

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of the Ohio	)	
Department of Development for an Order	)	
Approving Adjustments to the Universal	)	Case No. 08-658-EL-UNC
Service Fund Riders of Jurisdictional Ohio	)	
Electric Distribution Utilities.	)	

ENTRY

The Attorney Examiner finds:

- (1) Pursuant to the Orders issued in *In the Matter of the Application of the Ohio Department of Development for an Order Approving Adjustments to the Universal Service Fund Riders of Jurisdictional Ohio Electric Distribution Utilities*, Case No. 07-661-EL-UNC (07-661) and *In the Matter of the Application of the Ohio Department of Development for an Order Approving Adjustments to the Universal Service Fund Riders of Jurisdictional Ohio Electric Distribution Utilities*, Case No. 08-658-EL-UNC (08-658), each electric utility's accounting and reporting procedures and policies for the Percentage of Income Payment Plan (PIPP) were evaluated. The Ohio Department of Development (ODOD) selected the accounting firm of Schneider Downs to conduct the review of agreed-upon procedures (AUP) for the electric utilities.
- (2) As part of the 08-658 proceeding, Schneider Downs evaluated the PIPP-related accounting and reporting practices of Columbus Southern Power Company (CSP) and Ohio Power Company (jointly AEP-Ohio) and Duke Energy Ohio, Inc. (Duke). On April 15, 2009, as amended May 4, 2009, ODOD filed its Supplement to the 2008 notice of intent (NOI) which included the Schneider Downs AUP reports for AEP-Ohio and Duke (2008 NOI Supplement).
- (3) By entry issued April 29, 2009, a procedural schedule was established to address the issues raised in the 2008 NOI Supplement.
- (4) AEP-Ohio and Duke filed responses to the 2008 NOI Supplement on May 5, 2009 and May 4, 2009, respectively, and supplemented their responses on June 11, 2009. On June 26, 2009, ODOD and the office of the Ohio Consumers' Counsel

(OCC) filed reply comments to each utility's response. Duke filed additional information on July 24, 2009.

- (5) ODOD and AEP-Ohio filed a joint motion for approval of a settlement agreement on January 19, 2010. By Finding and Order issued February 24, 2010, in 08-658, the Commission approved the stipulation filed by AEP-Ohio and ODOD.
- (6) On December 23, 2010, ODOD filed a motion for a procedural schedule to proceed with the adjudication of certain issues raised in Duke's PIPP accounting, reporting and policy review. ODOD states that, although ODOD and Duke have engaged in extensive negotiations in an attempt to resolve the outstanding issues, the parties have not been able to reach an agreement on the appropriate remedies. ODOD proposes a procedural schedule allowing the parties 90 days to serve discovery from the date the entry is issued, proposing ODOD's testimony be filed 16 days before the commencement of the hearing and that Duke's testimony be filed seven days before the commencement of the hearing. ODOD also proposes a prehearing conference approximately a week before the hearing.
- (7) Given that ODOD's and Duke's attempts to resolve the outstanding issues have not resulted in an agreement, a procedural schedule should be established as follows:

Deadline for serving discovery:	Wednesday, April 6, 2011
ODOD testimony due:	Wednesday, April 20, 2011
Duke and intervenor testimony due:	Monday, May 2, 2011
Prehearing conference:	Wednesday, May 4, 2011
Hearing:	Tuesday, May 10, 2011

Accordingly, a prehearing conference in this matter should be scheduled for Wednesday, May 4, 2011, at 10:00 a.m., in Hearing Room C, 11<sup>th</sup> floor, and a evidentiary hearing should be scheduled to commence on Tuesday, May 10, 2011, at 10:00 a.m.,

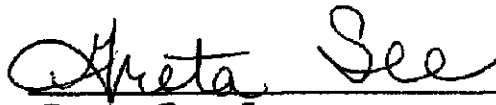
in Hearing Room C, 11<sup>th</sup> floor at the offices of the Commission,  
180 East Broad Street, Columbus, Ohio 43215.

It is, therefore,

ORDERED, That the procedural schedule set forth in finding (7) is adopted. It is,  
further,

ORDERED, That a copy of this entry be served on all parties and interested persons  
of record in this case.

THE PUBLIC UTILITIES COMMISSION OF OHIO



By: Greta See  
Attorney Examiner

grg  
/vrm

Entered in the Journal  
**JAN 06 2011**



Renee J. Jenkins  
Secretary