

FILE

The Public Utilities Commission of Ohio

Docketing Division

180 East Broad Street

Columbus, Ohio 43215-3793

July 22, 2014

From: Nancy M. Cole

7730 Camp Road

Camp Dennison, Ohio 45111

REFERENCE: Case No. 14-0805-EL-CSS

Response to letter and Answer of Respondent Duke Energy Ohio, Inc.

Facts: Responding to letter from Robert A. McMahon, Attorney for Duke Energy

1. I deny advertising in the Business Yellow Pages. I don't even own a copy of the Yellow Pages. When I researched as to why Derbyshire Stables was listed in the book, I was told it is a free service and was unable to find out how my information was obtained because they use various sources. I admit I found it listed but it was not by my hand.

2. Derbyshire Stables has a website, constructed by a Presbyterian Minister, Brian Ferry, with information provided by trainers who lease space and ponies from us. Checks are made payable to Derbyshire for the convenience of record keeping and then monies are dispersed

This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business.
Technician And Date Processed 7/25/14

RECEIVED-DOCKETING DIV
2014 JUL 25 PM 12:00
PUCO

5

to the trainers. The following neighboring farms also have websites, conduct the same activities, and are not billed commercially by Duke:

Kneipp Farms , David Biesel Stables, Camargo Stables, Walnut Creek Farms, Kubicki Equestrian Center, Lockmoor Stables, Markin Farm, Apple Creek Stables, Beechmont Stables, Bridle Run, Homestead Stables, Childress Rodgers Stables, Stillwater Farm, Dancing Horse Farms, Saddle Lake Equestrian Center, Equisport Stables, Galerie Farm, Vine Hill Farm, etc.

Every farm I researched told me they either had residential or some said agricultural rates.

They all have websites featuring their farms.

We are only requesting equal treatment from farm to farm.

Some of these farms have huge public horse shows and run concession stands with company vendors selling equipment and supplies. Some have signs posted throughout the area advertising. We do none of that and yet they are receiving residential/agricultural rates and some do not have homes on the property. We are zoned agricultural and are restricted as to what we are able to do...i.e. no commercial business. All of this points directly to Duke, who admittedly sent a person to confirm my residency, yet changed the residential rate only ***after I filed a complaint with PUCO.*** How can that be anything but an attempt at intimidation and abusive use of power?

When I contacted the Hamilton County Auditor's Office regarding the zoning, as advised by the PUCO representative, the Auditor's office was adamant that I should not be billed commercially by Duke and encouraged me to investigate Duke's decision, since my classification was the same as all other agricultural properties.

3. Mr. McMahon recommends having separate meters installed at the farm for gas, which has always serviced only my residence, and electric which services my barn and my house.

That's an interesting suggestion since the same meters, both gas and electric, were able to provide residential readings prior to me filing the formal complaint with PUCO. Perhaps he also wishes to financially punish us through the expense of changing meters that are proven to be operable for both residential and commercial usage as is.

4. For years I was told, and still have notes where I called and questioned extremely high bills received throughout the years. I was always told I was residential by Duke's representatives who answered the phones. Occasionally they said the meters were incorrectly read, that I was billed "On Demand" in error, and lowered the payment. Duke is now denying that.

When I talked to Larry in their Indiana office in January, 2013, I told him the female who transferred my call to him told me I was being billed residential. That's how Larry got involved, requested verification of residency, and thus I was correctly converted to residential rates.

The Indiana office would know that they told me I was being billed as residential, when in fact, it was always commercial.

It appears that Duke Energy has no standard in which they invoice people with various rates. It doesn't make sense that I am singled out, of all of the farms mentioned above, as well as others I have not investigated. I live on the property. I own various horses and ponies...39...some retired or injured....others being leased. I lease stalls to groups who need to come in on a temporary basis i.e. Freedom Path, Cincinnati Polo, U.C. Equestrian team from Saddle Lake Equestrian Center, etc. My facility has been donated to groups doing programs for the Inner City Youth Group, Bible study groups and Book Clubs. I don't understand how apartment owners who lease apartments with paid utilities are not charged commercial rates, and yet if I lease stalls, I am to pay commercial rates? They even told me because I have a sign with my farm's name that it is considered

commercial. I don't understand because I have a website...or someone adds my name to an antiquated "Yellow Pages" that I am suddenly commercial!

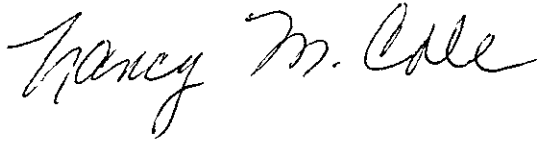
In 2014, I did call Duke on several invoices I received...one being that the meter reader had documented that he/she had attempted to come into my house when no one answered the door. My meters, since the beginning of time, are clearly outside the doors. I was cautioning them that I have three Dobermans who have a job to do. I didn't want to be responsible for someone walking into my house unnecessarily and unexpectedly.

I called again the following month when I received a \$3000 bill from Duke for a two bedroom house....requesting for someone to re-read the meter. No one was willing to help. I was met with a rude and arrogant representative who informed me that it was consistent with last year's billing and never mind that last year I was being billed commercially and now residential.

All of the farm owners I talked with regarding this stated that the State of Ohio recognizes all of the horse farms as "agricultural" and therefore qualify for agricultural utility rates and taxes. I have no idea what the difference is from agricultural rates versus residential but I certainly see the impact of commercial rates on a farm. The down side of agricultural zoning is it also prevents us from doing commercial business on our property.

It's blatantly obvious that Duke Energy has singled us out from all of the other horse farms because they want to avoid restitution for the years of over-charging us and to punish me for filing a complaint with PUCO. Even while this dispute was in the process, Duke changed my former billing from residential to commercial, with little or no regard for PUCO's authority. What a precedence this will serve for others who question the Goliath, Duke Energy!

Respectfully Submitted,

A handwritten signature in black ink that reads "Nancy M. Cole". The signature is written in a cursive, flowing style.

Nancy M. Cole

cc. Robert A. McMahon

Eberly McMahon LLC

2321 Kemper Lane

Suite 100

Cincinnati, Ohio 45206