirty days or when it is determined by the governor that such action is appropriate, consumer use of electricity shall be curtailed as follows:

- (a) All previous measures shall be continued except as amended infra;
- (b) All non-priority outdoor lighting is prohibited;
- (c) All public, commercial, and industrial buildings shall minimize electricity use by maintaining a building temperature of no less than eight-five degrees Fahrenheit by cooling equipment and no more than sixty degrees (sic) Fahrenheit by the operation of heating equipment, except where health requirements or equipment protection deem such measures to be inappropriate;
- (d) All public, commercial, and industrial buildings shall reduce interior lighting to the minimum levels essential for continued work and operations to the extent this contributes to decreased use of electric energy.

- (2) Each electric utility operating generating capacity shall, wherever possible, switch that capacity to an alternate fuel other than coal, provided that:

- (a) The utility has informed the Commission; and
- (b) The Commission has confirmed to the utility that the specific alternate fuels are not themselves in short supply.

- (3) Each electric utility shall report to the Commission as part of its report of electric supply adequacy its daily coal burn, energy purchases by source, coal deliveries, and its utility normal burn days.

- (4) Each electric utility shall report to the Commission as part of its report of electric supply adequacy its anticipated and actual load in kilowatt-hours consumed and estimated coal tonnage savings resulting from load reduction or other measures.

- (5) The Commission may:

- (a) Monitor and verify each Ohio electric utility's coal stock pile as reported under paragraph (F) of rule 4901:5-19-02 of the Administrative Code, burn day level and energy purchases on a daily basis;
- (b) Assure that each electric utility uses non-coal fuels for generation and purchases energy through the grid to the extent possible, consistent with system stability and reliability and the availability of non-coal fuels.

(C) Mandatory curtailment – stage two:

All previous measures shall be continued except as amended infra. When the statewide normal burn days reach twenty-five days or when it is determined by the governor that such action is appropriate, all consumers shall discontinue non-priority use of electricity on two days of each week. Consumers may, in the alternative, elect to reduce total electricity consumption by twenty-five percent below normal usage. Consumers choosing the second option must keep records

sufficient to document the reduction. Each electric utility shall inform consumers of the days that non-priority use shall be discontinued. Consumers shall not increase non-priority uses above mandatory stage one level during other days of the week.

(D) Mandatory curtailment -- stage three:

All previous measures shall be continued except as amended infra. When the statewide normal burn days reach twenty days or when it is determined by the governor that such action is appropriate, consumers shall discontinue non-priority use of electricity on three days of each week. Consumers may, in the alternative, elect to reduce total electricity consumption by fifty percent below normal usage. Consumers choosing the second option must keep records sufficient to document the reduction. Each electric utility shall inform consumers of the days that non-priority use shall be discontinued. Consumers shall not increase non-priority uses above mandatory stage two levels during other days of the week.

(E) Mandatory curtailment -- stage four:

When the statewide normal burn days reach fifteen days or when it is determined by the governor such actions are appropriate; all consumers shall discontinue all non-priority use of electricity on all days of each week.

4901:5-19-05 Penalties

Whoever fails to comply with the requirements of this chapter is guilty of:

(A) A minor misdemeanor on a first offense, and

(B) A misdemeanor of the first degree

(1) Upon subsequent offenses, or

(2) If the violation was purposely committed.

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## RIDER EEPG

### EMERGENCY ELECTRIC PROCEDURES

#### APPLICABILITY

Applicable in the entire territory where P.U.C.O. Electric No. 19 applies in the event of an energy emergency which necessitates curtailment of electric service, Duke Energy Ohio may curtail electrical service to its customers in the manner set forth herein, either at its sole discretion, or under applicable policies, guidelines, directives or procedures issued by the East Central Area Reliability Council (ECAR), National Electric Reliability Council (NERC), the Midwest Independent Transmission System Operator, Inc. (Midwest ISO), or their successor organizations, or when required by the Public Utilities Commission of Ohio (Commission).

#### PROCEDURES

##### I. General Rules Applicable to Energy Emergency

Emergency electrical procedures may be necessary in the event of electric supply shortages, transmission constraints, or other emergency conditions in the assigned service area of Duke Energy Ohio and/or outside the assigned service area of Duke Energy Ohio.

An emergency means an anticipated or existing shortage in the supply of or constraint in the transmission or distribution of electrical energy, which has or may adversely affect the operation or reliability of generating or transmission and distribution facilities.

In the event of an emergency, Duke Energy Ohio may take any remedial measure that it deems reasonably necessary to alleviate the emergency condition or that may be required either by the Commission or under applicable policies, guidelines, directives or procedures issued by ECAR (including the then current revision of ECAR Document No. 3, Emergency Operations), NERC, the Midwest ISO, or their successor organizations, or Duke Energy Ohio's emergency plan. During an emergency, Duke Energy Ohio will follow the procedures set forth herein with regard to essential customers as defined in Section II, below. Duke Energy Ohio will take the remedial measures to alleviate the emergency conditions as set forth in Section III, below.

##### II. Essential Customers

Essential customers are defined as follows:

- (A) hospitals and emergency care facilities, which shall be limited to those facilities providing medical care and performing in-patient surgery on patients;
- (B) federal, state and county prisons and detention institutions;
- (C) police and fire stations, Ohio national guard facilities, military bases, and federal facilities essential to the national defense;
- (D) "critical customers," which means any customer or consumer on a medical or life support system for whom an interruption of service would be immediately life threatening and who is enrolled in Duke Energy Ohio's program for critical customers;
- (E) radio and television stations used to transmit emergency messages and public information broadcasts relating to emergencies;

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## II. Essential Customers (Contd.)

- (F) water pumping plants essential to the supply of potable water to a community;
- (G) sewage plants essential to the collection, treatment or disposal of a community's sewage;
- (H) emergency management and response facilities and the county-wide "911" system;
- (I) nursing homes;
- (J) central office telephone switching stations; and
- (K) blood banks.

Duke Energy Ohio does not guarantee a continuous and uninterrupted flow of power to any customer. Power interruptions may occur due to many causes other than the emergency procedures set forth herein. Further, essential customers should expect that their power may be interrupted in the event of an emergency due to the nature of the emergency and the normal configuration of electric supply systems.

Essential customers are responsible for anticipating the possibility that power may be interrupted and for developing contingency plans if continuity of service is essential. Such contingency plans may include installing on-site backup generation, uninterruptible power supplies, other alternative power sources or evacuation to another location.

Duke Energy Ohio will make reasonable efforts to maintain service to essential customers during an emergency and will attempt to minimize the time period of any interruption, when practical. Duke Energy Ohio may, however, curtail power to essential customers during an emergency. Duke Energy Ohio will attempt to identify essential customers and maintain a list of these customers for its load curtailment plans. Duke Energy Ohio will verify and update this list annually and review its curtailment rotation schedules in an attempt to minimize the number of essential customers affected by curtailment.

Residential customers may request to participate in Duke Energy Ohio's program for critical customers. Residential customers requesting to participate in this program must initially obtain a Medical Certificate from a licensed physician as to the need for and use of life support equipment in their household and must submit the certificate to Duke Energy Ohio along with their request to enroll in the program.

Upon enrollment in the program, Duke Energy Ohio will notify the customer in writing of the customer's options and responsibilities during an interruption, such as the need for backup generation, uninterruptible power supplies, other alternative power sources or evacuation to another location. Duke Energy Ohio will also notify these customers that it cannot guarantee a continuous and uninterrupted flow of power. Duke Energy Ohio will annually verify the customers' eligibility to continue to participate in the program.

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## **II. Essential Customers (Contd.)**

Any non-residential customer may apply to be considered an essential customer, provided they must notify Duke Energy Ohio in writing of this request and provide the specific reasons why they should be considered an essential customer. Duke Energy Ohio will respond in writing within ten days of receipt of the request informing the customer whether, in Duke Energy Ohio's sole discretion, they will be classified as a non-residential essential customer. Non-residential essential customers are also encouraged to develop contingency plans for use during an emergency, such as the need for backup generation, interruptible power supplies, other alternative power sources or evacuation to another location.

Essential customers should prepare to implement their contingency plans any time that Duke Energy Ohio makes a public appeal for voluntary conservation, due to the possibility that Duke Energy Ohio may experience an emergency during such time that Duke Energy Ohio makes public appeals for voluntary conservation.

If Duke Energy Ohio has adequate advance notice that an emergency may occur, then Duke Energy Ohio will attempt to call critical customers to alert them of the possibility of a power interruption. Due to the frequently sudden onset of an emergency and the time necessary to contact all critical customers, Duke Energy Ohio may not be able to contact critical customers in advance of an emergency.

## **III. Remedial Measures in the Event of Emergency**

In case of an emergency, Duke Energy Ohio will exercise the following series of load reduction measures to match the load with available generation. These measures are arranged in order of severity of the measures necessary to alleviate the emergency conditions presented. In the case of a sudden or unanticipated emergency, the urgency of the situation may require Duke Energy Ohio to immediately implement the more severe measures.

### **Pricing Signals and Special Contracts**

Duke Energy Ohio offers a variety of pricing signals using approved tariffs and special contracts to encourage customers to reduce their load when generation is in short supply. Participating customers may elect to voluntarily reduce their demand based on the terms of these tariffs and contracts.

### **Internal Conservation**

Duke Energy Ohio will reduce its own energy consumption by instructing its employees to adjust thermostats, turn off lights and reduce other non-essential loads at Duke Energy Ohio facilities.

### **Voltage Reduction**

Duke Energy Ohio may reduce voltages. However, Duke Energy Ohio will not reduce voltage more than 5% below normal allowable ranges.

### **Public and Targeted Appeals for Voluntary Conservation**

Duke Energy Ohio will issue news releases to request customers to voluntarily conserve electricity, with suggestions on how to conserve. Duke Energy Ohio will also contact large commercial and industrial customers (1000 kW or more) requesting them to conserve energy.

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### III. Remedial Measures in the Event of Emergency (Contd.)

#### Public and Targeted Appeals for Voluntary Conservation (Contd.)

Depending on the nature of the emergency, Duke Energy Ohio will issue additional news releases advising customers of a more critical need for voluntary conservation and also notifying customers that Duke Energy Ohio may implement rotating blackouts if the emergency conditions are not alleviated. Duke Energy Ohio will contact large commercial and industrial customers (1000 kW or more) requesting them to curtail all non-essential load.

#### Automatic Reserve Sharing

Automatic Reserve Sharing is a standard method for utilities to aid an adjoining, interconnected utility whose power reserves are low by transmitting power through the interconnection points to raise the reserves of the affected utility. In time of emergency, Duke Energy Ohio may utilize Automatic Reserve Sharing.

#### Manual, Involuntary Load Curtailment

Duke Energy Ohio may implement manual load curtailment, which is a controlled process of rotating customer outages during extreme emergencies. NERC policies may require manual curtailment when Duke Energy Ohio experiences an emergency. NERC policies may also require manual curtailment when the reliability of the Eastern Interconnect is threatened by supply or transmission problems unrelated to conditions within Duke Energy Ohio's transmission system.

#### Automatic Load Curtailment

Duke Energy Ohio may implement automatic load curtailment, which is a process where under-frequency relays are used to shed load as soon as the relays detect problems based upon the system frequency. NERC policies may require automatic curtailment when Duke Energy Ohio experiences an emergency or when the Eastern Interconnect is threatened by transmission system reliability problems unrelated to conditions affecting Duke Energy Ohio's transmission system.

### IV. Curtailment Procedures

Involuntary load curtailment is generally accomplished via remote control of circuits that feed large individual customers and/or general distribution loads. Most general distribution circuits supply many customers including one or more essential customers. Duke Energy Ohio will analyze circuits for curtailment eligibility based upon the ability to perform curtailment via remote control and upon the type of load the circuits serve. Duke Energy Ohio will attempt to limit the number of essential customers affected by involuntary load curtailments; however, given the number of circuits within Duke Energy Ohio's system and the number of customers served by Duke Energy Ohio, it is likely that Duke Energy Ohio will interrupt power to some essential customers if involuntary load curtailment procedures become necessary to alleviate emergency conditions. Duke Energy Ohio will adjust manual involuntary curtailment schedules and attempt to provide advance notification to essential customers if involuntary load curtailment occurs.

Duke Energy Ohio will advise the Commission of the nature, time and duration of all implemented emergency conditions and procedures which affect normal service to customers.

Duke Energy Ohio may initiate the following actions, as it deems appropriate, in the event of an emergency where curtailment is imminent or necessary.

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**IV. Curtailment Procedures (Contd.)**

- (A) If Duke Energy Ohio is unable to balance its generation and interchange schedules to its load after using all available resources, Duke Energy Ohio may, at its discretion, declare an emergency state to the NERC/ECAR Security Coordinator.
- (B) Duke Energy Ohio may enter into power purchases to the extent that generation resources are reasonably available and transmission loading will allow.
- (C) Duke Energy Ohio may use any or all of the remedial measures in section III, above.
- (D) If the transmission system frequency is above 59.8 Hz and Duke Energy Ohio cannot reasonably balance resources to load, then Duke Energy Ohio may curtail firm load to balance resources to load.
- (E) If the transmission system frequency is at or below 59.8 Hz, then Duke Energy Ohio may curtail firm load to balance resources to load.
- (F) If the transmission system frequency is at or below 59.7 Hz, then Duke Energy Ohio may curtail firm load to assist in maintaining regional system integrity.

Automatic under-frequency load shedding may occur in the event of a sudden decline of the frequency on the ECAR System or a sudden breakup that isolates all or parts of the Ohio transmission system from other interconnected transmission systems. The under-frequency load shed may occur according to the following schedule, with each step shedding approximately an additional five percent of load as compared to the system load:

Step	Freq-Hz	Approximate % Load Shed
1	59.5	5.0
2	59.3	5.0
3	59.1	5.0
4	58.9	5.0
5	58.7	5.0

Under these circumstances, Duke Energy Ohio will interrupt power of selected distribution circuits and lines serving customers throughout its assigned service area at Duke Energy Ohio's sole discretion.

If automatic load shedding has occurred and frequency is still declining, Duke Energy Ohio may take any additional actions that it deems reasonably necessary to arrest the decline. This may include additional load shedding and coordinated network separations.

If necessary to resynchronize the isolated area or to curtail the decline in frequency, Duke Energy Ohio may take the following steps in the sequence set forth below:

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#### IV. Curtailment Procedures

- (A) Duke Energy Ohio may, at its discretion, interrupt power to controlled service loads and to loads rendered service under interruptible tariffs.
- (B) Duke Energy Ohio may reduce voltage up to five percent when deemed appropriate.
- (C) Duke Energy Ohio may manually shed load.

Duke Energy Ohio shall not be liable for power interruptions attributable to:

- (A) The availability of or malfunctions in generation or transmission facilities;
- (B) Malfunctions in the local distribution system due to conditions beyond Duke Energy Ohio's control, such as storms, floods, vandalism, strikes, fires, or accidents caused by third parties;
- (C) Duke Energy Ohio following any applicable orders, policies, guidelines, directives or procedures issued by the Commission, governmental authorities, East Central Area Reliability Council (ECAR), National Electric Reliability Council (NERC), the Midwest ISO, or their successor organizations;
- (D) provided that Duke Energy Ohio makes reasonable efforts to restore service as soon as reasonably practicable.

Notwithstanding the foregoing, Duke Energy Ohio may be liable for damages resulting from power interruptions attributable to its gross negligence or willful misconduct.

The provisions of these Emergency Electric Procedures are subject to the provisions of Duke Energy Ohio's Retail Electric Tariff, as then in effect and approved by the Commission, including but not limited to the provisions of Duke Energy Ohio's General Terms And Conditions For Electric Service.

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## RIDER LM

### LOAD MANAGEMENT RIDER

#### APPLICABILITY

The Off Peak Provision of this Load Management Rider is applicable to customers receiving service under the provisions of the respective distribution or transmission service rate schedules and who receive energy supply from the Company. Customers who purchase their energy supply from a Certified Supplier and have continued to receive service under this schedule since prior to October 1999, may continue to receive service under this schedule.

#### OFF PEAK PROVISION

The "off peak period" for the summer season is defined as the period from 8:00 p.m. of one day to 11:00 a.m. of the following day; Friday from 8:00 p.m. to 11:00 a.m. of the following Monday; and from 8:00 p.m. of the day preceding a legal holiday to 11:00 a.m. of the day following that holiday. The "off peak period" for the winter season is defined as the period 2:00 p.m. to 5:00 p.m. and from 9:00 p.m. of one day to 9:00 a.m. of the following day; Friday from 9:00 p.m. to 9:00 a.m. of the following Monday; and from 9:00 p.m. of the day preceding a legal holiday to 9:00 a.m. of the day following that holiday. The following are recognized legal holidays as far as load conditions of the Company's system are concerned: New Year's Day, President's Day, Good Friday, Memorial Day, Independence Day, Labor Day, Columbus Day, Veterans Day, Thanksgiving Day, Christmas Day or with the exception that if the foregoing holidays occur on a Sunday, the following Monday is considered a holiday.

The "on peak period" is defined as all hours exclusive of the "off peak period" hours set forth in the preceding paragraph.

- I. For customers with demand meters having a programmable time-of-use (TOU) register and an average monthly demand not exceeding five hundred (500) kilowatts ("TOU customers"), where electric service is furnished under the provisions of the Company's existing distribution service rate schedules:
  - A. For purposes of administration of this rider for TOU customers, the summer season, as stated above, is the period beginning June 1 and ending September 30. The winter season consists of all other days which have not been recognized in the summer season.
  - B. Due to the limited availability of TOU metering equipment and Company personnel, a demand meter with programmable TOU register will be installed as such metering equipment and Company personnel are available.
  - C. The customer will be required to pay the current installed cost of the TOU metering equipment in excess of the current installed cost of the standard demand register equipment, normally installed by the Company, which is required under the provisions of the applicable service tariff schedule. All metering equipment shall remain the property of the Company which shall be responsible for its installation, operation, maintenance, testing, replacement, or removal.

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**OFF PEAK PROVISION (Contd.)**

- D. When a customer elects the Off Peak Provision, the monthly customer charge of the applicable service tariff schedule will be increased by an additional monthly charge of seven dollars and fifty cents (\$7.50) for each installed TOU meter. In addition, the DEMAND provision shall be modified to the extent that the billing demand shall be based upon the "on peak period," as defined above.
- II. For customers with a solid state recording (SSR) device for billing ("SSR customers"), and where electric service is furnished under the provisions of either the applicable distribution service tariff schedule or transmission service tariff schedule:
- A. For purposes of administration of this rider for all SSR customers, the summer billing period begins with consumption after the customer's May meter reading and ends with the consumption billed as a result of the September meter reading. The following is an example of how the summer period by billing cycle is defined: For customers in the first billing cycle (Cycle 1), the summer billing season would cover the approximate period of May 1 through September 1. For customers in the last billing cycle (Cycle 21), the summer period would cover the approximate period of May 31 through September 30. The meter reading dates by billing cycle may vary based on the Company's meter reading schedule. The winter season consists of all other days which have not been recognized in the summer season.
- B. The "off peak period" billing demand will be taken at fifty (50) percent of the highest fifteen minute demand established during the "off peak period," as defined above.
- C. When a customer elects this Off Peak Provision, the monthly customer charge of the applicable service tariff schedule will be increased by an additional monthly charge of one hundred fifty dollars (\$150.00).

The Demand provision of the applicable service tariff schedule shall be modified to the extent that the billing demand shall be based upon the "on peak period," as defined above. However, in no case shall the billing demand be less than the "off peak period" billing demand or the billing demand as determined in accordance with the DEMAND provision of the applicable service tariff schedule, as modified.

**TERMS AND CONDITIONS**

The term of contract shall be for a minimum period of one (1) year.

The Company shall not be required to increase the capacity of any service facilities in order to furnish off peak demands. The Company reserves the right, upon 30 days notice to customers affected, to change the time or times during which on peak demands may be established.

The supplying and billing for service and all conditions applying thereto, are subject to the jurisdiction of the Public Utilities Commission of Ohio, and to the Company's Service Regulations currently in effect, as filed with the Public Utilities Commission of Ohio.

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## RIDER TES

### THERMAL ENERGY STORAGE RIDER

#### APPLICABILITY

Applicable to customers who receive energy supply from the Company and who have installed a thermal storage cooling system and enter into a Service Agreement with the Company which will specify, among other terms and conditions, the kilowatt load to be shifted to the off peak period.

#### NET MONTHLY BILL

The Net Monthly Bill shall be computed in accordance with the provisions of the respective distribution service tariff, transmission service tariff, or as provided for by Rider LM, Load Management Rider.

#### BILLING DEMAND

The Company will utilize the actual demand established during the on peak period for monthly billing purposes. In the event the customer's equipment malfunctions during the off peak period and impacts the billing demand, an adjustment to the billing demand may be made, at the Company's discretion.

#### TERMS AND CONDITIONS

The off peak period for the summer season is defined as the period from 8:00 p.m. of one day to 11:00 a.m. of the following day; Friday from 8:00 p.m. to 11:00 a.m. of the following Monday; and from 8:00 p.m. of the day preceding a legal holiday to 11:00 a.m. of the day following that holiday. The following are recognized as legal holiday as far as load conditions of the Company's system are concerned: New Year's Day, President's Day, Good Friday, Memorial Day, Independence Day, Labor Day, Columbus Day, Veterans Day, Thanksgiving Day, Christmas or on the day nationally designated to be celebrated as such with the exception that if the foregoing holidays occur on a Sunday, the following Monday is considered a holiday. The summer period is defined as that period represented by the Company's billing for the four (4) revenue months of June through September.

A thermal storage cooling system is defined as a system utilizing heating, ventilating, and air conditioning (HVAC) equipment to accumulate energy in a body or system in the form of sensible heat (temperature rise) or latent heat (a change of phase). The stored energy is subsequently used to provide process cooling or space conditioning during the Company's on peak hours instead of operating traditional HVAC equipment.

Customer shall provide Company with access to customer's thermal storage cooling system for purposes of verifying that the system is well maintained and reliable.

The supplying of, and billing for, service and all conditions applying thereto are subject to the jurisdiction of the Public Utilities Commission of Ohio and to the Company's Service Regulations currently in effect and on file with the Public Utilities Commission of Ohio.

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## RIDER GP

### GOGREEN RIDER

#### APPLICABILITY

Applicable to all customers who wish to purchase GoGreen units from the Company-sponsored GoGreen program and who enter a service agreement with the company. This rider will be available until December 31, 2011.

#### DEFINITION OF GOGREEN

GoGreen supports alternative energy sources brought into service on or after 1997, such as:

Wind, Solar Photovoltaic, Biomass Co-firing of Agricultural Crops, Hydro – as certified by the Low Impact Hydro Institute, Incremental Improvements in Large Scale Hydro, Coal Mine Methane, Landfill Gas, Biogas Digesters, Biomass Co-firing of All Woody Waste including mill residue, but excluding painted or treated lumber.

The GoGreen Program includes the purchase of Renewable Energy Certificates and/or Carbon Credits from the sources described above.

#### GOGREEN COMPETITIVE RETAIL ELECTRIC SERVICE MARKET PRICE

1. Rate RS, Rate RSLI, Rate RS3P, Rate ORH, and Rate TD:

For all GoGreen units .....\$1.00 per unit per month

Minimum purchase is two (2) 100 kWh units. Additional purchases to be made in 100 kWh unit increments.

2. All other rates:

Individually calculated GoGreen Rate per service agreement which may also include carbon credits.

#### NET MONTHLY BILL

Customers who participate under this Rider will be billed for electric service under all standard applicable tariffs including all applicable riders.

The purchase of GoGreen units, under this rider, will be billed at the applicable GoGreen Rate times the number of GoGreen units the customer has agreed to purchase per month. The customer's monthly bill will consist of the sum of all kWh billed at the applicable rate tariffs, including all applicable riders, and the agreed to GoGreen units billed at the applicable Green Power Rate.

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#### **TERMS AND CONDITIONS**

1. The customer shall enter into a service agreement with Company that shall specify the amount in GoGreen units and price of GoGreen units to be purchased monthly. Customer shall give Company thirty (30) days notice prior to cancellation of participation in this rider.
2. Funds from the GoGreen Rate will be used to purchase Renewable Energy Certificates and/or carbon credits from renewable and environmentally friendly sources as described in the DEFINITION OF GOGREEN section and for customer education, marketing, and costs of the GoGreen Program.
3. Renewable Energy Certificate ("REC") shall mean tradable units that represent the commodity formed by unbundling the environmental attributes of a unit of renewable or environmentally friendly energy from the underlying electricity. One REC would be equivalent to the environmental attributes of one MWH of electricity from a renewable or environmentally friendly generation source.
4. Company may transfer RECs or Carbon Credits at the prevailing wholesale market prices to and from third parties, including affiliated Companies.
5. Company reserves the right to terminate the Rider or revise the pricing or minimum purchase amount of the Rider after giving 60 days notice.
6. Carbon Credit shall mean tradable units that represent the reduction of the release of a greenhouse gas in the equivalent of one ton CO<sub>2</sub>.

Company may obtain carbon credits from purchased power, company owned generation, or purchased with funds collected from this rider.

#### **SERVICE REGULATIONS**

The billing for service and all conditions applying thereto, are subject to the jurisdiction of the Public Utilities Commission of Ohio, and to the Company's Service Regulations currently in effect, as filed with the Public Utilities Commission of Ohio.

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## RIDER SCR

### SUPPLIER COST RECONCILIATION RIDER

#### APPLICABILITY

Applicable to all retail jurisdictional customers in the Company's electric service areas. The applicability of this rider to customers who take electric generation service from a Certified Retail Electric Supplier is discussed below in the AVOIDABILITY section.

Rider SCR will be updated quarterly.

#### RATE

The SCR charges for each rate schedule are:

<u>Tariff Sheet</u>	<u>SCR Charge</u> (per kWh)
Rate RS, Residential Service All kWh	\$0.000000
Rate ORH, Optional Residential Service With Electric Space Heating All kWh	\$0.000000
Rate TD, Optional Time-of-Day Rate All kWh	\$0.000000
Rate CUR, Common Use Residential Rate All kWh	\$0.000000
Rate DS, Service at Secondary Distribution Voltage All kW	\$0.000000
Rate GS-FL, Optional Unmetered For Small Fixed Loads All kWh	\$0.000000
Rate EH, Optional Rate For Electric Space Heating All kWh	\$0.000000
Rate DM, Secondary Distribution Service, Small All kWh	\$0.000000
Rate DP, Service at Primary Distribution Voltage All kW	\$0.000000
Rate SFL-ADPL, Optional Unmetered Rate For Small Fixed Loads Attached Directly to Company's Power Lines All kWh	\$0.000000
Rate TS, Service at Transmission Voltage All kVA	\$0.000000

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**CHARGE (Contd.)**

Tariff Sheet

SCR Charge  
(per kWh\ kW)

Rate SL, Street Lighting Service All kWh	\$0.000000
Rate TL, Traffic Lighting Service All kWh	\$0.000000
Rate OL, Outdoor Lighting Service All kWh	\$0.000000
Rate NSU, Street Lighting Service for Non-Standard Units All kWh	\$0.000000
Rate NSP, Private Outdoor Lighting for Non-Standard Units All kWh	\$0.000000
Rate SC, Street Lighting Service - Customer Owned All kWh	\$0.000000
Rate SE, Street Lighting Service - Overhead Equivalent All kWh	\$0.000000
Rate UOLS, Unmetered Outdoor Lighting Electric Service All kWh	\$0.000000

**AVOIDABILITY**

If the SCR deferral balance is greater than 5% of the actual cost of supplying generation service to the portion of system load served through the Standard Service Offer, then Rider SCR will apply to all customers including those customers receiving electric generation service from a Certified Retail Electric Supplier.

If the SCR deferral balance is less than or equal to 5% of the actual cost of supplying generation service to the portion of system load served through the Standard Service Offer, then Rider SCR will apply to only those customers taking electric generation service from the Company under its Standard Service Offer rates.

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**RIDER EER**

**ENERGY EFFICIENCY REVOLVING LOAN PROGRAM RIDER**

**APPLICABILITY**

The Energy Efficiency Revolving Loan Program was established by the Ohio Amended Substitute Senate Bill No. 3. This Rider is applicable to all jurisdictional retail customers, including interdepartmental sales, in the Company's electric service area. This rider shall remain in effect no later than December 31, 2010.

**CHARGE**

The amount to be charged beginning February 1, 2006 shall be \$0.09 per customer per month.

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**RIDER OET**

**OHIO EXCISE TAX RIDER**

**APPLICABILITY**

Applicable to all jurisdictional retail customers in the Company's electric service area except that customers who meet the eligibility requirements contained in section 5727.81 of the Ohio Revised Code may elect to self-assess this tax.

**CHARGE**

The Ohio excise tax is applicable to all usage on and after May 1, 2001 as follows:

First 2,000 kWh	\$0.00465 per kWh
Next 13,000 kWh	\$0.00419 per kWh
Additional kWh	\$0.00363 per kWh

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**RIDER RTC**

**REGULATORY TRANSITION CHARGE RIDER**

**THIS TARIFF HAS BEEN CANCELLED AND SUPERSEDED**

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**RIDER SC**

**SHOPPING CREDIT RIDER**

**THIS TARIFF HAS BEEN CANCELLED AND SUPERSEDED**

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**RIDER USR**

**UNIVERSAL SERVICE FUND RIDER**

**APPLICABILITY**

Ohio Amended Substitute Senate Bill No. 3 established a Universal Service Fund in the State of Ohio. This Rider is applicable to all jurisdictional retail customers, including interdepartmental sales, in the Company's electric service area.

**CHARGE**

All kWh are subject to the Universal Service Fund Rider. The amount to be charged monthly beginning January 4, 2010 shall be as follows:

First 833,000 kilowatt-hours	\$0.0015704 per kWh
All Additional kilowatt-hours	\$0.0004690 per kWh

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## **RIDER PLM**

### **PEAK LOAD MANAGEMENT PROGRAM**

#### **AVAILABILITY**

Applicable to Customers served under the Standard Rates DS, DP, and TS or Rate RTP. Customers electing to choose an alternative supplier will only be able to participate in the emergency program as described in the Service Agreement.

#### **PROGRAM DESCRIPTION**

The PLM Program is voluntary and offers Customers the opportunity to reduce their electric costs by managing their electric usage during Company's peak load periods. Customer and Company will enter into a Service Agreement under this Rider which will specify the terms and conditions under which Customer agrees to reduce usage.

#### **SERVICE OPTIONS**

Customers may elect to participate in a PLM service option by either choosing to:

- a) reduce demand to a specified amount,
- b) reduce energy usage below their baseline, or
- c) sell the output of any Customer owned self generation to Company.

Upon approval of Company, Customers will have the choice to combine the electric loads of multiple accounts (aggregate) served under the Company's Standard Rate Schedules and/or Special Contracts of Company, for any of the options available under the PLM Program. Any aggregation of Customer loads applies only to the provisions of this Rider (the PLM Program) and in no way is to be used to migrate between or to the Company's Standard Rate Schedules and/or Special Contracts.

The specific hours for the PLM service option will be mutually agreed upon between Customer and Company and specified in the Service Agreement. The targeted hours for the PLM Program will generally be between 11:00 A.M. and 8:00 P.M., Monday through Friday, starting June 1 and ending September 30.

Buy-through energy is the incremental energy the Customer has decided to purchase in lieu of managing their electric demand or energy usage as agreed upon between the Customer and the Company.

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## **SERVICE OPTIONS (Cont'd)**

### **Demand Reduction Option**

Customers served under the Standard Rates DS, DP, and TS or Rate RTP electing this option agree, upon notification by Company, to limit their demand to a Firm Load Level. Customer and Company will mutually agree on the amount of demand reduction, the conditions under which a request for reduction can be issued and the mechanism to be used to verify compliance. Based upon these factors, Company will establish a bill credit to be given to Customer and the structure of the bill credit. The value of bill credit will take into consideration the projected avoided cost of firm capacity and energy, any bill savings from reducing load under the applicable Standard Rates or Rate RTP and program administrative costs.

Company will provide buy-through energy, if available, to be billed based on price quotes (Buy-through Quotes) provided to Customer. Such Buy-through Quotes will include a) applicable transmission and distribution charges, generation charges based on out-of-pocket cost plus 10% and all applicable riders and taxes included in the Standard Rate. Customer will be billed for all usage above the Firm Load Level at such Buy-through Quotes. If buy-through energy is not available and Customer fails to reduce its usage to the Firm Load Level, Customer will be billed for all usage above the Firm Load Level at \$10.00 per kilowatt-hour.

### **Energy Reduction Below Baseline**

Customers served under the Standard Rates DS, DP, and TS or Rate RTP electing this option agree, upon notification by Company, to reduce energy usage below their Baseline Level. Reductions below the Baseline Level during such periods will be credited at the Energy Buy-Back Price Quotes provided to Customer by Company. Customer and Company will mutually agree upon a) the conditions under which such Price Quotes will be in effect, b) the time period by which Company will provide such Price Quotes to Customer and c) the time duration such Price Quotes will be in effect. The determination of such Energy Buy-Back Price Quotes will take into consideration the projected avoided cost of energy, any bill savings from reducing load under the applicable Standard Rates or Rate RTP and program administrative costs.

Customer will agree to provide Company with an estimate of the amount of load reduction to be provided during such periods. The Baseline Level must be mutually agreeable to by both the Customer and the Company as representing the Customer's normal usage level during the time period that a notification could be given.

### **Generation Sell Back**

Customers served under the Standard Rates DS, DP, and TS or Rate RTP electing this option, agree upon notification by Company, to sell the output of their electric generator to Company. Customer and Company will mutually agree on the amount of generation to be sold back and the conditions under which a request to run the generator can be issued. Based upon these factors, Company will establish a bill credit to be given to Customer and the structure of the bill credit. The value of bill credit will take into consideration the projected avoided cost of firm capacity and energy and program administrative costs.

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Duke Energy Ohio  
139 East Fourth Street  
Cincinnati, Ohio 45202

P.U.C.O. Electric No. 19  
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**SERVICE OPTIONS (Cont'd)**

Suitable metering will be installed either by Customer or Company to measure the energy output of the Generator. Customer will provide suitable access and a suitable location for the installation of such metering equipment.

**Generation Sell Back**

During such time period that the electrical output of the generator is being sold back to Company, the meter readings that are normally used to bill the Customer shall be adjusted by adding back the measured output of the generator.

**BILLING UNDER STANDARD RATES**

Customers served under Standard Rates DS, DP or TS will be billed for all demand and energy used under the terms and conditions and at the rates and charges of the applicable Standard Rate. In addition, Customers will receive credits on their electric bill for participation in the PLM Program based upon the elected Service Option and outlined in the PLM Service Agreement.

**BILLING UNDER RATE RTP**

Customers served under Rate RTP will be billed for all demand and energy used under the terms and conditions and at the rates and charges of Rate RTP. In addition, Customers will receive credits on their electric bill for participation in the PLM Program based upon the elected Service Option and outlined in the PLM Service Agreement. During a notice period under this Rider, Customer's RTP billing will be adjusted to equate any credits to those outlined in the PLM Service Agreement.

**PROGRAM EQUIPMENT**

Company will provide Internet based communication software to be used to provide Customer with the Buy-through and Price Quotes. Customer will be responsible for providing its own Internet access.

Customer may purchase from either Company or other third-party suppliers any other necessary equipment or software packages to facilitate participation in this PLM Program. While Customers are encouraged to use such equipment or software packages to maximize benefits under this PLM Program, it is not a requirement for program participation. It is Customer's responsibility to ensure the compatibility of third-party equipment or software packages with any Company owned equipment or software packages.

**CUSTOMER GENERATION**

Customers electing to operate a Generator in parallel with Company's electric system will operate the Generator in such a manner as not to cause undue fluctuations in voltage, intermittent load characteristics or otherwise interfere with the operation of Company's electric system. Company will grant such permission only in cases where it is satisfied that such parallel operation is practicable and without interference or probability of interference with the ability of Company to render adequate service to its other Customers.

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#### **TERM AND CONDITIONS**

Except as provided in this Rider PLM, all terms, conditions, rates, and charges outlined in the applicable Standard Rates or Rate RTP will apply. Participation in the PLM Program will not affect Customer's obligations for electric service under these rates.

Any interruptions or reductions in electric service caused by outages of Company's facilities, other than as provided under the PLM Program, will not be deemed a notice period under this PLM Program. Agreements under the PLM Program will in no way affect Customer's or Company's respective obligations regarding the rendering of and payment for electric service under the applicable electric tariff and its applicable rate schedules. It will be Customer's responsibility to monitor and control their demand and energy usage before, during, and after a notice period.

The supplying and billing for service and all conditions applying thereto, are subject to the jurisdiction of the Public Utilities Commission of Ohio, and to the Company's Service Regulations currently in effect, as filed with the Public Utilities Commission of Ohio.

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**RIDER UE-GEN**

**UNCOLLECTIBLE EXPENSE – ELECTRIC GENERATION RIDER**

**APPLICABILITY**

Applicable to all retail jurisdictional customers in the Company's electric service areas who receive electric generation service from the Company under the Standard Service Offer.

**DESCRIPTION**

This rider enables the recovery of incremental uncollectible accounts expense above what is recovered in base rates and includes Percentage of Income Payment ("PIPP") customer installments not collected through the Universal Service Fund Rider. The amounts in the Rider, exclusive of uncollectible PIPP installments, will only be collected from the class (residential or non-residential) that created the uncollectible accounts expense. Uncollectible accounts expense associated with PIPP will be allocated in the manner consistent with the Universal Service Fund Rider. The first application shall be filed in the second quarter of 2012.

**CHARGE**

A charge of \$0.000000 per kWh shall be applied to all kWh delivered to residential customers. A charge of \$0.00 per bill shall be applied to each non-residential customer.

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## RIDER BTR

### BASE TRANSMISSION RIDER

#### APPLICABILITY

Applicable to all retail jurisdictional customers in the Company's electric service area.

#### CHARGE

The Base Transmission Rider charges detailed below are to recover transmission costs related to the provision of retail distribution service in Duke Energy Ohio's service territory. Costs recoverable in this rider are limited to those costs charged to or imposed upon Duke Energy Ohio by FERC-approved regional transmission organizations under approved tariffs. Costs recoverable under this tariff include network integrated transmission service and other non-market-based transmission charges.

#### RATE

The BTR charges for each rate schedule are:

<u>Tariff Sheet</u>	<u>BTR Charge</u> (per kWh/kW)	(I)
Rate RS, Residential Service		
All kWh		
Rate ORH, Optional Residential Service With Electric Space Heating		
All kWh		
Rate TD, Optional Time-of-Day Rate		
All kWh		
Rate CUR, Common Use Residential Rate		
All kWh		
Rate DS, Service at Secondary Distribution Voltage		
All kW		
Rate GS-FL, Optional Unmetered For Small Fixed Loads		
All kWh		
Rate EH, Optional Rate For Electric Space Heating		
All kWh		
Rate DM, Secondary Distribution Service, Small		
All kWh		
Rate DP, Service at Primary Distribution Voltage		
All kW		
Rate SFL-ADPL, Optional Unmetered Rate For Small Fixed Loads Attached Directly to Company's Power Lines		
All kWh		
Rate TS, Service at Transmission Voltage		
All kVA		
Rate SL, Street Lighting Service		
All kWh		

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Tariff Sheet

BTR Charge  
(per kWh/kW)

(1)

Rate TL, Traffic Lighting Service  
All kWh  
Rate OL, Outdoor Lighting Service  
All kWh  
Rate NSU, Street Lighting Service for Non-Standard Units  
All kWh  
Rate NSP, Private Outdoor Lighting for Non-Standard Units  
All kWh  
Rate SC, Street Lighting Service - Customer Owned  
All kWh  
Rate SE, Street Lighting Service - Overhead Equivalent  
All kWh  
Rate UOLS, Unmetered Outdoor Lighting Electric Service  
All kWh

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## RATE RTP

### REAL TIME PRICING PROGRAM

#### APPLICABILITY

Applicable to Customers served under the Standard Service Offer Rate DS, Rate DP, or Rate TS. The incremental cost of any special metering required for service under this Program beyond that normally provided under the applicable Standard Tariff shall be borne by the Customer. Customers must enter into a service agreement with a minimum term of one year. Customers electing a Certified Supplier will not be eligible to participate in the Program.

For customers taking service under any or all of the provisions of this tariff schedule, this same schedule shall constitute the Company's Electric Security Plan Standard Service Offer.

#### PROGRAM DESCRIPTION

The RTP Program is voluntary and offers Customers the opportunity to manage their electric costs by either shifting load from higher cost to lower cost pricing periods and adding new load during lower cost pricing periods or to learn about market pricing. Binding Price Quotes will be sent to each Customer on a day-ahead basis. The program is intended to be bill neutral to each Customer with respect to their historical usage through the use of a Customer Baseline Load (CBL) and the Company's Electric Security Plan Standard Offer Rates.

#### CUSTOMER BASELINE LOAD

The CBL is one complete year of Customer hourly load data that represents the electricity consumption pattern and level of the Customer's operation under the Standard Rate Schedule. The CBL is the basis for achieving bill neutrality for Customers billed under this Rate RTP, and must be mutually agreeable to by both the Customer and the Company as representing the Customer's usage pattern under the Standard Rate Schedule (non-RTP). Agreement on the CBL is a requirement for participation in the RTP Program.

#### RTP BILLING

Customers participating in the RTP Program will be billed monthly based on the following calculation:

$$\text{RTP Bill} = \text{BC} + \text{PC} + \sum_{t=1}^n \{ (\text{CC}_t + \text{ED}_t) \times (\text{AL}_t - \text{CBL}_t) \}$$

Where:

- BC = Baseline Charge
- PC = Program Charge
- $\text{CC}_t$  = Commodity Charge for hour t
- $\text{ED}_t$  = Energy Delivery Charge for hour t
- $\text{AL}_t$  = Customer Actual Load for hour t
- $\text{CBL}_t$  = Customer Baseline Load in hour t
- n = total number of hours in the billing period
- t = an hour in the billing period

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#### **BASELINE CHARGE**

The Baseline Charge is independent of Customer's current monthly usage, and is designed to achieve bill neutrality with the Customer's standard offer tariff if no change in electricity usage pattern occurs (less applicable program charges). The Baseline Charge is calculated at the end of the billing period and changes each billing period to maintain bill neutrality for a Customer's CBL.

The Baseline Charge will be calculated as follows:

$$BC = (\text{Standard Bill @ CBL})$$

Where:

BC = Baseline Charge  
Standard Bill @ CBL = Customer's bill for the specific month on the applicable Rate Schedule using the CBL to establish the applicable billing determinants

The CBL shall be adjusted to reflect applicable metering adjustments under the standard Rate Schedule.

#### **PRICE QUOTES**

The Company will send to Customer, by 3:00 p.m. each day, Price Quotes to be charged the next day. Such Price Quotes shall include the applicable Commodity Charge, the Energy Delivery Charge, and the Ancillary Services Charge.

The Company may send more than one-day-ahead Price Quotes for weekends and holidays identified in Company's tariffs. The Company may revise these prices by 3:00 p.m. the day before they become effective.

The Company is not responsible for failure of Customer to receive and act upon the Price Quotes. It is Customer's responsibility to inform Company of any failure to receive the Price Quotes by 5:00 p.m. the day before they become effective.

#### **COMMODITY CHARGE**

The Commodity Charge is a charge for generation. The applicable hourly Commodity Charge (Credit) shall be applied on an hour by hour basis to Customer's incremental (decremental) usage from the CBL.

Charge (Credit) For Each kW Per Hour From The CBL:

For kWh<sub>t</sub> above the CBL<sub>t</sub>,  $CC_t = MVG_t \times LAF$

For kWh<sub>t</sub> below the CBL<sub>t</sub>,  $CC_t = MVG_t \times 80\% \times LAF$

Where:

LAF = loss adjustment factor  
= 1.0530 for Rate TS  
= 1.0800 for Rate DP  
= 1.1100 for Rate DS  
MVG<sub>t</sub> = Market Value Of Generation As Determined By Company for hour t

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#### COMMODITY CHARGE (Contd.)

The MVG<sub>i</sub> will be based on the expected market price of capacity and energy for the next day. The expected market price will be based on forecasts of market conditions for the next day using publicly available market indices and/or bona fide third-party price quotes to establish the expected market price.

The kW Per Hour incremental or decremental usage from the CBL shall be adjusted to reflect applicable metering adjustments under the standard Rate Schedule.

#### ENERGY DELIVERY CHARGE

The hourly Energy Delivery Charge is a charge for using the distribution system to deliver energy to the Customer. The applicable hourly Energy Delivery Charge (Credit) shall be applied on an hour by hour basis to Customer's incremental (decremental) usage from the CBL.

Charge (Credit) For Each kW Per Hour From The CBL:

Rate DS .....	\$ 0.016616 per kW per Hour
Rate DP .....	\$ 0.019689 per kW per Hour
Rate TS .....	\$ 0.000000 per kW per Hour

The kW per Hour incremental or decremental usage from the CBL shall be adjusted to reflect applicable metering adjustments under the standard Rate Schedule.

#### PROGRAM CHARGE

Company will provide Internet based communication software to be used to provide Customer with the Price Quotes. Customer will be responsible for providing its own Internet access. A charge of \$325 per billing period per Customer shall be added to Customer's bill to cover the additional billing, administrative, and cost of communicating the hourly Price Quotes associated with the RTP Program.

Customer may purchase from either Company or any other third-party suppliers any other necessary equipment or software packages to facilitate participation in this program. While Customers are encouraged to use such equipment or software packages to maximize benefits under this Program, it is not a requirement for program participation. It is Customer's responsibility to ensure the compatibility of third-party equipment or software packages with any Company owned equipment or software packages.

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## APPLICABLE RIDERS

The following riders are applicable pursuant to the specific terms contained within each rider. All riders are billed against the total monthly demand and consumption, except for Rider GEN, Rider MRO, Rider BTR, Rider RTO, and Rider FPP which are billed against the CBL/BDH demand and consumption:

Sheet No. 53, Rider PTC-FPP, Fuel and Economy Purchased Power Rider  
Sheet No. 54, Rider SRA-CD, Capacity Dedication Rider  
Sheet No. 56, Rider SRA-SRT, System Reliability Tracker  
Sheet No. 57, Rider TCR, Transmission Cost Recovery Rider  
Sheet No. 58, Rider DRI, Distribution Reliability Investment Rider  
Sheet No. 70, Rider DR, Storm Recovery Rider  
Sheet No. 80, Rider SCR, Supplier Cost Reconciliation Rider  
Sheet No. 81, Rider EER, Energy Efficiency Revolving Loan Program Rider  
Sheet No. 83, Rider OET, Ohio Excise Tax Rider  
Sheet No. 84, Rider RTC, Regulatory Transition Charge Rider  
Sheet No. 86, Rider USR, Universal Service Fund Rider  
Sheet No. 88, Rider UE-GEN, Uncollectible Expense - Electric Generation Rider  
Sheet No. 89, Rider BTR, Base Transmission Rider  
Sheet No. 103, Rider EIR, Environmental Investment Rider  
Sheet No. 104, Rider DR-IM, Infrastructure Modernization Rider  
Sheet No. 105, Rider DR-ECF, Economic Competitiveness Fund Rider  
Sheet No. 106, Rider DR-SAWR, Energy Efficiency Recovery Rate  
Sheet No. 108, Rider UE-ED, Uncollectible Expense - Electric Distribution Rider  
Sheet No. 109, Rider RECON, Fuel and Reserve Capacity Reconciliation Rider  
Sheet No. 110, Rider AER-R, Alternative Energy Recovery Rider  
Sheet No. 111, Rider GEN, Generation Service Rider  
Sheet No. 112, Rider MRO, Market Rate Offer Tracker

## TERM AND CONDITIONS

Except as provided in this Rate RTP, all terms, conditions, rates, and charges outlined in the Standard Rate Schedule will apply. Participation in the RTP Program will not affect Customer's obligations for electric service under the Standard Rate Schedule.

The primary term of service is one (1) year consisting of a consecutive twelve month period.

Customers who terminate their service agreement under Rate RTP after the initial one (1) year term shall not be eligible to return to the program for twelve (12) months from the termination date.

Customers returning to the standard tariff shall have any historical demands in excess of the CBL, waived for purposes of calculating applicable billing demands.

The supplying and billing for service and all conditions applying thereto, are subject to the jurisdiction of the Public Utilities Commission of Ohio, and to the Company's Service Regulations currently in effect, as filed with the Public Utilities Commission of Ohio.

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## **BAD CHECK CHARGE**

### **APPLICABILITY**

Applicable to all customers in the Company's electric service area.

### **CHARGE**

The Company may charge and collect a fee of \$20.00 to cover the cost of handling an unsecured check, where a customer tenders in payment of an account a check which upon deposit by the Company is returned as unpaid by the bank for insufficient funds.

### **SERVICE REGULATIONS**

The supplying of, and billing for, service and all conditions applying thereto, are subject to the jurisdiction of the Public Utilities Commission of Ohio, and to the Company's Service Regulations currently in effect, as filed with the Public Utilities Commission of Ohio.

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## CHARGE FOR RECONNECTION OF SERVICE

### APPLICABILITY

Applicable in the Company's entire service area where electric service has been disconnected due to the enforcement of the Company's Electric Service Regulations, Sheet No. 20 Paragraph 3, Company's Right to Refuse or to Disconnect Service.

### CHARGE FOR RECONNECTION OF SERVICE

The Company may charge and collect in advance the following:

- A. The reconnection charge for electric service which has been disconnected due to enforcement of Sheet No. 20 Paragraph 3(c) or (g) of the Company's Electric Service Regulations shall be twenty-five dollars (\$25.00). In the event the customer is responsible for the unsafe or dangerous condition contemplated by paragraph 3(d) of Sheet No. 20, the charge for reconnection of electric service shall be twenty-five dollars (\$25.00).
- B. The reconnection charge for electric service which has been disconnected within the preceding twelve months at the request of the customer pursuant to Sheet No. 20, Paragraph 3(a) shall be twenty-five dollars (\$25.00).
- C. If both the electric service and the gas service have been disconnected, the reconnection charge shall be the sum of the gas charge set forth in the applicable gas tariff plus the applicable charge for electric service, as set forth above, except that such charge shall not exceed thirty-eight dollars (\$38.00).
- D. Where electric service was disconnected at the pole because the Company was unable to gain access to the meter, the reconnection charge will be \$65.00.
- E. If service is discontinued because of fraudulent use thereof, the Company may charge and collect, in addition to the applicable charge as stated above, the expense incurred by the Company by reason of such fraudulent use, plus an estimated bill for electricity used, prior to the reconnection of service.
- F. If the Company receives notice after 12:30 p.m. of a customer's desire for same day reinstatement of service and if the reconnection cannot be performed during normal business hours, the after hour reconnection charge for connection at the meter will be \$50. The after hour charge for reconnection at the pole will be \$90.

### SERVICE REGULATIONS

The supplying of, and billing for, service and all conditions applying thereto, are subject to the jurisdiction of the Public Utilities Commission of Ohio, and to the Company's Service Regulations currently in effect, as filed with the Public Utilities Commission of Ohio.

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## COGENERATION AND SMALL POWER PRODUCTION SALE AND PURCHASE TARIFF

### APPLICABILITY

The provisions of this tariff are applicable to qualifying cogeneration and small power production facilities with capacity of 100 kW or less as adopted by the Federal Energy Regulatory Commission (FERC), Title 18 CFR Part 292.201 through 292.207.

### DEFINITIONS

Definitions of the following terms are as adopted by the FERC, Title 18 CFR Part 292.101:

- |                                     |                          |
|-------------------------------------|--------------------------|
| (1) Qualifying Facility             | (6) Interconnection Cost |
| (2) Cogeneration Facility           | (7) Supplementary Power  |
| (3) Small Power Production Facility | (8) Back-up Power        |
| (4) Purchase                        | (9) Interruptible Power  |
| (5) Sale                            | (10) Maintenance Power   |
|                                     | (11) System              |

### OBLIGATIONS

- (1) Purchases  
The Company shall purchase from qualifying facilities in accordance with Part 292.304.
- (2) Sales  
The Company shall sell to qualifying facilities in accordance with Part 292.305.
- (3) Interconnections  
The Company shall make interconnections with qualifying facilities as may be necessary to accomplish purchases or sales and the qualifying facility will pay for the interconnection costs in accordance with Part 292.306. Interconnection costs will be paid over a period not to exceed thirty-six (36) months as mutually agreed upon by the qualifying facility and the Company.
- (4) System Emergencies  
During system emergencies the Company may discontinue purchases and sales or the qualifying facilities may be required to provide energy or capacity in accordance with Part 292.304(f) and 292.307.
- (5) Service Agreement  
The qualifying facility shall enter into a written Service Agreement with the Company.

### STANDARDS FOR OPERATING RELIABILITY

The technical requirements necessary for operating reliability are set forth in the Company's procedure entitled "Guideline Technical Requirements for Parallel Operation of Customer Generation on the Secondary Distribution System."

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#### **RATE SCHEDULES**

Rates for Purchases from qualifying facilities:

##### Time of Day Metering

	<u>¢/kWh</u>
On Peak - Weekdays excluding holidays 8:00 a.m.-11:00 p.m.	2.0794
Off Peak - All Other Hours	1.8898

##### No Time of Day Metering

All Hours	1.8898
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Rates for Sales of supplemental power, back-up power, interruptible power, or maintenance power to qualifying facilities will be accomplished through applicable tariff schedules as filed with the Public Utilities Commission of Ohio.

#### **TERMS AND CONDITIONS**

The supplying and billing for service and all conditions applying thereto, are subject to the jurisdiction of the Public Utilities Commission of Ohio, and to the Company's Service Regulations currently in effect, as filed with the Public Utilities Commission of Ohio.

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## **RIDER BDP**

### **BACKUP DELIVERY POINT CAPACITY RIDER**

#### **BACKUP DELIVERY POINT (TRANSMISSION/DISTRIBUTION) CAPACITY**

The Company will normally supply service to one premise at one standard voltage at one delivery point and through one meter to a Non-Residential Customer in accordance with the provisions of the applicable rate schedule and the Electric Service Regulations. Upon customer request, the Company will make available to a Non-Residential Customer additional delivery points in accordance with the rates, terms and conditions of this Rider BDP. For hospitals that are members of the Greater Cincinnati Health Council, Rider BDP will be administered as specified in Case No. 08-920-EL-SSO, Stipulation Attachment 9.

#### **NET MONTHLY BILL**

1. Connection Fee \$300.00  
The Connection Fee applies only if an additional metering point is required.
2. Monthly charges will be based on the unbundled distribution and/or transmission rates of the customer's most applicable rate schedule and the contracted-for reserved backup delivery point capacity.
3. The Customer shall also be responsible for the acceleration of costs to the extent that the revenue requirement for such costs exceeds the monthly charges established in Section 2 above, if any, which would not have otherwise been incurred by Company absent such request for additional delivery points. The revenue requirement for the acceleration of costs shall be equal to the product of the capital investment which has been advanced and the levelized fixed charge rate. The terms of payment may be made initially or over a pre-determined term mutually agreeable to Company and Customers that shall not exceed the minimum term. In each request for service under this Rider, Company engineers will conduct a thorough review of the customer's request and the circuits affected by the request. The customer's capacity needs will be weighed against the capacity available on the circuit, anticipated load growth on the circuit, and any future construction plans that may be advanced by the request. The acceleration charges described in this paragraph (3.) will not apply to customers that already have a backup delivery point as of the effective date of this Rider.

#### **TERMS AND CONDITIONS**

The Company will provide such backup delivery point capacity under the following conditions:

1. Company reserves the right to refuse backup delivery capacity to any Customer where such backup delivery service is reasonably estimated by Company to impede or impair current or future electric transmission or distribution service.
2. The amount of backup delivery point capacity shall be mutually agreed to by the Company and the Customer because the availability of specific electric system facilities to meet a Customer's request is unique to each service location.
3. System electrical configurations based on Customer's initial delivery point will determine whether distribution and/or transmission charges apply to Customer's backup delivery point.

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**TERMS AND CONDITIONS (CONTINUED)**

4. In the event that directly assigned facilities are necessary to attach Customer's backup delivery point to the joint transmission or distribution systems, Company shall install such facilities and bill Customer the Company's full costs for such facilities and installations.
5. Energy supplies via any backup delivery point established under this Rider BDP will be supplied under the applicable rate tariff and/or special contract.
6. Company and the Customer shall enter into a service agreement with a minimum term of five years. This service agreement shall contain the specific terms and conditions under which Customer shall take service under this Rider BDP.
7. Company does not guarantee uninterrupted service under this rider.

**SERVICE REGULATIONS**

The supplying of, and billing for, service and all conditions applying thereto, are subject to the jurisdiction of the Public Utilities Commission of Ohio, and to the Company's Service Regulations currently in effect, as filed with the Public Utilities Commission of Ohio.

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**RATE MDC**

**METER DATA CHARGES**

**APPLICABILITY**

These charges apply to customers located in the Company's service territory that have meter pulse equipment and/or interval metering equipment.

**TYPE OF CHARGES**

**Request for Usage Data**

One month of electronic Interval Meter Data	\$24.00
Twelve months of electronic Interval Meter Data	\$32.00
Interval Meter Data Printout	\$13.00
Electronic monthly interval data with graphical capability accessed via the Internet (En-Focus™)	\$20.00 per month

**EN-FOCUS™**

Customers electing the En-Focus option will be required to enroll online, and will be required to accept the Terms and Conditions of the En-Focus program, presented to the customer at the time of enrollment.

**SERVICE REGULATIONS**

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## RATE MSC

### METER SERVICE CHARGES

#### APPLICABILITY

These charges apply to customers that request the Company to install interval metering and meter pulse equipment and to provide certain meter related services that otherwise are not provided by the Company. The end-use customer is responsible for providing communication links to the interval meter per the Company's specifications. If a communication link is not installed by the first regularly scheduled meter read date (after the effective end-use customer enrollment date), the Company may install a communication link and bill the end-use customer on a monthly basis.

#### TYPE OF CHARGES

<b>Standard Meter Tests</b>	<b>\$41.00</b>
(See Company's Electric Service Regulations; Sheet No. 24)	

<b>Installation Charges of Interval Meters and Equipment</b>	
Replace Meter with Interval Meter & Modem - 15 minute intervals	\$446.00
Replace Meter with Interval Meter & Modem - 5 minute intervals	\$968.00
Installation of Meter Pulse Equipment	\$380.00

If the Company is required to make additional visits to the meter site due to the inability to gain access to the meter location or the necessary Communication Link has not been installed, or the Communication Link is not working properly, the Company may charge the customer for any additional trip to the meter site at the rate of

\$58.00/Visit

Cellular telephone installation and monthly access fee

\$55.00/Month

In addition, the Company reserves the right to charge for the cost of any incremental facilities necessary to complete the meter installation.

#### SERVICE REGULATIONS

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**RIDER GSS  
GENERATION SUPPORT SERVICE**

**APPLICABILITY**

Applicable to any general service customer having generation equipment capable of supplying all or a portion of its power requirements for other than emergency purposes and who requires supplemental, maintenance or backup power. Power requirements for Supplemental Power Service, Maintenance Power Service and Backup Power Service may be provided by the Company or a Certified Supplier.

**TYPE OF SERVICE**

Service will be rendered in accordance with the specifications of the Company's applicable distribution voltage service or transmission voltage service tariff schedules.

**NET MONTHLY BILL**

The provisions of the applicable distribution service or transmission service tariff schedule and all applicable riders shall apply to Supplemental Power Service, Maintenance Power Service and Backup Power Service except where noted otherwise. The monthly Administrative Charge and the Monthly Reservation Charges as shown shall apply only to Maintenance Power Service and Backup Power Service.

1. Administrative Charge

The Administrative Charge shall be \$75 plus the appropriate Customer Charge.

2. Monthly Distribution Reservation Charge

a. Rate DS – Secondary Distribution Service	\$3.7908 per kW
b. Rate DP – Primary Distribution Service	\$2.9370 per kW
c. Rate TS – Transmission Service	\$0.1960 per kVA

3. Monthly Transmission Cost Recovery Reservation Charge

a. Rate DS – Secondary Distribution Service	Per Rider TCR
b. Rate DP – Primary Distribution Service	Per Rider TCR
c. Rate TS – Transmission Service	Per Rider TCR

4. Supplemental Power Service

The customer shall contract with the Company for the level of demand required for Supplemental Power Service. All Supplemental Power shall be billed under the terms and charges of the Company's applicable full service tariff schedules. All power not specifically identified and contracted by the customer as Maintenance Power or Backup Power shall be deemed to be Supplemental Power.

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**NET MONTHLY BILL (Contd.)**

**5. Maintenance Power Service**

**Requirements -**

The customer shall contract with the Company for the level of demand required for Maintenance Power. The contracted level of Maintenance Power shall be the lesser of: 1) the transmission and/or distribution capacity required to serve the contracted load; or, 2) the demonstrated capacity of the customer's generating unit(s) for which Maintenance Power is required. The customer's Maintenance Power requirements for each generating unit must be submitted to the Company at least sixty (60) days prior to the beginning of each calendar year. Within thirty (30) days of such submission, the Company shall respond to the customer either approving the Maintenance Power schedule or requesting that the customer reschedule those Maintenance Power requirements. For each generating unit, the customer may elect Maintenance Power Service for up to thirty (30) days in any twelve month period with no more than two (2) days consecutively during the summer billing periods of June through September and those must be during the Company's off-peak periods. The customer may request an adjustment to the previously agreed upon Maintenance Power schedule up to three weeks prior to the scheduled maintenance dates. The adjusted dates must be within one (1) week of the previously scheduled dates and result in a scheduled outage of the same seasonal and diurnal characteristics as the previously scheduled maintenance outage. The Company shall respond to the customer's request for an adjustment within one (1) week of that request. The Company may cancel a scheduled Maintenance Power period, with reason, at any time with at least seven (7) days notice to the customer prior to the beginning of a scheduled maintenance outage if conditions on the Company's electrical system warrant such a cancellation. Any scheduled Maintenance Power period cancelled by the Company shall be rescheduled subject to the mutual agreement of the Company and the customer.

**Billing -**

All power supplied under Maintenance Power Service shall be billed at the applicable rate contained in the Company's full service tariff schedules except for the following modifications: 1) the demand ratchet provision of the Company's full service tariff schedules shall be waived; and 2) the demand charge for Generation shall be fifty (50) percent of the applicable full service tariff Generation demand charge prorated by the number of days that Maintenance Power is taken; and 3) the Distribution, Transmission and Ancillary Services Charges contained in the full service tariff schedules shall be replaced by the Monthly Reservation Charges.

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#### NET MONTHLY BILL (Contd.)

##### 6. Backup Power Service

###### Requirements –

The customer shall contract with the Company for the level of demand required for Backup Power. The contracted level of Backup Power shall be the lesser of: 1) the transmission and/or distribution capacity required to serve the contracted load; or, 2) the demonstrated capacity of the customer's generating unit(s) for which Backup Power is required. The customer shall notify the Company by telephone within one-hour of the beginning and end of the outage. Within 48 hours of the end of the outage, the customer shall supply written notice to the Company of the dates and times of the outage with verification that the outage had occurred. If the customer can reasonably withstand interruption of the Company's backup power supply, the customer may opt for interruptible Backup Power Service. The notification period for interruption shall be one (1) hour. If the customer fails to respond to the Company's interrupt order, the customer's backup power shall be billed at the firm Backup Power rate and shall be assessed an additional fifty (50) percent of the firm Backup Power rate for all Backup Power taken. Should the customer fail to respond to two (2) consecutive interrupt orders or four (4) interrupt orders in any twelve month period, the Company may require the customer to take Backup Power Service under the firm Backup Power rate provisions.

###### Billing –

All Backup Power will be billed at the applicable rate contained in the Company's full service tariff schedules except for the following modifications: 1) the demand ratchet provision of the Company's full service tariff schedules is waived; 2) the demand charge for Generation shall be the applicable full service tariff schedule Generation demand charge prorated by the number of days that Backup Power is taken; and 3) the Distribution, Transmission and Ancillary Service Charges contained in the full service tariff schedules shall be replaced by the Monthly Reservation Charges. Customers who take interruptible Backup Power Service will receive a fifty (50) percent reduction in the Generation demand charge for the Backup Power taken.

##### 7. Monthly Reservation Charges

The Monthly Distribution Reservation Charge, Monthly Transmission Reservation Charge and the Monthly Ancillary Services Charge items shown above shall be based on the greater of the contracted demand for Maintenance Power or Backup Power, including interruptible Backup Power. However, where the customer chooses to have both the customer's Backup Power and Maintenance Power provided by a Certified Supplier, only the Monthly Distribution Reservation Charge shall be applicable.

#### METERING

Recording meters, as specified by the Company, shall be installed where necessary, at the customer's expense. All metering equipment shall remain the property of the Company.

#### DEFINITIONS

Supplemental Power Service – a service which provides distribution and/or transmission capacity to the customer as well as the energy requirements, which requirements may be provided by the Company or a Certified Supplier, for use by a customer's facility in addition to the electric power which the customer ordinarily generates on its own.

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#### DEFINITIONS (Contd.)

**Maintenance Power Service** – a contracted service which provides distribution and/or transmission capacity as well as the energy requirements, which requirements may be provided by the Company or a Certified Supplier, for use by the customer during scheduled outages or interruptions of the customer's own generation.

**Backup Power Service** – a contracted service which provides distribution and/or transmission capacity as well as the energy requirements, which requirements may be provided by the Company or a Certified Supplier, for use by the customer to replace energy generated by the customer's own generation during an unscheduled outage or other interruption on the part of the customer's own generation.

#### TERMS AND CONDITIONS

The term of contract shall be for a minimum of five (5) years.

The customer shall be required to enter into a written Service Agreement with the Company which shall specify the type(s) of service required, notification procedures, scheduling, operational requirements, the amount of deviation from the contract demand to provide for unavoidable generation fluctuations resulting from normal mechanical factors and variations outside the control of the customer, level of demand and energy required, and whether the source of under this rider shall be provided by the Company or a Certified Supplier.

The customer is required to adhere to the Company's requirements and procedures for interconnection as set forth in the Company's publication, "Guideline Technical Requirements for Customer Generation" which is provided to customers requesting service under this rider.

The cost of any additional facilities associated with providing service under the provisions of this rider shall be borne by the customer.

Changes in contracted demand levels may be requested by the customer once each year at the contract anniversary date. This request shall be made at least thirty (30) days in advance of the contract anniversary date.

The Company may enter into special agreements with customers which may deviate from the provisions of this rider. Such agreements shall address those significant characteristics of service and cost which would influence the need for such an agreement.

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**RIDER SBS  
OPTIONAL SUMMARY BILLING SERVICE PILOT**

**APPLICABILITY**

Applicable to non-residential jurisdictional customers having multiple electric and/or gas accounts with the Company, and who request that the billings for such accounts be summarized on a single statement. Summary Billing provides customers the convenience of receiving and paying one billing statement for their gas and electric utility accounts. The Company and customer shall enter into a service agreement specifying the applicable terms and conditions under which customer agrees to accept Summary Billing. The service agreement shall also identify the individual electric and gas accounts to be included in the Summary Bill, as agreed to by the Company and the customer.

**SUMMARY BILLING STATEMENT**

The Company will render one Summary Billing Statement each month that will summarize the customer's accounts. Additionally, customers may elect to receive a report that provides details of the associated accounts. Individual detail statements will not be provided, however, customers may elect to access detailed billing information regarding their accounts electronically.

**SUMMARY BILL DUE DATE**

The amount shown as owed on the Summary Billing Statement shall be due by the Summary Billing due date. The Company shall derive the due date by applying Generally Accepted Accounting Principles and incorporating the Time Value of Money. The Company will review this date in conjunction with any major changes to the Summary Billing Account, i.e., the removal or addition of accounts. Customers agree to waive their rights to the normal grace period between the rendering of the Summary Billing Statement and the due date, as specified in this Tariff. The period of time covered by the Summary Billing Statement shall be a uniform time period as agreed to by the parties prior to billing. Should such time period require revision due to changed circumstances, the Company will inform the customer prior to any such revision.

**APPLICATION OF PAYMENT**

Payment to the Company in full amount shall satisfy the bill rendered for services and all underlying accounts.

Payment will be considered delinquent if not received by the Company on or before the established Summary Bill due date. After an account becomes sixty (60) days past due, the summary billing agreement may be terminated without further notice.

Underpayments will be used to satisfy the oldest utility balance due first, based on billing date. These payments will then be paid out on the priority order established by the Company. Overpayments will reside on the master account, and be applied to the next billing.

**BILLING ERRORS**

Customers shall agree to pay the amount of the "summary total" indicated on the Summary Billing Statement. Adjustments to correct any billing errors will be made by the Company to the detail accounts and will be reflected in the following month's summary total.

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**LATE PAYMENT CHARGE**

Payment of the total amount due must be received in the Company's office by the due date shown on the bill. When not so paid, an additional amount equal to one and one-half percent (1.5%) of the unpaid balance is due and payable. The late payment charge is not applicable to unpaid account balances for services received from a Certified Supplier.

**BILL INSERTS AND NOTICES**

The Company will meet all statutory and regulatory requirements regarding bill inserts and notices by mailing a copy of such information to only the Summary Account.

**ADDITIONAL TERMS AND CONDITIONS**

There is no additional charge for Summary Billing Services.

Customers wishing to access their detail bills electronically should call the telephone number shown on their summary bill to receive confidential access to their billing information.

The customer may cancel summary billing for any reason upon thirty (30) days written notification to the Company. In the event of termination, the covered accounts will return to the normal billing and collection procedures of the Company.

**SERVICE REGULATIONS**

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## **RATE AER**

### **RENEWABLE ENERGY CERTIFICATE PURCHASE OFFER RIDER**

#### **AVAILABILITY**

This rate is applicable to all residential customers currently taking electric distribution service at their primary residence. This rate will be available until December 31, 2012.

#### **DEFINITION OF RENEWABLE ENERGY CERTIFICATES**

"Renewable Energy Certificate ("REC") means the fully aggregated attributes associated with one megawatt hour of electricity generated by a renewable energy resource. One REC would be equivalent to the environmental attributes one MWH of electricity from a renewable or environmentally friendly generation source. This rider only applies to RECs generated by a residential electric customer's owned or leased renewable energy project that has been certified as an Ohio Renewable Energy Resource Generation Facility by the Public Utilities Commission of Ohio (<http://www.puco.ohio.gov/PUCO/Forms/Form.cfm?id=9464>). Such facility must be located in the Company's service territory.

"Renewable energy resource" means solar photovoltaic energy or solar thermal energy.

#### **RENEWABLE ENERGY CERTIFICATE PURCHASE PRICE**

The price paid for RECs acquired from a solar photovoltaic or solar thermal facility shall be \$300.00 per REC for 2010 purchases. After 2010, REC purchases shall be based upon current market price with reference to publicly available market sources.

#### **NET MONTHLY BILL**

Purchase of RECs under this rider will not affect a customer's bill.

#### **TERMS AND CONDITIONS**

The customer shall enter into a REC Purchase Agreement with the Company (see Exhibit 1), which contains all of the terms and conditions related to the Company's purchase of RECs.

#### **SERVICE REGULATIONS**

The billing for service and all conditions applying thereto are subject to the jurisdiction of the Public Utilities Commission of Ohio and the Company's Service Regulations currently in effect, as filed with the Public Utilities Commission of Ohio.

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## RIDER EIR

### ENVIRONMENTAL INVESTMENT RECOVERY RIDER

#### APPLICABILITY

Applicable to all jurisdictional retail customers in the Company's electric service area.

#### CHARGE

The Environmental Investment Charges detailed below apply to all customers. All applicable kWh are subject to the Environmental Investment Rider Charge.

The following rates are effective January 3, 2012:

#### Tariff Sheet

EIR Charge  
(per kWh/kW)

#### Rate RS, Residential Service

Summer, First 1000 kWh

Summer, Additional kWh

Winter, First 1000 kWh

Winter, Additional kWh

#### Rate ORH, Optional Residential Service With Electric Space Heating

Summer, First 1000 kWh

Summer, Additional kWh

Winter, First 1000 kWh

Winter, Additional kWh

Winter, kWh greater than 150 times demand

#### Rate TD, Optional Time-of-Day Rate

Summer, On-Peak kWh

Summer, Off-Peak kWh

Winter, On-Peak kWh

Winter, Off-Peak kWh

#### Rate DS, Service at Secondary Distribution Voltage

First 1000 kW

Additional kW

Billing Demand Times 300

Additional kWh

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Tariff Sheet

EIR Charge  
(per kWh/kW)

Rate GS-FL, Optional Unmetered For Small Fixed Loads  
    kWh Greater Than or Equal to 540 Hours  
    kWh Less Than 540 Hours  
Rate CUR, Common Use Residential Service  
    Summer, First 1000 kWh  
    Summer, Additional kWh  
    Winter, First 1000 kWh  
    Winter, Additional kWh  
Rate EH, Optional Rate For Electric Space Heating  
    All kWh  
Rate DM, Secondary Distribution Service, Small  
    Summer, First 2800 kWh  
    Summer, Next 3200 kWh  
    Summer, Additional kWh  
    Winter, First 2800 kWh  
    Winter, Next 3200 kWh  
    Winter, Additional kWh  
Rate DP, Service at Primary Distribution Voltage  
    First 1000 kW  
    Additional kW  
    Billing Demand Times 300  
    Additional kWh  
Rate TS, Service at Transmission Voltage  
    First 50,000 Kva  
    Additional kVA  
    Billing Demand Times 300  
    Additional kWh  
Rate SL, Street Lighting Service  
    All kWh  
Rate TL, Traffic Lighting Service  
    All kWh  
Rate OL, Outdoor Lighting Service  
    All kWh  
Rate NSU, Street Lighting Service for Non-Standard Units  
    All kWh  
Rate NSP, Private Outdoor Lighting for Non-Standard Units  
    All kWh

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**CHARGES (Contd.)**

Tariff Sheet

EIR Charge  
(per kWh/kW)

Rate SC, Street Lighting Service - Customer Owned  
All kWh  
Energy only - all kWh  
Rate SE, Street Lighting Service - Overhead Equivalent  
All kWh  
Rate UOLS, Unmetered Outdoor Lighting Electric Service  
All kWh

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**RIDER DR-IM**

**INFRASTRUCTURE MODERNIZATION RIDER**

Rider DR-IM is applicable to all jurisdictional retail customers in the Company's electric service area except transmission and non-metered service.

The DR-IM rate to be applied to customer bills beginning May 17, 2010:

Rate RS, RSLI & RS3P	\$0.49 per month
Rate TD-AM	\$0.49 per month
Rate ORH	\$0.49 per month
Rate TD	\$0.49 per month
Rate CUR	\$0.49 per month
Rate DS	\$0.72 per month
Rate EH	\$0.72 per month
Rate DM	\$0.72 per month
Rate DP	\$0.72 per month

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**RIDER DR-ECF**  
**ECONOMIC COMPETITIVENESS FUND RIDER**

Rider DR-ECF is applicable to all jurisdictional retail customers in the Company's electric service area.

The DR-ECF rate to be applied to residential customer bills beginning with the January 2009 revenue month is \$0.0000 per kilowatt-hour.

The DR-ECF rate to be applied to non-residential service customer bills beginning with the January 2009 revenue month for distribution service is \$0.0000 per kilowatt-hour, and \$0.00000 per kilowatt-hours for transmission service.

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**RIDER DR-SAWR**  
**ENERGY EFFICIENCY RECOVERY RATE**

The DR-SAWR rate shall be determined in accordance with the provisions of Rider DR-SAW, Energy Efficiency Cost Recovery Rider, Sheet No. 107 of this Tariff.

The DR-SAWR to be applied to residential customer bills beginning with the August 2010 revenue month is \$0.000928 per kilowatt-hour.

The DR-SAWR to be applied to non-residential service customer bills, including transmission service customers participating in SAW programs, beginning with the August 2010 revenue month for distribution service is \$0.001781 per kilowatt-hour.

The DR-SAWR to be applied to transmission service customer bills, not participating in SAW programs, beginning with the January 2009 revenue month is \$0.000049 per kilowatt-hour.

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## RIDER DR-SAW

### ENERGY EFFICIENCY COST RECOVERY RIDER

#### APPLICABILITY

Applicable to service rendered under the provisions of Rates RS, TD and ORH (residential class) and Rates DS, DM, DP, TS, EH, GS-FL, SFL-ADPL, RTP and CUR (non-residential class). A mercantile customer, whose total annual usage in the Company's certified service territory exceeds 700,000 kWh or who is part of a national account involving multiple locations, may be exempt from this tariff by complying with the Commission's rules regarding exemption. The customer must provide written notification which will list all of their accounts to be exempted from this tariff. Customers electing to be exempted from the program will not be credited for any periods previously billed.

#### CHARGES

The monthly amount computed under each of the rate schedules to which this rider is applicable shall be increased or decreased by the energy DR-SAW Charge at a rate per kilowatt-hour of monthly consumption and, where applicable, a rate per kilowatt of monthly billing demand, in accordance with the following formula:

$$\text{DR-SAW (residential)} = \frac{\text{ACDRC} + \text{ACCOE} + \text{ACCOC} + \text{LM} + \text{TUA, as assigned to the residential class of customers}}{S_{\text{residential}}}$$

$$\text{DR-SAW (nonresidential)} = \frac{\text{ACDRC} + \text{ACCOE} + \text{ACCOC} + \text{LM} + \text{TUA, as assigned to the nonresidential class of customers}}{S_{\text{nonresidential}}}$$

Where,

DR-SAW = Energy Efficiency Adjustment Amount

ACDRC = Avoided Cost of Capacity for Demand Response Revenue Requirement

ACCOE = Avoided Cost of Energy for Conservation Revenue Requirement

ACCOC = Avoided Cost of Capacity for Conservation Revenue Requirement

LM = Lost Margins

TUA = True-up Adjustment to be included in the fourth year of the rider only

S = Projected kWh Sales for the Rider Period for the class (residential or nonresidential) of Ohio retail customers

DR-SAW is calculated for a 12 month period, referred to as the Rider Period.

DR-SAW will be grossed-up for applicable revenue related taxes.

Non-residential Rider DR-SAW recovery shall be allocated 1% to transmission service customers. A transmission service customer that participates in the Save-A-Watt program will be charged the full Rider DR-SAW nonresidential rate.

$$\text{ACDRC} = \text{PDRC} \times \text{ACC} \times \text{X\%}$$

Where,

PDRC = Projected Demand impacts for the measure/program for the vintage applicable to the Rider Period

ACC = Annual Avoided Capacity Market-Based Rate, in \$/year for the year of the Rider Period

X% = Percentage of avoided costs for demand response to be collected through the rider

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**CHARGES (Cont'd)**

ACCOE = (NPV at the after-tax weighted average cost of capital of (PCOE x ACE) for each year for the life of the measure/program) x Y%

Where,

PCOE = Projected Energy impacts for the measure/program by year for the life of the measure/program for the vintage applicable to the Rider Period

ACE = Marginal energy cost rate by year for the life of the measure/program from the IRP analysis

Y% = Percentage of avoided costs for conservation to be collected through the rider

ACCOC = (NPV at the after-tax weighted average cost of capital of (PCOC x ACC) for each year for the life of the measure/program) x Y%

Where,

PCOC = Projected Demand impacts for the measure/program by year for the life of the measure/program for the vintage applicable to the Rider Period

ACC = Annual Avoided Capacity Market-Based Rate, in \$/year by year for the life of the measure/program escalated at Z.ZZ% per year

Y% = Percentage of avoided costs for conservation to be collected through the rider

LM = PLME x LMR

Where,

PLME = Projected Energy impacts for all measures/programs for the vintage applicable to the Rider Period

LMR = Average Retail \$/kwh excluding fuel

In the fourth Rider Period, a true-up amount will be included in the Rider DR-SAW rate as follows:

TUA = ACT + LMT + ECT

Where,

ACT = Avoided Cost True-up

LMT = Lost Margins True-up

ECT = Earnings Cap True-up

ACT = ADRCT + ACOET + ACOCT

Where,

ADRCT = Avoided Demand Response Capacity True-up

ACOET = Avoided Conservation Energy True-up

ACOCT = Avoided Conservation Capacity True-up

ADRCT = (Year 1((ADRC - PDRC) x ACC) + Year 2((ADRC - PDRC) x ACC) + Year 3((ADRC - PDRC) x ACC)) x X%

Where,

ADRC = Actual Demand impacts for the measure/program for each vintage year

PDRC = Projected Demand impacts for the measure/program for each vintage year as used in the Rider DR-SAW calculation for each year

ACC = Annual Avoided Capacity Market-Based Rate, in \$/year for the each vintage year as used in the Rider DR-SAW calculation each year

X% = Percentage of avoided costs for demand response collected through the rider

ACOET = (NPV at the after-tax weighted average cost of capital of (Year 1((ACOE - PCOE) x ACE) for each year for the life of the measure/program) + (NPV at the after-tax weighted average cost of capital of (Year 2((ACOE - PCOE) x ACE) for each year for the life of the measure/program) + (NPV at the after-tax weighted average cost of capital of (Year 3((ACOE - PCOE) x ACE) for each year for the life of the measure/program) x Y%

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#### CHARGES (Cont'd)

Where,

ACOE = Actual Energy impacts for the measure/program by year for the life of the measure/program for years 1-3 and projected Energy impacts for the measure/program for the remaining years of the life of the measure/program by vintage year

PCOE = Projected Energy impacts for the measure/program by year for the life of the measure/program for each vintage as used in the Rider DR-SAW calculation each year

ACE = Marginal energy cost rate by year for the life of the measure/program from the IRP analysis as used in the Rider DR-SAW calculation each year

Y% = Percentage of avoided costs for conservation collected through the rider

$ACOC = (NPV \text{ at the after-tax weighted average cost of capital of } (Year 1((ACOC - PCOC) \times ACC) \text{ for each year for the life of the measure/program}) + (NPV \text{ at the after-tax weighted average cost of capital of } (Year 2((ACOC - PCOC) \times ACC) \text{ for each year for the life of the measure/program}) + (NPV \text{ at the after-tax weighted average cost of capital of } (Year 3((ACOC - PCOC) \times ACC) \text{ for each year for the life of the measure/program}) \times Y\%$

Where,

ACOC = Actual Demand impacts for the measure/program by year for the life of the measure/program for years 1-3 and projected Demand impacts for the measure/program for the remaining years in the life of the measure/program by vintage year

PCOC = Projected Demand impacts for the measure/program by year for the life of the measure/program for the vintage as used in the Rider DR-SAW calculation each year

ACC = Annual Avoided Capacity Market-Based Rate, in \$/year by year for the life of the measure/program escalated at Z.ZZ% per year as used in the Rider DR-SAW calculation each year

Y% = Percentage of avoided costs for conservation to be collected through the rider

$LMT = Year 1(ALME - PLME) \times LMR + Year 2(ALME - PLME) \times LMR + Year 3(ALME - PLME) \times LMR$

Where,

ALME = Actual Energy impacts for all measures/programs for the vintage

PLME = Projected Energy impacts for all measures/programs for the vintage as used in the Rider DR-SAW calculation each year

LMR = Average Retail \$/kwh excluding fuel as used in the Rider DR-SAW calculation each year

$ECT = NIC \text{ minus (Greater of NIC or CNI) grossed-up for applicable income and revenue related taxes}$

Where,

NIC = Net Income Cap

CNI = Calculated Net Income

$NIC = ROIP \times APC$

Where,

ROIP = Return on Investment Cap Percentage

APC = Actual Program Costs for the Years 1-3

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### CHARGES (Cont'd)

ROIP is derived from the following table:

Percentage of Mandate Achieved	Cumulative Return on Investment Cap Percentage (ROIP)
> 125%	15%
116% to 125%	13%
111% - 115%	11%
100% - 110%	6%
< 100%	0%

AACS = Actual Avoided Cost Savings  
TACS = Targeted Avoided Cost Savings

$AACS = (\text{Sum of Years 1-3 (ACDRC + ACCOE + ACCOC)}) + ACT$

$CNI = AACS \text{ grossed-up for applicable revenue related taxes} - \text{Sum Years 1-3 APC} - RRT - IT$

Where,

$RRT = \text{Revenue related taxes calculated as the appropriate revenue related tax rate} \times AACS$

$IT = \text{Income taxes calculated as the appropriate composite income tax rate} \times (AACS - \text{Sum Years 1-3 APC} - RRT)$

### DEMAND RATCHETS

Customer served under the provisions of Rate DS or Rate DP may be eligible to have their billing demand re-determined in recognition of a permanent change in load due to the installation of load control equipment or other measures taken by the customer to permanently reduce the customer's demand.

### SERVICE REGULATIONS

The supplying of, and billing for, service and all conditions applying thereto, are subject to the jurisdiction of the Public Utilities Commission of Ohio, and to Company's Service Regulations currently in effect, as filed with the Public Utilities Commission of Ohio, as provided by law.

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**RIDER UE-ED**

**UNCOLLECTIBLE EXPENSE – ELECTRIC DISTRIBUTION RIDER**

**APPLICABILITY**

Applicable to all retail jurisdictional customers in the Company's electric service areas.

**DESCRIPTION**

This rider enables the recovery of incremental uncollectible accounts expense above what is recovered in base rates and includes Percentage of Income Payment ("PIPP") customer installments not collected through the Universal Service Fund Rider. Also, to the extent that less than \$40,000 per month has not been credited to customers through electric Rate RSLI, any shortfall will be used to reduce collections in Rider UE-ED. Base rates in Case No. 08-709-EL-AIR include \$1,786,034 and \$114,941 of uncollectible accounts expense recovery for residential and non-residential customers, respectively. The amounts in the Rider, exclusive of uncollectible PIPP installments, will only be collected from the class (residential or non-residential) that created the uncollectible accounts expense. Uncollectible accounts expense associated with PIPP will be allocated in the manner consistent with the Universal Service Fund Rider. The first application shall be filed in the second quarter of 2010.

**CHARGE**

A charge of \$0.000000 per kWh shall be applied to all kWh delivered to residential customers. A charge of \$0.00 per bill shall be applied to each non-residential customer.

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## RIDER RECON

### FUEL AND RESERVE CAPACITY RECONCILIATION RIDER

#### APPLICABILITY

Applicable to all retail jurisdictional customers in the Company's electric service area who receive Standard Service Offer (SSO) generation service from the Company or who receive electric generation service from a Certified Retail Electric Supplier.

#### DESCRIPTION

Rider RECON recovers costs necessary to true up Rider PTC-FPP and Rider SRA-SRT to the December 31, 2011 revenue requirements associated with each of these two riders.

Rider RECON will be updated quarterly. It will terminate when the remaining over- and under-recovery balances for these two riders are eliminated.

#### RATE

The RECON charges for each rate schedule are:

<u>Tariff Sheet</u>	<u>RECON Charge (per kWh)</u>
Rate RS, Residential Service	
All kWh	\$0.000000
Rate ORH, Optional Residential Service With Electric Space Heating	
All kWh	\$0.000000
Rate TD, Optional Time-of-Day Rate	
All kWh	\$0.000000
Rate CUR, Common Use Residential Rate	
All kWh	\$0.000000
Rate DS, Service at Secondary Distribution Voltage	
All kW	\$0.000000
Rate GS-FL, Optional Unmetered For Small Fixed Loads	
All kWh	\$0.000000
Rate EH, Optional Rate For Electric Space Heating	
All kWh	\$0.000000
Rate DM, Secondary Distribution Service, Small	
All kWh	\$0.000000
Rate DP, Service at Primary Distribution Voltage	
All kW	\$0.000000
Rate SFL-ADPL, Optional Unmetered Rate For Small Fixed Loads Attached Directly to Company's Power Lines	
All kWh	\$0.000000
Rate TS, Service at Transmission Voltage	
All kVA	\$0.000000

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**CHARGE (Contd.)**

Tariff Sheet

**RECON  
Charge**  
(per kWh\ kW)

Rate SL, Street Lighting Service	
All kWh	\$0.000000
Rate TL, Traffic Lighting Service	
All kWh	\$0.000000
Rate OL, Outdoor Lighting Service	
All kWh	\$0.000000
Rate NSU, Street Lighting Service for Non-Standard Units	
All kWh	\$0.000000
Rate NSP, Private Outdoor Lighting for Non-Standard Units	
All kWh	\$0.000000
Rate SC, Street Lighting Service - Customer Owned	
All kWh	\$0.000000
Rate SE, Street Lighting Service - Overhead Equivalent	
All kWh	\$0.000000
Rate UOLS, Unmetered Outdoor Lighting Electric Service	
All kWh	\$0.000000

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**RIDER AERR**

**ALTERNATIVE ENERGY RECOVERY RIDER**

**APPLICABILITY**

Applicable to all retail jurisdictional customers in the Company's electric service areas who receive electric generation service from the Company under the Standard Service Offer. Rider AERR does not apply to customers receiving generation service from a Certified Supplier.

**DESCRIPTION**

This rider enables the recovery of the Company's share of the cost for complying with Ohio's renewable energy requirements. Rider AERR will be adjusted quarterly.

**CHARGE**

A charge of \$0.000000 per kWh shall be applied to all kWh delivered to residential customers. A charge of \$0.00 per bill shall be applied to each non-residential customer.

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## RIDER GEN

### GENERATION SERVICE RIDER

#### APPLICABILITY

Applicable to all jurisdictional retail customers in the Company's electric service area who take Standard Service Offer (SSO) generation service from the Company.

#### CHARGE

Section 4928.142 of the Ohio Revised Code establishes the process to be used for determining the SSO rates under a Market Rate Offer (MRO). RC 4928.142(D) provides that the transition from the SSO price in an Electric Security Plan (ESP) to the SSO price in an MRO be done over a period of time by blending the SSO price from the ESP with a price derived from an auction. The charges below represent the ESP price as of December 31, 2011, and the specific ESP charges for years 2012 through May 31, 2014:

The following rates are effective January 1, 2012:

Rate Schedule	ESP Rates 12/31/11	Jan 2012 to May 2013 - 90%	Jun 2013 to May 2014 - 80%	June 2014 0%
	\$/kWh; \$/kW	\$/kWh; \$/kW	\$/kWh; \$/kW	\$/kWh; \$/kW
<b>Rate RS and RS-3P, Residential Service</b>				
Summer, First 1000 kWh	0.084679	0.076211	0.067743	0.000000
Summer, Additional kWh	0.101699	0.091529	0.081359	0.000000
Winter, First 1000 kWh	0.084679	0.076211	0.067743	0.000000
Winter, Additional kWh	0.044876	0.040388	0.035901	0.000000
<b>Rate CUR, Common Use Residential Service</b>				
Summer, First 1000 kWh	0.086871	0.078184	0.069497	0.000000
Summer, Additional kWh	0.104448	0.094003	0.083558	0.000000
Winter, First 1000 kWh	0.086871	0.078184	0.069497	0.000000
Winter, Additional kWh	0.045764	0.041188	0.036611	0.000000
<b>Rate ORH, Optional Residential Service With Electric Space Heating</b>				
Summer, First 1000 kWh	0.079692	0.071723	0.063753	0.000000
Summer, Additional kWh	0.091596	0.082436	0.073277	0.000000
Winter, First 1000 kWh	0.079685	0.071717	0.063748	0.000000
Winter, Additional kWh	0.050740	0.045666	0.040592	0.000000
Winter, kWh greater than 150 times demand	0.039103	0.035192	0.031282	0.000000

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**Rate TD, Optional Time-of-Day Rate**

Summer, On-Peak kWh	0.157204	0.141484	0.125763	0.000000
Summer, Off-Peak kWh	0.039828	0.035845	0.031863	0.000000
Winter, On-Peak kWh	0.127809	0.115028	0.102247	0.000000
Winter, Off-Peak kWh	0.039839	0.035855	0.031871	0.000000

**Rate TD-AM, Optional Time-of-Day Rate With Advanced Metering**

Summer, On-Peak kWh	0.169640	0.152676	0.135712	0.000000
Summer, Shoulder kWh	0.129710	0.116739	0.103768	0.000000
Summer, Off-Peak kWh	0.042759	0.038483	0.034207	0.000000
Winter, On-Peak kWh	0.122245	0.110021	0.097796	0.000000
Winter, Shoulder kWh	0.059695	0.053726	0.047756	0.000000
Winter, Off-Peak kWh	0.034659	0.031193	0.027727	0.000000

**Rate DS, Service at Secondary Distribution Voltage**

First 1000 kW (\$ per kW)	11.090953	9.981858	8.872763	0.000000
Additional kW (\$ per kW)	8.973765	8.076389	7.179012	0.000000
Billing Demand Times 300	0.055147	0.049632	0.044118	0.000000
Additional kWh	0.040357	0.036321	0.032286	0.000000

**Rate GS-FL, Optional Unmetered For Small Fixed Loads**

kWh Greater Than or Equal to 540 Hours	0.116760	0.105084	0.093408	0.000000
kWh Less Than 540 Hours	0.130255	0.117229	0.104204	0.000000

**Rate EH, Optional Rate For Electric Space Heating**

All kWh	0.063217	0.056895	0.050574	0.000000
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**Rate DM, Secondary Distribution Service, Small**

Summer, First 2800 kWh	0.113616	0.102255	0.090893	0.000000
Summer, Next 3200 kWh	0.043042	0.038738	0.034434	0.000000
Summer, Additional kWh	0.030513	0.027462	0.024410	0.000000
Winter, First 2800 kWh	0.094215	0.084794	0.075372	0.000000
Winter, Next 3200 kWh	0.043045	0.038741	0.034436	0.000000
Winter, Additional kWh	0.030008	0.027007	0.024007	0.000000

**Rate DP, Service at Primary Distribution Voltage**

First 1000 kW (\$ per kW)	10.460232	9.414209	8.368186	0.000000
Additional kW (\$ per kW)	8.230419	7.407377	6.584336	0.000000
Billing Demand Times 300	0.057018	0.051316	0.045614	0.000000
Additional kWh	0.042985	0.038687	0.034388	0.000000

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**Rate TS, Service at Transmission Voltage**

First 50,000 kVA (\$ per kVA)	13.008434	11.707591	10.406747	0.000000
Additional kVA (\$ per kVA)	9.761663	8.785497	7.809330	0.000000
Billing Demand Times 300	0.044310	0.039879	0.035448	0.000000
Additional kWh	0.041168	0.037051	0.032934	0.000000

**Rate SL, Street Lighting Service**

All kWh	0.061649	0.055484	0.049319	0.000000
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**Rate TL, Traffic Lighting Service**

All kWh	0.045072	0.040565	0.036058	0.000000
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**Rate OL, Outdoor Lighting Service**

All kWh	0.061649	0.055484	0.049319	0.000000
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**Rate NSU, Street Lighting Service for Non-Standard Units**

All kWh	0.061649	0.055484	0.049319	0.000000
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**Rate NSP, Private Outdoor Lighting for Non-Standard Units**

All kWh	0.061649	0.055484	0.049319	0.000000
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**Rate SC, Street Lighting Service - Customer Owned**

Energy Only - All kWh	0.042138	0.037924	0.033711	0.000000
Units - All kWh	0.057096	0.051386	0.045677	0.000000

**Rate SE, Street Lighting Service - Overhead Equivalent**

All kWh	0.061649	0.055484	0.049319	0.000000
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**Rate UOLS, Unmetered Outdoor Lighting Electric Service**

All kWh	0.038135	0.034321	0.030508	0.000000
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Page 1 of 2**RIDER MRO****MARKET RATE OFFER TRACKER****APPLICABILITY**

Applicable to all jurisdictional retail customers in the Company's electric service area who take Standard Service Offer (SSO) generation service from the Company.

**CHARGE**

Section 4928.142 of the Ohio Revised Code establishes the process to be used for determining the SSO rates under a Market Rate Offer (MRO). RC 4928.142(D) provides that the transition from the SSO price in an Electric Security Plan (ESP) to the SSO price in an MRO be done over a period of time by blending the SSO price from the ESP with a price derived from an auction. The charges below represent the auction prices for year 2012, modified as discussed in the next paragraph, and multiplied by 10% (the portion of each SSO customer's load served through the auction in year 2012).

Capacity costs based on results from annual PJM auctions (including the PJM-administered Fixed Resource Requirement, auctions) will be calculated by Company and by tariff schedule based on the average of coincident peaks, including distribution losses, for the months of June through September of the year prior to the year in which the auction occurred. The calculated wholesale capacity costs are used to develop capacity charges. The following rates are effective January 1, 2012:

<u>Tariff Sheet</u>	<u>Summer</u> (\$/kWh)	<u>Winter</u> (\$/kWh)
Rate RS, Residential Service		
Capacity	\$0.xxxxxx	\$0.xxxxxx
Energy	\$0.xxxxxx	\$0.xxxxxx
Rate ORH, Optional Residential Service With Electric Space Heating		
Capacity	\$0.xxxxxx	\$0.xxxxxx
Energy	\$0.xxxxxx	\$0.xxxxxx
Rate TD, Optional Time-of-Day Rate		
Capacity	\$0.xxxxxx	\$0.xxxxxx
Energy	\$0.xxxxxx	\$0.xxxxxx
Rate CUR, Common Use Residential Service		
Capacity	\$0.xxxxxx	\$0.xxxxxx
Energy	\$0.xxxxxx	\$0.xxxxxx
Rate DS, Service at Secondary Distribution Voltage		
Capacity	\$0.xxxxxx	\$0.xxxxxx
Energy	\$0.xxxxxx	\$0.xxxxxx
Rate GS-FL, Optional Unmetered For Small Fixed Loads		
Capacity	\$0.xxxxxx	\$0.xxxxxx
Energy	\$0.xxxxxx	\$0.xxxxxx
Rate EH, Optional Rate For Electric Space Heating		

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Capacity	\$0.xxxxxx	\$0.xxxxxx
Energy	\$0.xxxxxx	\$0.xxxxxx
Rate DM, Secondary Distribution Service, Small		
Capacity	\$0.xxxxxx	\$0.xxxxxx
Energy	\$0.xxxxxx	\$0.xxxxxx
Rate DP, Service at Primary Distribution Voltage		
Capacity	\$0.xxxxxx	\$0.xxxxxx
Energy	\$0.xxxxxx	\$0.xxxxxx
Rate TS, Service at Transmission Voltage		
Capacity	\$0.xxxxxx	\$0.xxxxxx
Energy	\$0.xxxxxx	\$0.xxxxxx
Rate SL, Street Lighting Service		
Capacity	\$0.xxxxxx	\$0.xxxxxx
Energy	\$0.xxxxxx	\$0.xxxxxx
Rate TL, Traffic Lighting Service		
Capacity	\$0.xxxxxx	\$0.xxxxxx
Energy	\$0.xxxxxx	\$0.xxxxxx
Rate OL, Outdoor Lighting Service		
Capacity	\$0.xxxxxx	\$0.xxxxxx
Energy	\$0.xxxxxx	\$0.xxxxxx
Rate NSU, Street Lighting Service for Non-Standard Units		
Capacity	\$0.xxxxxx	\$0.xxxxxx
Energy	\$0.xxxxxx	\$0.xxxxxx
Rate NSP, Private Outdoor Lighting for Non-Standard Units		
Capacity	\$0.xxxxxx	\$0.xxxxxx
Energy	\$0.xxxxxx	\$0.xxxxxx
Rate SC, Street Lighting Service - Customer Owned		
Capacity	\$0.xxxxxx	\$0.xxxxxx
Energy	\$0.xxxxxx	\$0.xxxxxx
Rate SE, Street Lighting Service - Overhead Equivalent		
Capacity	\$0.xxxxxx	\$0.xxxxxx
Energy	\$0.xxxxxx	\$0.xxxxxx
Rate UOLS, Unmetered Outdoor Lighting Electric Service		
Capacity	\$0.xxxxxx	\$0.xxxxxx
Energy	\$0.xxxxxx	\$0.xxxxxx

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