

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of Vectren)
Energy Delivery of Ohio, Inc. for Authority) Case No. 13-1121-GA-RDR
to Adjust its Distribution Replacement)
Rider Charges.)

ENTRY

The attorney examiner finds:

- (1) By opinion and order issued January 7, 2009, in *In the Matter of the Application of Vectren Energy Delivery of Ohio, Inc., for Authority to Amend its Filed Tariffs to Increase the Rates and Charges for Gas Services and Related Matters*, Case No. 07-1080-GA-AIR, et. al., (*VEDO Rate Case*) the Commission approved a stipulation that, *inter alia*, authorized Vectren Energy Delivery of Ohio, Inc. (VEDO) to establish a Distribution Replacement Rider (DRR), allowing VEDO to recover and receive a return on investments made by the company during the accelerated implementation of a program to replace bare steel and cast iron pipelines. The stipulation approved in the *VEDO Rate Case* requires that VEDO file an application by May 1 each year, beginning in 2010, to establish the DRR to be effective on the following September 1 for the subsequent 12-month period. The stipulation further states that Staff will conduct an investigation of VEDO's application and shall issue a recommendation regarding the level of the DRR charge proposed in the application. If Staff finds, as part of its recommendation, that VEDO's application is unjust or unreasonable, or if any other party files an objection that is not resolved by VEDO, the stipulation provides that none of the parties, including VEDO, will object to a request for a hearing process in order to effectuate, to the extent possible and as long as consistent with there being full and reasonable discovery that provides for an expedited response time (i.e., ten days), the implementation of a successor DRR charge. In addition, the stipulation states that VEDO will not oppose a request by any party to conduct permissible discovery.
- (2) On May 1, 2013, VEDO filed its application in the instant case, requesting approval of its proposed DRR charge.

- (3) On May 23, 2013, the Ohio Consumers' Counsel (OCC) filed a motion to intervene in this case. In support of its motion, OCC states that it represents the residential utility customers of VEDO and that this case may adversely affect these customers' interests. OCC further submits that its participation will not unduly prolong or delay the proceeding and that its advocacy will significantly contribute to the full development and equitable resolution of the issues. No memorandum contra was filed in opposition to the motion to intervene. Accordingly, the attorney examiner finds that OCC's motion to intervene is reasonable and should be granted.
- (4) In order to accomplish the review of VEDO's proposed DRR charge, the attorney examiner finds that the following procedural schedule should be established:
- (a) July 26, 2013 - Deadline for the filing of motions to intervene.
 - (b) July 26, 2013 - Deadline for Staff and intervenors to file comments on the application.
 - (c) August 2, 2013 - Deadline for VEDO to file a statement, informing the Commission whether the issues raised in the comments have been resolved.
 - (d) In the event all of the issues raised in the comments are not resolved, or if the Commission deems the application may be unjust or unreasonable, a hearing will commence on August 8, 2013, at 10:00 a.m., at the offices of the Commission, 180 East Broad Street, 11th floor, Hearing Room 11-C, Columbus, Ohio 43215.
 - (e) If a hearing is necessary, and 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 a stipulation with the Commission by 9:00 a.m. on August 7, 2013.

It is, therefore,

ORDERED, That the motion to intervene filed by OCC be granted. It is, further,

ORDERED, That the procedural schedule set forth in Finding (4) be adopted. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/ Kerry K. Sheets

By: Kerry K. Sheets
Attorney Examiner

jrj/vrm

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in

Case No(s). 13-1121-GA-RDR

Summary: Attorney Examiner Entry granting the motion to intervene filed by the Office of Consumers' Counsel. Further, the entry adopts the following procedural schedule: July 26, 2013 - Deadline for the filing of motions to intervene; July 26, 2013 - Deadline for staff and interveners to file comments on the application; August 2, 2013 - Deadline for VEDO to file a statement, informing the Commission whether the issues raised in the comments have been resolved; August 8, 2013 - A hearing will commence, if necessary; and August 7, 2013 - If the parties enter into a stipulation, the parties must file the stipulation by 9:00 a.m.; electronically filed by Vesta R Miller on behalf of Kerry K. Sheets, Attorney Examiner, Public Utilities Commission of Ohio