

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of Duke)
Energy Ohio, Inc. to Amend its Electric)
Tariff 20 to Increase its CRES Accounts) Case No. 09-1026-EL-ATA
Receivable Purchase Discount Rate.)

ENTRY

The Commission finds:

- (1) By opinion and order issued July 8, 2009, in *In the Matter of the Application of Duke Energy Ohio, Inc., for an Increase in Electric Rates*, Case No. 08-709-EL-AIR, et al., (*Duke Electric Rate Case*), the Commission directed Duke Energy Ohio, Inc. (Duke) to provide the Commission with the formula it uses to determine the discount rate at which it purchases accounts receivable from competitive retail electric service (CRES) providers. On July 10, 2009, Duke provided the formula to the Commission as part of its P.U.C.O. Electric No. 20 Tariff, at sheet 40.4 (Tariff 20).
- (2) On October 31, 2009, Duke filed an application to amend Tariff 20. In support of its application, Duke states that the data inputs for the CRES accounts receivable discount formula have changed as a result of the Commission's Opinion and Order in the *Duke Electric Rate Case*. According to Duke, the changed inputs are based on Duke's December 31, 2008, capitalization, adjusted to reflect the return on equity allowed in the *Duke Electric Rate Case*.
- (3) On June 20, 2011, Duke filed a request to withdraw its application in this case. Upon consideration of Duke's request, we find that the instant case should be dismissed and closed of record.
- (4) As a final matter, the Commission would note that, on June 18, 2010, Constellation NewEnergy, Inc. filed a motion for admission *pro hac vice* for Cynthia Fonner, and a motion to intervene in this case. Likewise, FirstEnergy Solutions, Corp., filed a motion to intervene in this matter on June 24, 2010. In light of the Commission's determination that Duke's request to withdraw this case should be granted, the Commission finds that it is not necessary for the Commission to rule on these motions.

It is, therefore,


ORDERED, That Duke's request to withdraw this case be granted and Case No. 09-1026-EL-ATA be dismissed and closed of record. It is, further,

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


THE PUBLIC UTILITIES COMMISSION OF OHIO


Todd A. Snitchler, Chairman


Paul A. Centolella


Steven D. Lesser

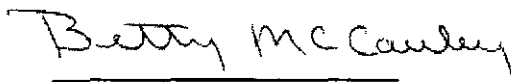

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KLS/dah

Entered in the Journal

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Betty McCauley
Secretary