

#### DUKE ENERGY OHIO, INC.

139 East Fourth Street 1212 Main Cincinnati, OH 45201-0960 Telephone: (513) 287-4337 Facsimile: (513) 287-4385

Dianne Kuhnell Sr. Paralegal E-mail: Dianne.kuhnell@duke-energy.com

# **VIA ELECTRONIC FILING**

May 8, 2012

Docketing Division
Public Utilities Commission of Ohio
180 East Broad Street
Columbus, Ohio 43215-3793

Re: Case No. 12-1280-EL-UNC

Juhrelf

Dear Docketing:

On May 7, 2012, Duke Energy Ohio, Inc. filed its Application of Duke Energy Ohio, Inc. for Administration of the Significantly Excessive Earnings Test and the Direct Testimony of Peggy Laub. Portions of the filing, specifically Attachment PAL 1-7 to Peggy Laub's Direct Testimony were inadvertently omitted from the original filing.

Duke Energy Ohio, Inc. hereby requests that the Commission accept the following Attachment PAL 1-7 for filing.

We apologize for any inconvenience this error may have caused. Feel free to contact me should you have any questions.

Very truly yours,

Dianne Kuhnell Senior Paralegal

**Enclosures** 

Duke Energy Ohio, Inc.
Significantly Excessive Earnings Test
Return Earned on Average Electric Common Equity
December 31, 2011

Attachment PAL-1 Page 1 of 1

<u>Description</u>	Source	<u>Amount</u>
Including Non-SSO Sales and ESP Deferrals		
Adjusted Electric Net Income	PAL-2	162,464,409
Average Electric Common Equity	PAL-4	2,783,145,579
Return Earned on Average Electric Common Equity		5.84%
Excluding ESP Deferrals	į.	(h)
Adjusted Electric Net Income	Alt. PAL-2	173,443,009
Average Electric Common Equity	Alt. PAL-4	2,791,767,006
Return Earned on Average Electric Common Equity		6.21%

Duke Energy Ohio, Inc. Significantly Excessive Earnings Test Adjusted Net Income December 31, 2011

		7700							
	12 Months Ended De	rins Ended December 31, 2011			CBME	Cimmations			
33 8			Purchase		Non-Recurring	Earnings of	Amounts Refunded to	Total	Adjusted
Description	Total	Electric	Accounting	Mark-to-Merket	Gains / Losses	Subsidiaries	Customers	Eliminations	December 31, 2011
Operating Revenues	2,339,789,426	1,894,134,836	(4,241,148)					(4,241,148)	1,889,893,688
Operation Expenses	1,399,387,733	1,131,052,067	(11,628,727)	(4,110,036)				(15,738,763)	1,115,313,304
Mendenance Expenses	184,467,944	177,668,041						0 0	177,668,041
Degraciation Expense for Asset Retirement Costs	310,923	310,923						0	310,923
Amort, & Depl. Of Utility Plant	24,680,950	19,552,521	(7,755,000)					(7,755,000)	11,797,521
Amont. Of Utility Plant Acquisition Act.	19,201,855	19,201,855	(19,226,855)					(18,228,855)	(25,000)
Regulatory Debits	23,136,680	20,347,634						0 0	20,347,634
Less, regulatory Credits Town Other Than Income Towns	(4,402,074)	104 1720 102							191 029 192
forms Tayes Federal	(103 794 844)	(67 876 811)	12.608.627	1 455 775	0		0	14.064.402	(53.812.409)
Income Taxes - Other	(2,068,319)	(1,376,973)						0	(1,376,973)
Provision For Defamed Income Taxes	455,643,165	321,847,351						0	321,847,351
Provision For Deferred Income Taxes - Credit	(309,354,681)	(283,251,296)						0	(283,251,296)
investment Tax Cradit Acji - Net	(1,019,161)	(800,115)						0	(800,115)
Gains From Disp Of Allow - Credit	(3,009,418)	(3,009,418)	(1,228,044)					(1,228,044)	(4,237,462)
Accretion Expense	368.561	368 561						O)	368,561
Total Utility Operating Expenses	2,109,902,495	1,674,452,678	(27,229,999)	~	Oli		Oli	(29,884,260)	1,644,568,418
Net Utifity Operating Income	229 886 931	219,682,158	22 386 851	2.654.261	<b>:</b>		O)	711.844.67	745.975.710
Other income									
Revenues From Merchandising, Jobbing and Contract Work	280,164	264,502						0	264,502
Less; Costs & Exp of Merchandising, Jobbing & Contract	716,375	740,224						0	740,224
Revenues From Nonulitity Operations	199,067	192,507						0 0	192,507
Less: Expenses of Nonutility Operations	(1,277,782)	(1,277,762)						9 6	(1,2/7,782)
Nonoperating Rental Income	(85,641)	(1,002)				/440 E30 BE3\		(14A) 530 B53)	(300'1)
Equity in Earthings of Subsidiary Companies	278,131,972	40,038,002				(700,000,000)		(300,550,041)	10 273 011
ITTER ESC APA LAWGERG INCOME	A 038 851	1 200 5						0	3.227.859
Microfination Management to community	1325 017 8281	(136 740 701)		130 035 877				139 035 877	2.295.176
Cain on Disposition of Proposity	1 253 868	3.869			(3.869)			(3,869)	0
Total Other Income	(1,145,886)	18,296,185	O	139,035,877	(3,869)	(140,539,662)	aı	(1.507.654)	16,788,531
Other Income Deductions									
Loss on Disposition of Property	266,164	262,992			(262,992)			(262,992)	0 6
Misc. Amortization	D							0	0 40E M37
Donations	2,929,692	2,465,037						9 6	745 353
Lite insurance	388,73	313,332							1011701
	408,173	(81,138) 4 (20,650							1 020 660
CIVIC, POMICE & RELEGIED ACTIVITIES	1,333,214 (20 3ac 0c)	(30,747,067)		120 428 662	(78 ans agn)			41 521 672	1 774 628
Other Deductions	[[GE GOS 60]	135 /4/ CH	•	120.420.002	70 160 087	C	•	A1 258 680	5 504 538
Total Thurs On Other Imparts and Debuttons	(34,045,955)	(20,653,840)	17 733	6.590.676	28 040 637	0	a	34,649,046	13,995,236
Net Other forme and Deductions	52.926.595	74.704.137	(17,733)	_	51,125,476	(140,539,662)	0	(77,415,380)	(2711.243)
Net Interest Charges	88,481,432	80, 199, 682	(50,064)					(50,064)	80,149,618
Net income	194,332,094	214 186,613	23,021,182	14,670,800	51,125,476	(140,539,662)	ol	(51,722,204)	162,464,409
Extraordinary Items		0					4	0	0
Net Income	194,332,094	214,186,613	23.021.182	14,670,800	51.125.476	(140,539,662)	OI	(51.(22.204)	152,464,409

<u>Description</u>	Adjusted <u>December 31, 2011</u>	ESP Related <u>Deferrals</u>	Adjusted December 31, 2011 Excluding ESP Deferrals
Utility Operating Income			
Operating Revenues	1,889,893,688		1,889,893,688
Operation Expenses	1,115,313,304		1,115,313,304
Maintenance Expenses	177,668,041	17,000,000	160,668,041
Depreciation Expense	150,391,482		150,391,482
Depreciation Expense for Asset Retirement Costs	310,923		310,923
Amort. & Depl. Of Utility Plant	11,797,521		11,797,521
Amort. Of Utility Plant Acquisition Adj.	(25,000)		(25,000)
Regulatory Debits	20,347,634		20,347,634
Less: Regulatory Credits	(1,002,336)		(1,002,336)
Taxes Other Than Income Taxes	191,029,192		191,029,192
Income Taxes - Federal	(53,812,409)	(6,021,400)	(47,791,009)
Income Taxes - Other	(1,376,973)		(1,376,973)
Provision For Deferred Income Taxes	321,847,351		321,847,351
Provision For Deferred Income Taxes - Credit	(283,251,296)		(283,251,296)
Investment Tax Credit Adj - Net	(800,115)		(800,115)
Gains From Disp Of Allow - Credit	(4,237,462)		(4,237,462)
Accretion Expense	<u>368.561</u>		368,561
Total Utility Operating Expenses	1,644,568,418	10,978,600	1.633.589.818
Net Utility Operating Income	245.325.270	(10.978.600)	256.303.870
Other Income			
Revenues From Merchandising, Jobbing and Contract Work	264,502		264,502
Less: Costs & Exp of Merchandising, Jobbing & Contract	740,224		740,224
Revenues From Nonutility Operations	192,507		192,507
Less: Expenses of Nonutility Operations	(1,277,782)		(1,277,782)
Nonoperating Rental Income	(1,882)		(1,882)
Equity in Earnings of Subsidiary Companies	0		0
Interest and Dividend Income	10,273,011		10,273,011
AFUDC	3,227,659		3,227,659
Miscellaneous Nonoperating Income	2,295,176		2,295,176
Gain on Disposition of Property	<u>0</u>		
Total Other Income	<u>16,788,531</u>	<u>0</u>	<u>16.788.531</u>
Other Income Deductions			
Loss on Disposition of Property	0		0
Misc. Amortization	0		0
Donations	2,485,037		2,485,037
Life Insurance	315,352		315,352
Penalties	(91,139)		(91,139)
Civic, Political & Related Activities	1,020,660		1,020,660
Other Deductions	<u>1,774,628</u>		1,774,628
Total Other Income Deductions	5,504,538	0	5,504,538
Total Taxes On Other Income and Deductions	13,995,236		13,995,236
Net Other Income and Deductions	(2.711.243)	<u>0</u>	(2,711,243)
Net Interest Charges	80,149,618		80,149,618
Net Income	162,464,409	(10,978,600)	173,443,009
Extraordinary Items	0		0
Net Income	162,464,409	(10.978.600)	173.443.009

Duke Energy Ohio, Inc. Significantly Excessive Earnings Test Summary of Net Income Eliminations December 31, 2011

Account ID CB	Account Long Descr CB	12 months Ended 12/31/2011	Elimination	0.3542 Income Tax Effect	Impact on Net Income
Purchase Accounting 447208 Am	<u>inting</u> Amort Pwr Trdg Intang or Liab	4.241.148	(4.241.148)	(1.502.215)	(2.738.933)
405011 406505	Amort of Other Pur Acctg Amort Exp - Acq Purch Adj	7,755,000 19,226,855 26,981,855	(7,755,000) (19,226,855) (26,981,855)	9.556.973	17.424.882
411849 411850	SO2 COS - Purch Acctg Seasonal NOx COS - Purch Acctg	1,228,044 0 1,228,044	(1,228,044) <u>0</u> (1,228,044)	434.973	793.071
501200 509011 509211	Coal Consumed Purch Acctg Adj SO2 Emission Exp - Purch Acctg Seas NOx Emiss Exp - Purch Acctg	3,120,271 8,508,456 0 11.628.727	(3,120,271) (8,508,456) 0 (11,628,727)	4.118.895	7.509.832
	Above-the-line Impact		35.597.478	12,608,626	22.988.852
428200 429200	Amort_Debt_Disc_Pur_Acctg_Adj Amort_Debt_Prem_Pur_Acctg_Adj	482,316 (432,252) 50,064	(482,316) 432,252 (50,064)	17.733	32.331
	Total Purchase Accounting Adjustment	(35.647.542)	35,647,542	12.626.359	23.021.183

	Power Trading MTM Gains MTM Unrealized Gain - Reserve	(100,843,967) 4,495,743	100,843,967 (4,495,743)		Attachment PAL-3 Page2of 2
Power Trading MTM Gains-Reg Gas MTM Gains Electricity - MTM Gain I/C Non Reg IC MTM Gas Gain MTM Unreal Gains - EA	M Gains-Reg ain I/C 3as Gain - EA	0 397,083 (43,160,856) 76,620 (500)	0 (397,083) 43,160,856 (76,620) <u>500</u> 139,035,877	49.246.508	89.789.369
MTM Unreal Loss-Reserve Power Trading MTM Loss Power Trading MTM Loss-NonR Gas MTM Loss Electricity - MTM Loss I/C Non Reg IC MTM Gas Loss MTM Unreal Losses - EA's Other Income Deductions	sserve Loss Loss-NonReg is I/C is Loss - EA's ctions	3,234,259 0 (99,859,827) (485,220) (24,219,775) 901,961 (60) (120,428,662)	(3,234,259) 0 99,859,827 485,220 24,219,775 (901,961) 60 120,428,662	(42.655.832)	(77.772,830)
Net Other Income and Deductions	Deductions	(18.607.215)	18.607.215	6.590.676	12.016.539
Fuels Unrealized MTM Gain Fuels Unrealized MTM Loss	1 Gain 1 Loss	13,399,043 (9,289,007) 4,110,03 <u>6</u>	(13,399,043) <u>9,289,007</u> (4,110,036)	1.455.775	2.654.261
Total Mark-to-Market		(22,717,251)	22.717.251	8 046 451	14.670.800
Non-Recurring Gains / Losses 421100 Gain On Disposal Of Property	roperty	3,869	(3,869)	(1,370)	(2,499)
Loss On Disposal Of Property Other Deductions - Impairments PP&E IMPAIRMENT Impairment of Goodwill Total Non-Recurring Gains / Los	Property ipairments iii Sains / Losses	262,992 78,906,990 0 <u>0</u> (79,166,113)	(262,992) (78,906,990) 0 Z9,166,113	93,152 27,948,856 0 28.040,638	169,840 50,958,134 0 51,125,475
Equity in Earnings of Subsidiary Companies 418.1 Equity in Earnings of Subsidiary	<u>anles</u> ubsidiary Companies	140.539.662	(140.539.662)		(140.539.662)
Total Eliminations		3.008.756	(3.008.756)	48.713.448	(51.722.204)

		Decemi	December 31, 2010				December 31, 2011			Average
Description	Balance at 12-31-10	Purchase Accounting	Other Adjustments	Adjusted 12-31-10	Balance at 12-31-11	Purchase Accounting	DENA	Other Adjustments	Adjusted 12-31-11	Common
Correnan Stock Equity 201000 Common Stock	762,136,231			782,136,231	762,136,231			***	762,136,231	
207000 Premium on capital stock 208000 Donal Recod From Sikhid 208001 Donat Recod From Duke 208010 Donat Recod From Sikhid Tax	28,950,000 1,462,336,840 15,641,578	362,457,437 197,206,819 68,538,328		362,457,437 226,156,819 1,462,236,840 84,179,906	28,950,000 1,462,336,840 15,641,578	362,457,437 197,208,819 88,538,328	(1,452,336,840)	***	362,457,437 228,156,818 0 84,179,908	
210020 Gain on Redemption of Capital 211003 Misc Paid in Capital 211004 Miscellaneous Paid in Capital 211004 Miscellaneous Paid in Capital Pre-Merger Equity 211007 Misc PC Permerg RE for Div 21110 PIC - Sharesaver 214010 Common stock equity inter-company	2,879,949,148 557,581,088 625,474,493	147,685 (2.878,948,148) (803,514,486) (825,474,493) (3.350,836) (21,750,868)	×	147,885 0 (45,933,389) 0 (3,350,836) (21,750,869)	2,878,549,148 557,581,098 140,474,493	(2,879,949,148) (603,514,486) (625,474,493) (3,360,636) (21,750,866)	(1,171,126,822)		147,585 (1,177,126,822) (45,833,389) (45,833,389) (3,550,888) (21,750,889)	
216000 Unappropriated RE Bai 216100 Unapp Ret Emga-Curr Yr Net Incoma A38000 Unicidents Joddaned on Common Stock Accum other comprehensive incoma (loss) Total Common Stock Equity	(405,889,213) (440,568,022) (21,663,377) \$ 5,463,038,776	811,002,586 53,579,880 (45,455,383) \$ (2.586,562,449)	726,711,261 <sup>(3)</sup> 635,203,054 <sup>(1)</sup> 5 1,361,914,315	1,231,814,644 248,214,912 0 (67,118,740) \$ 4,239,280,642	(846,467,235) 184,332,084 (27,759,807) \$ 5,167,174,440	964,582,476 74,598,581 (45,455,363) \$ (2,511,963,868)	1,580,569,348 (120,540,547) \$ (1,173,434,961)	1,403,452,846 <sup>(3)</sup> (51,722,204) <sup>(1)</sup> \$ 1,351,730,642	3,102,137,435 96,667,924 0 (73,215,170) \$ 2,833,506,253	\$ 3,536,386,446
Allocation to Duke Energy Ohio Electric (3)										78.70%

Average Common Equity Allocated to Duke Energy Ohio Electric

(\*) Elimination of Mark-to-Markat, Non-Racurring Gains & Losses, Equity in Subaddary Companies and Goodwill Impairment.
REInimation of Goodwill Impairment.
R Source: Supplemental PAL-6.

\$ 2,783,145,579

		December 31, 2010	31, 2010				December 31, 2011			Average
Describiton	Balance at 12-31-10	Purchase Accounting	Other Adjustments	Adjusted 12-31-10	Balance et 12-31-11	Purchase Accounting	DENA	Other	Adjusted 12-31-11	Consmon
Common Stock Equity 201000 Common Stock	762,136,231			762,136,231	782,136,231				762,136,231	782,136,231
207000 Premium on capital stock 208000 Danat Recod From Stubid Statement Process Public	28,950,000	382,457,437 197,208,819		362,457,437 226,156,619	25,950,000	362,457,437	COAR BOO CAL CO		362,457,437	362,457,437 226,156,819
206010 Donat Recod From Sithid Tax	15,841,578	68,538,328		84,179,906	15,841,578	68,538,328	(name) one (name)		84,179,908	84,179,906
2110020 Gain on Redemption of Capital 211003 Misc Paid in Carolial		147,685		147,685		147,885	(1,171,126,822)		147,685	147,685 (585,563,461)
211004 Miscellaneous Paid in Capital Purch Accig 211005 Miscellaneous Paid in Capital Pre-Merger Equity	2,879,949,148	(2,679,949,148) (803,514,488)		(45,933,386)	2,679,949,148	(2,879,949,148) (603,514,486)			(45,933,368)	(45,933,388)
211007 Misc PIC Premen RE for Div 211110 PIC - Shareshver	625,474,493	(625,474,483)		0,350,836)	140,474,493	(825,474,483)			(485,000,000)	(342,500,000)
214010 Common stock equity inter-company		(21,750,868)		(21,750,888)		(21,750,868)			(21,750,868)	(21,750,888)
216000 Unappropriated RE Ball 216100 Unapp Ret Emgs-Curr Yr Net Income	(445,899,213) (440,568,022)	911,002,595	728,711,261	1,231,814,844	(848,467,235)	964,582,478 74,598,581	1,580,588,348 (120,540,547)	1,403,452,846 [2]	3,102,137,435 107,846,524	2,186,878,040
438000 Dividends Declared on Common Stock. Accum other comprehensive incore (loss) Tetal Corenon Stock Equity	(21,863,377) \$ 5,463,638,776	(45,455,383) \$ (2,588,582,449)	\$ 1,372,845,318	(67,118,740) \$ 4,250,221,642	\$ 5.187,174,440	(45,455,383) \$ (2,511,983,868)	\$ (1,173,434,961)	\$ 1,362,709,242	\$ 2,844,484,853	(70,166,955) \$ 3,547,353,248
Allocations to Butte Bosemy Ohio Flactric Ci		6								78.70%

Allocation to Dake Energy Ohio Electric

Average Common Equity Allocated to Duke Energy Onlo Electric

IV Elemination of Mank-to-Market, Non-Recurring Gains & Lasses, Equity in Sabaidlary Companies, Goodwill impairment and Non-SSO sales.

G Elemination of Goodwill impairment.

G Source, Supplemental PAL-5.

\$ 2,791,767,008

Duke Energy Ohio, Inc.
Significantly Excessive Earnings Test
Net Plant Allocation Factor
December 31, 2011

	Du	ke Energy Ohio, Inc.	
<u>Description</u>	Gas	<u>Electric</u>	<u>Total</u>
Gross Plant	1,561,815,434	6,520,667,244	8,082,482,678
Accumulated Depreciation	419,718,643	2,299,627,635	2,719,346,278
Net Plant	1.142.096.791	4.221.039.609	5.363.136.400
Allocation Percentage	21.30%	78.70%	100.00%

Duke Energy Ohio, Inc.
Significantly Excessive Earnings Test
Summary of Assumptions

## Source of Data per Stipulation in Case No. 08-920-EL-SSO:

1 Source of data is prior year public reported FERC Form 1 financial Statements, including off-system sales.

#### Adjustments to Net Income per Stipulation in Case No. 08-920-EL-SSO:

- 2 Eliminate all depreciation and amortization expense related to the purchase accounting recorded pursuant to the Duke Energy / Cinergy Merger.
- 3 Eliminate all Impacts of refunds to customers pursuant to paragraph 28 of the stipulation.
- 4 Eliminate all impacts of mark-to-market accounting.
- 5 Eliminate all impacts of material, non-recurring gains / losses, including, but not limited to, the sale or disposition of assets.

## Adjustments to Common Equity per Stipulation in Case No. 08-920-EL-SSO:

6 Eliminate the acquisition premium recorded to equity pursuant to the Duke / Cinergy merger.

### **Additional Assumptions:**

- 7 Duke Energy Ohio's common equity excludes equity of Duke Energy Kentucky.
- 8 Common equity used in calculating SEET is the average of the ending balance of the prior two calendar years.
- 9 The SEET calculation is intended to be for electric distribution utilities and therefore requires the elimination of earnings related to gas
- 10 The return on average common equity is to be calculated both including and excluding the impact of deferrals.

Duke Energy Corporation
Performance Benchmark
Total Shareholder Return vs. Philadelphia Utility Index

	<u>Duke</u>	Index	Rank		Percentile Rank
From January 2009 to:					
March 2009	-3.1%	-11.2%	6	(a)	73.7%
June 2009	0.4%	-2.3%	7	(a)	68.4%
September 2009	10.0%	3.2%	6	(a)	73.7%
December 2009	22.0%	10.0%	6	(a)	73.7%
March 2010	17.4%	6.4%	9	(a)	57.9%
June 2010	16.8%	2.5%	5	(a)	78.9%
September 2010	31.1%	15.1%	9	(a)	57.9%
December 2010	33.7%	16.3%	8	(a)	63.2%
March 2011	38.1%	18.9%	8	(a)	63.2%
June 2011	45.1%	26.3%	9	(a)	57.9%
September 2011	56.3%	28.7%	6	(b)	72.2%
December 2011	74.1%	38.7%	4	(b)	83.3%
From January 2010 to:					
March 2010	-3.8%	-3.3%	13	(a)	36.8%
June 2010	-4.3%	-6.9%	9	(a)	57.9%
September 2010	7.5%	4.6%	10	(a)	52.6%
December 2010	9.5%	5.7%	10	(a)	52.6%
March 2011	13.2%	8.0%	9	(a)	57.9%
June 2011	18.9%	14.7%	9	(a)	57.9%
September 2011	28.1%	16.9%	6	(b)	72.2%
December 2011	42.7%	26.1%	6	(b)	72.2%
From January 2011 to:					
March 2011	3.3%	2.2%	9	(a)	57.9%
June 2011	8.6%	8.6%	10	(a)	52.6%
September 2011	16.9%	10.6%	6	(b)	72.2%
December 2011	30.3%	19.3%	4	(b)	83.3%

Note: (a) Prior to August 25, 2011, components of Philadelphia Utility Index were: Ameren, AEP, AES, Constellation, Centerpoint, Dominion, DTE, Consolidated Edison, Duke, Edison International, Entergy, Exelon, First Energy NextEra, Northeast Utilities, PG&E, PSEG, Progress Energy, Southern Company, Xcel.

Note: (b) On August 25, 2011, Progress Energy was replaced in the Philadelphia Utility Index (UTY) by Covanta. Per the LTI plan, Duke performance will be measured against the remaining UTY companies (excluding Progress Energy and Covanta).

This foregoing document was electronically filed with the Public Utilities

**Commission of Ohio Docketing Information System on** 

5/8/2012 3:21:23 PM

in

Case No(s). 12-1280-EL-UNC

Summary: Correspondence regarding Attachments PAL 1-7 to Peggy Laub's testimony electronically filed by Dianne Kuhnell on behalf of Duke Energy Ohio, Inc. and Spiller, Amy B.