

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of Duke )  
Energy Ohio, Inc., to Cancel or Suspend its ) Case No. 12-331-GA-ATA  
Spark Spread Interruptible Transportation )  
Rate. )

FINDING AND ORDER

The Commission finds:

- (1) Duke Energy Ohio, Inc. (Duke), is a public utility as defined in Section 4905.02, Revised Code, and, as such, is subject to the jurisdiction of the Commission.
- (2) On January 19, 2012, as supplemented on January 20, 2012, Duke filed an application, pursuant to Section 4909.18, Revised Code, for authority to cancel its Spark Spread Interruptible Rate (Rate SSIT). Duke explains that it is necessary to cancel this tariff because it is no longer a calculable rate, as it is outdated and contains references to a market index that no longer exists. In addition, Duke offers that there are no customers currently taking service on Rate SSIT; in fact, there has never been a customer on the rate. Therefore, Duke asserts that cancellation of the rate will not impact any customer taking service on the rate. In the alternative, if the Commission does not wish Duke to cancel the tariff, Duke requests that Rate SSIT be suspended, pursuant to Section 4909.16, Revised Code, until Duke can update the pricing index and costs in the context of the next rate case.
- (3) By entry issued on July 6, 2012, the University of Cincinnati (UC) was granted intervention and a conference in this case was scheduled for August 9, 2012.
- (4) Subsequently, by entry issued on August 8, 2012, at the request of Duke and UC, the conference was suspended pending the outcome of the application in *In the Matter of the Joint Application of Duke Energy Ohio, Inc. and the University of Cincinnati for Approval of a Reasonable Arrangement for Transporting Natural Gas Pursuant to Section 4905.31, Revised Code*, Case No. 12-2171-GA-AEC (12-2171).

- (5) On August 22, 2012, in 12-2171, the Commission approved the joint application of Duke and the UC for a unique interruptible natural gas transportation agreement.
- (6) On September 24, 2012, UC filed notice of withdraw of its motion to intervene and comments in opposition to the application in the instant case.
- (7) On September 27, 2012, Duke filed a motion requesting that the Commission grant its application to cancel its Rate SSIT, noting that UC has withdrawn its opposition to the application.
- (8) The Commission has reviewed the application filed on January 19, 2012, as supplemented on January 20, 2012, and finds that it is reasonable and should be approved.

It is, therefore,

ORDERED, That Duke's application filed on January 19, 2012, as supplemented on January 20, 2012, is approved. It is, further,

ORDERED, That Duke is authorized to file, in final form, four, complete copies of its tariffs in final form consistent with this finding and order. Duke shall file one copy in its TRF docket (or may make such filing electronically as directed in Case No. 06-900-AU-WVR) and one copy in this docket. The remaining two copies shall be designated for distribution to the Rates Division, of the Commission's Utilities Department. It is, further,

ORDERED, That a copy of this finding and order be served upon all interested persons of record in this case.

THE PUBLIC UTILITIES COMMISSION OF OHIO

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Todd A. Snitchler, Chairman

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Steven D. Lesser

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Andre T. Porter

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Lynn Slaby

CMTP/vrm

Entered in the Journal  
**FEB 13 2013**

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Barcy F. McNeal

Barcy F. McNeal  
Secretary