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April 2, 2014

Docketing Division  
Public Utilities Commission of Ohio  
180 East Broad Street, 11<sup>th</sup> Floor  
Columbus, OH 43215

Subject: Opt-out Notice for Colerain Township, PUCO Case No. 05-1501-EL-GAG

Please find attached the Opt-Out Aggregation Notice to be sent to all eligible residential and commercial customers in Colerain Township, on or after April 12, 2014, with the Opt-Out period ending twenty-one (21) days thereafter.

Duke Energy Retail Sales, LLC, is providing aggregation services to Colerain Township and is filing this information on the township's behalf.

Should there be any questions and/or if you need additional information, please contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jeanne W. Kingery", written over a horizontal line.

Jeanne W. Kingery  
Associate General Counsel



Dear Colerain Residents and Businesses,

Welcome to Colerain's NEW Electric Aggregation Program. In 2012, Colerain partnered with Duke Energy Retail to implement a very successful electric aggregation program that offered a favorable price and terms for electricity supply for Township residences and businesses. Dennis Deters (Trustee President), Melinda Rinehart (Trustee Vice President) and Jeff Ritter (Trustee) have again worked with Duke Energy Retail for a new electric aggregation program to offer all eligible residents and businesses a chance to save on their electric supply.

#### Fixed Price Electricity Plan

- Fixed Electricity Price of 5.83¢/kWh through your May 2017 meter reading.
- Provides security against electricity price fluctuations.
- One energy bill from Duke Energy, your local utility.
- Electricity price will never change for the term of this offer.
- Duke Energy will continue to maintain the electric lines and respond to emergencies.

**You do not need to do anything to participate.** You will be automatically enrolled in the Colerain Electric Aggregation Program. Both Colerain Township and Duke Energy Retail are certified by the Public Utilities Commission of Ohio to provide this service. Participation in this program is voluntary. You may cancel the electric aggregation agreement at any time without paying a penalty.

To opt out of the program, either:

- Fill out the reply card below and return by May 5, 2014, or
- Call us toll-free at 1-877-408-2586.

If you have any questions, contact Duke Energy Retail at [DukeEnergyRetail@duke-energy.com](mailto:DukeEnergyRetail@duke-energy.com) or call 1-877-408-2586.

Regards,

Dennis Deters - Trustee President, Colerain Township

Melinda Rinehart - Trustee Vice president, Colerain Township

Jeff Ritter – Trustee, Colerain Township

Matthew Walz - Vice President, Duke Energy Retail

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Community: Colerain

◊ Opt out of the Colerain Government Aggregation Program. By checking this box, I understand that my account will not be included in the aggregation program.

**This opt out must be post marked by May 5, 2014**

If opting out mail too: Duke Energy Retail, 11 East Superior St, Suite 430 - Duluth, MN - 55802

Please fill out the required information in **bold**:

**Customer Name** \_\_\_\_\_ **Account Number** \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_  
(11-digit Number found on Page 1 of your existing bill)

**Service Address** \_\_\_\_\_

**Signature** \_\_\_\_\_ **Date** \_\_\_\_\_

## **Your Electric Service Terms and Conditions (the “Terms and Conditions”)**

### **When do I become a Duke Energy Retail Customer?**

Once we receive your enrollment, we will send a notice to your electric utility. They will send you a letter to confirm that you want to be switched to Duke Energy Retail. After this confirmation, you will officially become our customer the next time your meter is read (with the exception if your meter is read within 12 days of your enrollment with us, in that case you become our customer the following month's meter read and this process could take up to two months.)

### **What is my price and how long does it last?**

Your fixed price is 5.83¢/kWh through your May 2017 meter read date. You will still receive additional service and delivery charges from your electric utility. The actual fixed price has a price cap, meaning it won't ever be higher than what's stated, but we may choose to lower the price on your behalf. Additional charges may be incurred in the event the regional transmission organization (the group that is responsible for moving electricity over large interstate areas) or similar entity, utility, governmental entity or agency, reliability organization, or court imposes new or additional charges or changes to existing charges. We may pass this cost (which may be variable) on to you.

### **What happens with my electric utility?**

Nothing will change with your utility. They will continue to read your meter, send your monthly bill, and respond to any outages. Our charges for the electricity will be included on your utility bill. If you are interested in budget billing, that service would have to be arranged through the utility, as we do not offer it directly. When you enroll with us, you are allowing your utility to give us any account information needed to provide you with service.

### **Are there any fees to enroll?**

No, there's no fee from us. Ohio law allows your electric utility to charge a switching fee.

### **What if I want to cancel?**

You can cancel the switch to Duke Energy Retail at no charge, as long as you cancel by phone or mail within seven calendar days of the postmark on the utility's confirmation notice. Simply follow the cancellation instructions on the utility's letter.

If you want to cancel after that time, here is what will happen.

Residential and Non-Residential customers:

- If you want to cancel or switch to another supplier, no early termination fee will be charged.
- If you want to cancel during a renewal term, no termination fee will be charged.
- If you move outside the area served by us or to an area where we charge a different price, you will not be charged a termination fee.
- If you return to the utility, you may be served at different rates and terms and conditions based on the utility's tariffs.

### **What happens at the end of this agreement?**

- If the Township and an electric supplier agree on a new aggregation program, you will be sent another opt-out notification and you'll have the chance at that time to decide if you want to be a part of the new aggregation.
- If the Township has not entered into a new aggregation agreement with a supplier at the conclusion of this aggregation term as stated above, you will be sent back to Duke Energy, "the utility" who will supply your electric.

### **What happens if I don't pay my bill?**

- We have the right to cancel this agreement after a 14-day written notice, if you don't pay your bill or if you don't meet any payment arrangements that you and we agree to.
- If you don't pay our charges, you may be returned to your utility's regulated rate. If you don't pay your utility company's charges, you may be disconnected under the terms of the utility's tariffs.

### **Questions?**

- To reach Duke Energy Retail: [DukeEnergyRetail@duke-energy.com](mailto:DukeEnergyRetail@duke-energy.com) or 1-877-331-3045 (8 a.m. to 5 p.m., Eastern Time). Our mailing address is: Duke Energy Retail, 139 East Fourth Street, EX 320, Cincinnati, Ohio 45202.
- If your complaint is not resolved after you have called your electric supplier and/or your electric utility, or for general utility information, residential and business customers may contact the public utilities commission of Ohio (PUCO) for assistance at 1-800-686-7826 (toll free) from eight a.m. to five p.m. weekdays, or at <http://www.puco.ohio.gov>. Hearing or speech impaired customers may contact the PUCO via 711 (Ohio relay service).
- The Ohio consumers' counsel (OCC) represents residential utility customers in matters before the PUCO. The OCC can be contacted at 1-877-742-5622 (toll free) from eight a.m. to five p.m. weekdays, or at <http://www.pickocc.org>.

**Environmental Disclosure:** The environmental disclosure information can be found on our website at: <http://dukeenergyretail.com>

You also authorize us to contact the utility on your behalf to evaluate utility programs that may benefit you and to resolve utility matters on your behalf. This authorization does not permit Duke Energy Retail to contractually obligate you to any utility program.

We will not disclose your social security number and/or account number(s) to any third party without your prior written authorization except for our collections and credit reporting, participating in programs funded by the universal service fund, or assigning this contract to another CRES provider.

### **Eligibility**

- In the event you sign up under the incorrect rate classification, we have the option to either, 1) terminate your contract or 2) correct the rate classification and charge you as a customer under the correct rate classification.

### **General**

- This is the entire agreement. No amendment or modification can be enforced unless it is put in writing and agreed to by both parties (you and Duke Energy Retail).
- Government Actions –If there is any change in governing law or regulation that physically prevents or legally prohibits us from performing under this contract, then we may terminate this agreement with 45 days notice. After that, you can return to the utility to provide your electricity needs, or enroll for service from another supplier, if available.
- Warranties and Damages – There are no warranties associated with this offer or the electricity service sold. And we are not liable to you or any third party for consequential, punitive, incidental, special or other indirect damages
- You may ask us for up to two years of your payment history. We will give you this information, for free, no more than two times in any 12 months.

Duke Energy Retail is an affiliate (a related company) of Duke Energy, an electric utility.

**This foregoing document was electronically filed with the Public Utilities**

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Summary: Opt-Out Notice For Colerain Township electronically filed by Carys Cochern on behalf of Colerain Township