

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of Duke)
Energy Ohio, Inc. for an Energy Efficiency)
Cost Recovery Mechanism and for) Case No. 11-4393-EL-RDR
Approval of Additional Programs for)
Inclusion in its Existing Portfolio.)

ENTRY

The attorney examiner finds:

- (1) On July 20, 2011, Duke Energy Ohio, Inc. (Duke) filed an application, and supporting testimony, proposing the creation of an energy efficiency/peak demand reduction rider (Rider EE/PDR) to supplant its save-a-watt rider (Rider SAW) at its expiration on December 31, 2011. As proposed, Rider EE/PDR will recover the cost of Duke's energy efficiency compliance programs and portfolio of energy efficiency and peak demand reduction programs. According to Duke, Rider EE/PDR will recover program costs associated with each program.
- (2) Duke also proposes the following three additional programs to be added to its portfolio of programs approved in *In the Matter of the Report of Duke Energy Ohio, Inc. Concerning its Energy Efficiency and Peak-Demand Reduction Programs and Portfolio Planning*, Case No. 09-1999-EL-POR (09-1999): Appliance Recycling Program, Low Income Neighborhood Program, and Home Energy Solutions. Duke does not propose any modifications to any existing programs.
- (3) By entry issued October 7, 2011, the attorney examiner, *inter alia*, established the following procedural schedule in this case:
 - (a) Tuesday November 15, 2011 - Deadline for the filing of expert testimony by Staff and intervenors.
 - (b) Tuesday, November 22, 2011 - Deadline for the filing of supplemental testimony by Duke.
 - (c) In the event that some or all of the parties enter into a stipulation resolving some or all of the

issues in this case, the parties must file such stipulation with the Commission, by 9:00 a.m. on November 28, 2011.

- (d) Tuesday, November 29, 2011 ~ The hearing shall commence at 10:00 a.m., at the offices of the Commission
- (4) On November 14, 2011, the Ohio Consumers' Counsel (OCC) filed a motion for an extension of the procedural schedule and requested expedited treatment. Specifically, OCC seeks a one-week extension of the deadline for the filing of expert testimony by Staff and intervenors. In support of its motion, OCC explains that additional time for settlement discussions are need, as other matters pending at the Commission have hindered the parties' ability to discuss this case. OCC further explains that it has contacted all other parties to this proceeding and they either support the extension or, at a minimum, do not object to the issuance of an expedited ruling on the motion. The attorney examiner finds that OCC's request for an extension of the procedural schedule is reasonable and should be granted.
- (5) Accordingly, all expert Staff and intervenor testimony will be due by November 22, 2011. The remainder of the procedural schedule will not be affected by the extension.

It is, therefore,

ORDERED, That OCC's motion for an extension of the deadline for the filing of expert Staff and intervenor testimony be granted. It is, further,

ORDERED, That the parties adhere to the procedural schedule contained in finding (5). It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

Katie L. Stenman

By: Katie L. Stenman
Attorney Examiner

QPC
/vrm

Entered in the Journal

NOV 14 2011

Betty McCauley

Betty McCauley
Secretary