

1 BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

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3 In the Matter of the Annual:
4 Application of Duke Energy : Case No. 11-5809-GA-RDR
5 Ohio for an Adjustment to :
6 the Rider AMRP Rates. :

7 In the Matter of the :
8 Application of Duke Energy : Case No. 11-5810-GA-ATA
9 Ohio for Tariff Approval. :

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11 PROCEEDINGS

12 before Mr. Kerry Sheets, Attorney Examiner, at the
13 Public Utilities Commission of Ohio, 180 East Broad
14 Street, Room 11-C, Columbus, Ohio, called at 10:00
15 a.m. on Wednesday, April 4, 2012.

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21
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APPEARANCES:

Duke Energy
By Ms. Jeanne W. Kingery
and Ms. Amy Spiller
155 East Broad Street
Columbus, Ohio 43215

On behalf of Duke Energy Ohio.

Bruce J. Weston, Ohio Consumers' Counsel
By Mr. Joseph P. Serio
and Mr. Larry S. Sauer
10 West Broad Street, Suite 1800
Columbus, Ohio 43215-3485

On behalf of the Residential
Customers of Duke Energy Ohio.

Mike DeWine, Ohio Attorney General
William L. Wright, Section Chief
Public Utilities Section
Mr. Devin D. Parram
and Mr. Steven L. Beeler
180 East Broad Street
Columbus, Ohio 43215-3793

On behalf of the Staff of the Public
Utilities Commission.

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1 Wednesday Morning Session,
2 April 5, 2012.

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4 THE ATTORNEY EXAMINER: The Public
5 Utilities Commission of Ohio has scheduled for
6 hearing at this time and place Case
7 No. 11-5809-GA-RDR, being In the Matter of the Annual
8 Application of Duke Energy Ohio for an Adjustment to
9 the Rider AMRP Rates to recover costs incurred in
10 2011; and Case No. 11-5810-GA-ATA, being In the
11 Matter of the Application of Duke Energy Ohio for
12 Tariff Approval.

13 My name is Kerry Sheets, an attorney
14 examiner for the Commission. I have been assigned to
15 hear these cases. I will now have the appearances of
16 the parties, please.

17 MS. KINGERY: Jeanne Kingery and Amy
18 Spiller on behalf of Duke Energy Ohio, 155 East Broad
19 Street, Columbus, Ohio 43215. Thank you.

20 THE ATTORNEY EXAMINER: OCC.

21 MR. SAUER: Thank you, your Honor. On
22 behalf of the residential customers of Duke Energy
23 Ohio, the Office of Ohio Consumers Counsel, Bruce J.
24 Weston, by Joseph P. Serio, Larry Sauer, assistant
25 Consumers' Counsel, 10 West Broad Street, Columbus,

Ohio.

THE ATTORNEY EXAMINER: Staff.

MR. PARRAM: Good morning, your Honor.

On behalf of Staff of the Public Utilities Commission of Ohio, Ohio Attorney General Mike DeWine, section chief, William L. Wright, by assistant attorneys general Devin D. Parram and Steven L. Beeler, 180 East Broad Street, Sixth Floor, Columbus, Ohio 43215.

THE ATTORNEY EXAMINER: Thank you. Do we have any preliminary matters to take care of today?

MS. KINGERY: No, your Honor.

THE ATTORNEY EXAMINER: Do we have any exhibits to mark? Let's do that.

MS. KINGERY: Yes, your Honor, we do. We propose to mark the Stipulation and Recommendation that was filed on April 2 as Joint Exhibit 1, and the application filed by Duke Energy Ohio in this matter, filed on February 28, 2012, as Duke Energy No. 1; the Direct Testimony of Gary Hebbeler, also filed on February 28, as Duke Energy Ohio Exhibit No. 2; the Direct Testimony of Peggy Laub, also filed on February 28, as Duke Energy Ohio Exhibit 3; the Supplemental Direct Testimony of Peggy Laub, filed on April 2, 2012, as Duke Energy Ohio Exhibit 4.

THE ATTORNEY EXAMINER: Do we have the

1 prefiled notice of the application in there? That
2 was filed, too.

3 MS. KINGERY: If you would like to have
4 the prefiled notice, let's make that Duke Energy Ohio
5 5, and that was docketed on November 30, 2011.

6 THE ATTORNEY EXAMINER: Very good.

7 MS. KINGERY: That would be all of our
8 exhibits.

9 THE ATTORNEY EXAMINER: And, OCC, do you
10 have an exhibit?

11 MR. SAUER: Thank you, your Honor, yes.
12 We would like to have marked as OCC Exhibit No. 1,
13 the Comments on the Application of Duke Energy Ohio
14 that was filed on March 26, 2012.

15 THE ATTORNEY EXAMINER: Thank you.

16 Staff.

17 MR. PARRAM: Yes, your Honor. I'd like
18 to have marked as Staff Exhibit 1, the Comments and
19 Recommendations submitted on behalf of the Staff of
20 the Public Utilities Commission of Ohio. It has been
21 docketed and filed on March 26, 2012.

22 THE ATTORNEY EXAMINER: Very good.

23 Do you have witnesses to call?

24 MS. KINGERY: Yes, your Honor, we would
25 call Peggy Laub.

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PEGGY A. LAUB,

being first duly sworn, as prescribed by law, was
examined and testified as follows:

DIRECT EXAMINATION

By Ms. Kingery:

Q. Ms. Laub, please state your name and
employment for the record?

A. It's Peggy A. Laub, and I work for Duke
Energy Business Services.

Q. Thank you very much. Do you have before
you what has been marked in this case as Duke Energy
Ohio Exhibits 3 and 4?

A. I do.

Q. And would you identify those, please, for
the record.

A. 3 is --

Q. I believe that is your original
testimony.

A. 3 is my original testimony in the case
filed on February 28; and 4 is the supplemental
direct testimony.

Q. Thank you very much. Do you have any
modifications or changes to make to those pieces of
testimony today?

1 A. I do not.

2 Q. If I were to ask you those same questions
3 today, would your answers be the same?

4 A. Yes, they would.

5 Q. And are you familiar with the Stipulation
6 that has been entered into this case?

7 A. I am.

8 Q. And is that also before you marked as
9 Joint Exhibit 1?

10 A. Yes, it is.

11 MS. KINGERY: Thank you very much.

12 The witness is available for
13 cross-examination.

14 THE ATTORNEY EXAMINER: Any questions?

15 MR. SAUER: No questions, your Honor.

16 MR. PARRAM: No questions.

17 THE ATTORNEY EXAMINER: Very good. Thank
18 you.

19 MS. KINGERY: Your Honor, we move for the
20 admission of Joint Exhibit 1 and Duke Energy Ohio
21 Exhibits 1 through 5.

22 THE ATTORNEY EXAMINER: Very good. Any
23 objections?

24 MR. SAUER: No objections.

25 MR. PARRAM: No objections, your Honor.

1 THE ATTORNEY EXAMINER: I will admit the
2 exhibits.

3 (EXHIBITS ADMITTED INTO EVIDENCE.)

4 MR. SAUER: Your Honor, OCC moves for the
5 admission of OCC Exhibit No. 1.

6 THE ATTORNEY EXAMINER: Very good. Are
7 there any objections?

8 MR. PARRAM: No objections.

9 MS. KINGERY: No objections.

10 MR. PARRAM: Staff would move for the
11 admission of Staff Exhibit No. 1.

12 THE ATTORNEY EXAMINER: Very good. The
13 exhibits are admitted into evidence.

14 (EXHIBITS ADMITTED INTO EVIDENCE.)

15 THE ATTORNEY EXAMINER: Any other
16 business to take care of?

17 MS. KINGERY: Nothing for Duke Energy
18 Ohio. Thank you.

19 MR. PARRAM: No, your Honor. Thank you.

20 MR. SAUER: No, your Honor. Thank you.

21 THE ATTORNEY EXAMINER: Thank you all for
22 coming. I would note on the record that there were no
23 members of the public present.

24 (The hearing adjourned at 10:05 a.m.)

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CERTIFICATE

I do hereby certify that the foregoing is a true and correct transcript of the proceedings taken by me in this matter on Wednesday, April 4, 2012, and carefully compared with my original stenographic notes.

Rosemary Foster Anderson,
Professional Reporter and
Notary Public in and for
the State of Ohio.

My commission expires April 5, 2014.
(RFA-8770)

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This foregoing document was electronically filed with the Public Utilities

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in

Case No(s). 11-5809-GA-RDR, 11-5810-GA-ATA

Summary: Transcript Transcript of the Duke Energy Ohio hearing held on 04/04/12 electronically filed by Mrs. Jennifer Duffer on behalf of Armstrong & Okey, Inc. and Anderson, Rosemary Foster Mrs.