

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of Duke)
Energy Ohio to Adjust and Set its Gas and) Case No. 09-543-GE-UNC
Electric Recovery Rate for SmartGrid)
Deployment under Riders AU and DR-IM.)

In the Matter of the Application of Duke) Case No. 09-544-GE-ATA
Energy Ohio for Tariff Approval.)

In the Matter of the Application of Duke)
Energy Ohio to Change its Accounting) Case No. 09-545-GE-AAM
Methods.)

ENTRY

The attorney examiner finds:

- (1) By opinion and order issued December 17, 2008, in *In the Matter of the Application of Duke Energy Ohio, Inc., for Approval of an Electric Security Plan*, Case No. 08-920-EL-SSO, *et al.*, the Commission approved a stipulation that, *inter alia*, provided a process for recovering costs associated with the deployment of an electric SmartGrid system through Rider Distribution Reliability - Infrastructure Modernization (Rider DR-IM). Additionally, by opinion and order issued May 28, 2008, in *In the Matter of the Application of Duke Energy Ohio, Inc., for an Increase in Rates*, Case No. 07-589-GA-AIR *et al.*, the Commission approved a stipulation that, *inter alia*, provided a process for filing deployment plans for the installation of an automated gas meter reading system, which would share the SmartGrid communications technology, and a method for recovering costs associated with the plans, which was designated the Rider Advanced Utility (Rider AU).
- (2) On June 30, 2009, Duke Energy Ohio, Inc. (Duke) filed an application in the above-captioned cases to set its gas and electric recovery rate for SmartGrid deployment under Rider AU and Rider DR-IM. In support of the application,

Duke filed direct testimony of three individuals. In conjunction with this testimony, Duke filed a motion for protective treatment of attachment DHD-1 (attachment) to the direct testimony of Donald H. Denton, III.

- (3) By entry issued August 19, 2009, the attorney examiner granted Duke's motion for protective treatment of the attachment filed June 30, 2009, for a period of 18 months ending February 19, 2011.
- (4) On December 30, 2010, Duke filed a motion to continue protective treatment of the attachment, pursuant to Rule 4901-1-24(D), Ohio Administrative Code.
- (5) By entry on May 2, 2011, the attorney examiner directed Duke to file an amended motion for a protective order by May 27, 2011, along with an appropriately redacted copy of the attachment, which specifically identified the information that Duke believed should be considered a trade secret and provide a specific explanation as to why such information should be considered as such.
- (6) On May 27, 2011, Duke filed an amended motion for a protective order along with an appropriately redacted copy of the attachment. The attorney examiner held a telephone status conference on June 13, 2011, with all of the parties in these cases, to further discuss Duke's request for continued protective treatment.
- (7) On June 28, 2011, Duke filed a notice of withdrawal of its motion to continue protective treatment.
- (8) Accordingly, the attorney examiner directs the docketing *division of the Commission to release the attachment*, which was filed under seal in this docket on June 30, 2009.

It is, therefore,

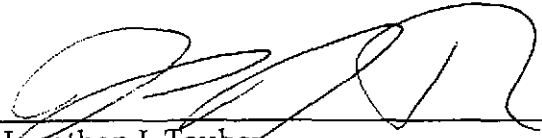
ORDERED, That the Commission's docketing division follow the procedure set forth in Finding (8). It is, further,


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

THE PUBLIC UTILITIES COMMISSION OF OHIO


By: Jonathan J. Tauber
Attorney Examiner

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Entered in the Journal

JUL 07 2011

Betty McCauley

Betty McCauley
Secretary