

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of Duke)
Energy Ohio, Inc., for an Increase in its) Case No. 12-1685-GA-AIR
Natural Gas Distribution Rates.)

In the Matter of the Application of Duke) Case No. 12-1686-GA-ATA
Energy Ohio, Inc., for Tariff Approval.)

In the Matter of the Application of Duke)
Energy Ohio, Inc., for Approval of an) Case No. 12-1687-GA-ALT
Alternative Rate Plan for Gas Distribution)
Service.)

In the Matter of the Application of Duke)
Energy Ohio, Inc., for Approval to Change) Case No. 12-1688-GA-AAM
Accounting Methods.)

ENTRY

The Commission finds:

- (1) Duke Energy Ohio, Inc. (Duke), is a natural gas company as defined by R.C. 4905.03 and a public utility as defined by R.C. 4905.02 and, as such, is subject to the jurisdiction of this Commission, pursuant to R.C. 4905.04, 4905.05, and 4905.06.
- (2) By Opinion and Order issued November 13, 2013, the Commission approved the Stipulation and Recommendation, which, inter alia, provided that the parties would litigate the issues related to Duke's request to recover costs for the investigation and remediation of its manufactured gas plants (MGPs). Through this Order, the Commission also concluded, upon review of the litigated MGP issues, that Duke sustained its burden to prove that it prudently incurred MGP investigation and remediation costs, less certain costs and charges, in accordance with R.C. 4909.15(A)(4). Therefore, Duke was authorized to file proposed tariffs reflecting the amount to be included in Rider MGP for review and approval.
- (3) On November 27, 2013, consistent with the November 13, 2013 Order, Duke filed its proposed tariffs.

- (4) By Entry on Rehearing issued January 8, 2014, the Commission denied the applications for rehearing filed by various parties, reaffirming its November 13, 2013 Order.
- (5) By Entry issued February 19, 2014, the Commission denied the motion to stay of the Commission's November 13, 2013 Order, with regard to its authorization of Duke to collect money from its customers, through Rider MGP, which was filed by the Ohio Consumers' Counsel (OCC), Ohio Partners for Affordable Energy (OPAE), the Kroger Company (Kroger), and the Ohio Manufacturers' Association (OMA). In addition, through this Entry, the Commission approved Duke's proposed tariffs, which were filed on November 27, 2013, reflecting the authorized amount to be included in Rider MGP.
- (6) On March 5, 2014, OPAE filed notice of appeal with the Ohio Supreme Court of the Commission's November 13, 2013 Order, as it relates to the determinations regarding recovery of costs through Rider MGP. *In re Application of Duke Energy Ohio, Inc.*, 2014-0328 (2014-0328). OCC, OMA, and Kroger filed notice of appeal on March 10, 2014. On March 17, 2014, OPAE, OCC, OMA, and Kroger (appellants) filed a joint motion to stay the effective date of Rider MGP with the Court.
- (7) May 14, 2014, in 2014-0328, the Court granted appellants' joint motion to stay the Commission's November 13, 2013 Order with regard to the implementation of Rider MGP.
- (8) On May 20, 2014, Duke filed a motion to lift the stay ordered by the Court or, in the alternative, to require the payment of a bond by appellants. Columbia Gas of Ohio, Inc., The East Ohio Gas Company d/b/a Dominion East Ohio, and Vectren Energy Delivery of Ohio, Inc., filed a joint motion to intervene in 2014-0328 and to file a memorandum in support of Duke's motion to lift the stay. On May 23, 2014, in 2014-0328, appellants filed a motion to strike Duke's May 20, 2014 motion.
- (9) While the Commission understands that there is a pending motion filed at the Court requesting that the stay be lifted, in deference to the Court's May 14, 2014 ruling, the Commission finds it appropriate to require Duke to file tariffs in compliance with the Court's ruling. Should the Court determine, after review of the pending motions, that the stay should be lifted,

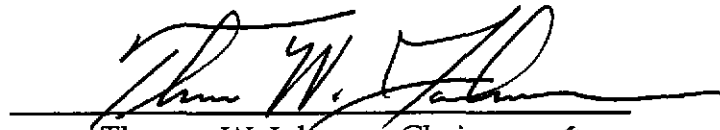
the Commission will issue an appropriate procedural entry. Accordingly, at this time, the Commission finds that Duke should file tariffs conforming to the Court's ruling, in final form, by June 13, 2014.


It is, therefore,

ORDERED, That, in accordance with finding (9), Duke file, in final form, complete copies of its tariffs complying with the Court's ruling, one copy in its TRF docket and one copy in these case dockets. The effective date of the revised tariffs shall be the date the final tariff pages are filed with the Commission. It is, further,

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

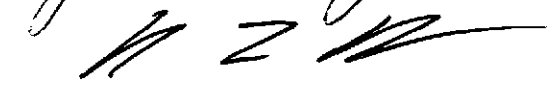
THE PUBLIC UTILITIES COMMISSION OF OHIO


Thomas W. Johnson, Chairman


Steven D. Lesser


Lynn Slaby

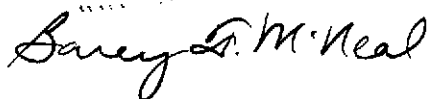

M. Beth Trombold


Asim Z. Haque

CMTP/vrm

Entered in the Journal

MAY 28 2014



Barcy F. McNeal
Secretary