

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of Duke)
Energy Ohio, Inc. to Adjust Rider DR-IM) Case No. 13-1141-GE-RDR
and Rider AU for 2012 SmartGrid Costs.)

ENTRY

The attorney examiner finds:

- (1) By opinion and order issued on December 17, 2008, in *In the Matter of the Application of Duke Energy Ohio, Inc., for Approval of an Electric Security Plan*, Case No. 08-920-EL-SSO, et al. (ESP Case), the Commission approved a stipulation that, *inter alia*, provides a process for recovering costs associated with the deployment of an electric SmartGrid system through Rider Distribution Reliability - Infrastructure Modernization (Rider DR-IM). In addition, the stipulation provides that, in the second quarter of each year, Duke Energy Ohio, Inc. (Duke) shall file for approval of Rider DR-IM adjustments, subject to due process, including an opportunity for a hearing. Additionally, by opinion and order issued on May 28, 2008, in *In the Matter of the Application of Duke Energy Ohio, Inc., for an Increase in Rates*, Case No. 07-589-GA-AIR, et al. (Gas Distribution Rate Case), the Commission approved a stipulation that, *inter alia*, provided a process for filing deployment plans for the installation of an automated gas meter reading system, which would share the SmartGrid communications technology, and a method for recovering costs associated with the plans, which was designated the Rider Advanced Utility (Rider AU).
- (2) On June 28, 2013, Duke filed an application, along with supporting testimony, to adjust Riders DR-IM and AU for SmartGrid deployment, pursuant to the processes approved in the *Gas Distribution Rate Case* and the *ESP Case*.
- (3) By entry issued July 16, 2013, the attorney examiner established a procedural schedule in this matter. Subsequently, by entry issued on September 27, 2013, the procedural schedule was continued, and the attorney examiner established November 25, 2013, as the deadline for the filing of Staff and intervenor testimony, and December 6, 2013, as the deadline for Duke to file supplemental testimony.

- (4) On November 21, 2013, Staff filed a motion for an extension of the procedural schedule and a request for expedited treatment. In its motion, Staff explains that all parties are actively working towards a stipulation in this case and need more time to focus on a potential settlement. Staff requests that the deadline for the filing of Staff and intervenor testimony be extended to December 16, 2013, with Duke's supplemental testimony to be due on January 10, 2014, and the hearing to commence on January 21, 2014. Staff further explains that it has consulted with the parties to this proceeding and they do not object to this request.
- (5) Upon consideration of Staff's motion, the attorney examiner finds that it is reasonable and should be granted. Accordingly, the parties should observe the following procedural schedule:
 - (a) December 16, 2013 - Deadline for the filing of Staff and intervenor testimony.
 - (b) January 10, 2014 - Deadline for Duke to file supplemental testimony.
 - (c) January 21, 2014 - The hearing will commence at 10:00 a.m., at the offices of the Commission, 180 East Broad Street, 11th floor, hearing room 11-C, Columbus, Ohio 43215.
- (6) In the event Duke comes to an agreement with some or all of the parties in this case on some or all of the facts or issues in this case, the attorney examiner finds it appropriate to set forth a schedule for the filing of such stipulations prior to the commencement of the hearing in this case. Accordingly, Duke must file any applicable stipulation, by 9:00 a.m., on January 17, 2014.

It is, therefore,

ORDERED, That Staff's motion for an extension of the procedural schedule be granted. It is, further,

ORDERED, That the procedural schedule set forth in finding (5) 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). 13-1141-GE-RDR

Summary: Attorney Examiner Entry granting Staff's motion for an extension of the procedural schedule and ordering the procedural schedule set forth in finding (5); electronically filed by Vesta R Miller on behalf of Kerry K. Sheets, Attorney Examiner, Public Utilities Commission of Ohio