

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of Application of Duke)
Energy Ohio, Inc. for Authority to Establish)
a Standard Service Offer Pursuant to)
Section 4928.143, Revised Code, in the) Case No. 11-3549-EL-SSO
Form of an Electric Security Plan,)
Accounting Modifications, and Tariffs for)
Generation Service.)

In the Matter of Application of Duke)
Energy Ohio, Inc. for Authority to Amend) Case No. 11-3550-EL-ATA
its Certified Supplier Tariff, P.U.C.O. No.)
20.)

In the Matter of Application of Duke)
Energy Ohio, Inc. for Authority to Amend) Case No. 11-3551-EL-UNC
its Corporate Separation Plan.)

In the Matter of the Procurement of)
Standard Service Offer Generation for) Case No. 11-6000-EL-UNC
Customers of Duke Energy Ohio, Inc.)

In the Matter of the Informational Filings)
Authorized as Part of Duke Energy Ohio) Case No. 11-6001-EL-RDR
Inc.'s Standard Service Offer.)

ENTRY

The Commission finds:

- (1) On June 20, 2011, as supplemented on June 28, 2011, Duke Energy Ohio, Inc. (Duke) filed an application in *In the Matter of Application of Duke Energy Ohio, Inc. for Authority to Establish a Standard Service Offer Pursuant to Section 4928.143, Revised Code, in the Form of an Electric Security Plan, Accounting Modifications, and Tariffs for Generation Service*, Case Nos. 11-3549-EL-SSO, 11-3550-EL-ATA, and 11-3551-EL-UNC (11-3549, et al.).
- (2) By opinion and order issued November 22, 2011, in 11-3549, et al., the Commission approved and adopted the stipulation and recommendation (stipulation), as revised, submitted by the signatory parties in those cases. The stipulation, as approved,

provided for, *inter alia*, the provision of the standard service offer (SSO) supply procurements via a competitive bid process (CBP) for the period of January 1, 2012 through May 31, 2015. In accordance with the stipulation, the first SSO auction is scheduled for December 14, 2011. In addition, the stipulation provided that the bidding process shall be conducted by an independent auction manager and that the Commission may retain a consultant to monitor the bidding process. Furthermore, the Commission, in order to determine if there are more cost-effective methods to procure the necessary supply, while assuring broad bidder participation and procurement of the supply at minimal cost, directed the auction manager and the Commission's consultant to file reports in 11-3549, et al., setting forth their evaluations and recommendations on this issue. These reports are to be filed no later than January 20, 2012. Interested parties may file comments on the reports by January 27, 2012, and reply comments by February 3, 2012.

- (3) In addition, the stipulation in 11-3549, et al., as approved on November 22, 2011, generally requires three types of filings during the term of the electric security plan (ESP):
 - (a) Auction-related filings, including the auction results, and the reports due on January 20, 2012, and associated comments and replies, pertaining to possible alternative procurement methods.
 - (b) Informational filings, including filings related to riders where quarterly reports and true-ups are necessary and audits are conducted at the discretion of the Commission during the term of the ESP [e.g., Riders Supplier Cost Reconciliation (SCR), Retail Capacity (RC), Retail Energy (RE), Load Factor Adjustment (LFA), and Electric Security Stabilization Charge (ESSC)].
 - (c) Filings related to riders where action is required, such as audits and true-ups [e.g., Riders Alternative Energy Recovery (AER-R), Uncollectible Expense Electric Generation (UE-GEN), Base Transmission (BTR), Infrastructure Modernization (DR-IM), and Fuel and Reserve Capacity Reconciliation (RECON)].

- (4) At this time, the Commission finds that the purpose of 11-3549, et al., has been expended and that, with the exception of the final tariffs to be filed in accordance with our order in those cases, any future filings required by the stipulation and/or the order should be made in other dockets. Accordingly, the following process should be followed with regard to future filings:
- (a) Auction-related filings, including those set forth in finding (3)(a), above, should be made in *In the Matter of the Procurement of Standard Service Offer Generation for Customers of Duke Energy Ohio, Inc.*, Case No. 11-6000-EL-UNC (11-6000).
 - (b) Informational filings, including those set forth in finding (3)(b) above, should be made in *In the Matter of the Informational Filings Authorized as Part of Duke Energy Ohio Inc.'s Standard Service Offer*, Case No. 11-6001-EL-RDR. Informational filings pertaining to riders shall be filed 30 days prior to the billing cycle in which the rider is to become effective. The stipulation, as approved in 11-3549, et al., gives the Commission the discretion to determine that some action, including an audit, may be necessary for these types of riders. In the event, in the future, the Commission finds it necessary to take action regarding one of these riders, the Commission will determine the appropriate process at that time and may require that filings be made in a separate docket.
 - (c) A filing related to a rider where action is required, including a rider listed in finding (3)(c) above, should be made in a new rider docket, using the case code RDR. Duke should work with Staff to coordinate the opening of these dockets.
 - (d) In the event there is a necessary filing that is not covered under finding (4)(a) through (c), above, Duke should work with Staff to determine the appropriate docket in which the filing should be made.

It is, therefore,

ORDERED, That Duke comply with the directives set forth in finding (4). It is, further,

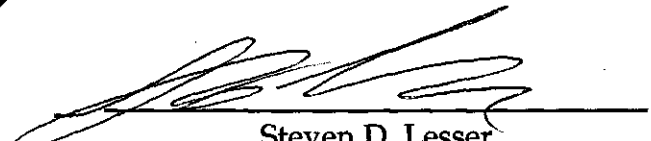
ORDERED, That, in accordance with finding (4)(a), by January 20, 2012, the auction manager and the Commission's consultant file reports in 11-6000 setting forth their evaluations and recommendations on this issue. Interested parties may file comments on the reports by January 27, 2012, and reply comments by February 3, 2012, in 11-6000. It is, further,

ORDERED, That a copy of this entry be served upon each party of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO


Todd A. Snitchler, Chairman


Paul A. Centolella


Steven D. Lesser

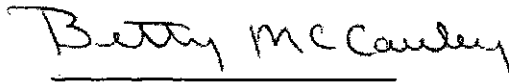

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DEC 14 2011


Betty McCauley
Secretary