

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Duke)
Energy Ohio, Inc., for Approval of its) Case No. 13-431-EL-POR
Energy Efficiency and Peak Demand)
Reduction Portfolio of Programs.)

**MEMORANDUM IN RESPONSE
BY
THE OFFICE OF THE OHIO CONSUMERS' COUNSEL**

On April 15, 2013, Duke Energy Ohio, Inc. ("Duke") filed this action setting forth its Energy Efficiency and Peak Demand Reduction Portfolio for 2014, 2015 and 2016 where customers are charged for energy efficiency and peak-demand reduction programs and pay Duke for an additional performance incentive. Pursuant to Ohio Admin. Code 4901:1-39-04(D), objections to Duke Energy Ohio's ("Duke" or the "Utility") Energy Efficiency and Peak Demand Reduction Portfolio are due within sixty days of the Utility's filing. Accordingly, objections are currently due Friday, June 14, 2013.

However, on June 11, 2013, the Ohio Environmental Council ("OEC") and Environmental Law and Policy Center ("ELPC") filed a Motion for Extension of Time to File Objections, only on behalf of themselves, in the above-captioned matter. OEC and ELPC requested a two-week extension to file their objections on June 28, 2013. Then, on June 12, 2013, the Greater Cincinnati Energy Alliance, Inc. ("Energy Alliance") filed a similar Motion for Extension, adopting the OEC and ELPC's arguments, and requesting the same two-week extension for itself. OCC does not object to OEC, ELPC and Energy Alliance's requests for extension provided the extension applies to all similarly situated

parties, including the Office of the Ohio Consumers' Counsel. Applying the extension to all parties would fit with the spirit of O.A.C. Section 4901-1-13.

Respectfully submitted,

BRUCE J. WESTON
OHIO CONSUMERS' COUNSEL

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CERTIFICATE OF SERVICE

I hereby certify that a copy of this Memorandum in Response was served on the persons stated below via electronic transmission this 12th day of June 2013.

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Summary: Memorandum Memorandum in Response by the Office of the Ohio Consumers' Counsel electronically filed by Ms. Deb J. Bingham on behalf of Schuler, Michael J.