

BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

James M. Lehmkuhl)	
2955 W. McMicken Avenue, Apt. 4)	
Cincinnati, OH 45225)	
)	
Complainant,)	Case No. 15-1067-EL-CSS
)	
v.)	
)	
Duke Energy Ohio, Inc.)	
)	
Respondent.)	

ANSWER OF RESPONDENT DUKE ENERGY OHIO, INC.

For its Answer to the Complaint of James M. Lehmkuhl (Complainant), Duke Energy Ohio, Inc. (Duke Energy Ohio or Company) states as follows:

1. Duke Energy Ohio lacks knowledge or information to admit or deny the allegation that “They charges 3 ‘times the bill’” and, therefore, denies those allegations.
2. Duke Energy Ohio admits that, from December 5, 2014, until April 8, 2015, Complainant was enrolled with Choice Energy as his electric supplier; switched to Verde Energy as of April 8, 2015; and then cancelled his enrollment with Verde Energy on or about April 20, 2015, thereby returning to Duke Energy Ohio.
3. With respect to the allegations regarding Complainant’s bill prepared on May 18, 2015 (copy attached as Exhibit A), and the reference on that bill to Verde Energy as Complainant’s supplier, Duke Energy Ohio admits that Complainant was enrolled with Verde Energy until April 20, 2015. Further answering, Duke Energy Ohio states that Complainant was told that Verde Energy would be reflected on his bill for the period ending on May 7, 2015, the next meter read date, as Duke Energy Ohio was required to

do, and Complainant's next bill (attached hereto as Exhibit B) no longer identified Verde Energy or any electric supplier.

4. Duke Energy Ohio denies all allegations of the Complaint not expressly admitted herein.

AFFIRMATIVE DEFENSES

5. The Complaint fails to state a claim against Duke Energy Ohio upon which relief may be granted.
6. Duke Energy Ohio asserts as an affirmative defense that pursuant to R.C. 4905.26 and O.A.C. 4901-9-01-(B)(3), Complainant has failed to set forth reasonable grounds for complaint.
7. Duke Energy Ohio asserts as an affirmative defense that Complainant has not identified any rule or regulation which the Company allegedly violated with respect to his account or any manner in which the Company allegedly failed to comply with its tariffs on file with the Commission.
8. Duke Energy Ohio asserts as an affirmative defense that at all times relevant to Complainant's claims, Duke Energy Ohio has provided reasonable and adequate service and has billed the Complainant according to all applicable provisions of Title 49 of the Ohio Revised Code and regulations promulgated thereunder, and in accordance with Duke Energy Ohio's filed tariffs, including all Generation Riders and Generation Charges approved by the Commission.
9. Duke Energy Ohio asserts as an affirmative defense that at times relevant to Complainant's claims, the riders applicable to its current electric security plan, filed under Case No. 11-3549-EL-SSO, *et al.*, were incorporated into and a part of the Stipulation and Recommendation approved by the Commission, without material

modification, on November 21, 2011. The terms of the Stipulation and Recommendation were subject to several thorough and deliberate discussions involving all parties to the proceeding, including representatives of all of Duke Energy Ohio's customer's classes. Further, Duke Energy Ohio states that the terms and conditions of each rider are available on Duke Energy Ohio's website.

10. Duke Energy Ohio asserts as an affirmative defense that at all times relevant to Complainant's claims, the Company acted in conformance with O.A.C. 4901:1-10 and 4901:1-13 with respect to the safe and reliable provision of electric services at Complainant's property.

11. Duke Energy Ohio asserts as an affirmative defense that at all times relevant to Complainant's claims, the Company acted in conformance with O.A.C. 4901:1-10-22 and 4901:1-13-11, as well as all other rules, regulations and statutes, with respect to the Company's billings to Complainant.

12. Duke Energy Ohio asserts as an affirmative defense that Complainant has not stated any damages or request for relief, including relief which may be granted by this Commission.

13. Duke Energy Ohio reserves the right to raise additional affirmative defenses or to withdraw any of the foregoing affirmative defenses as may become necessary during the investigation and discovery of this matter.

CONCLUSION

WHEREFORE, having fully answered, Respondent Duke Energy Ohio, Inc. prays that the Commission dismiss the Complaint of James M. Lehmkuhl for failure to set forth reasonable grounds for the Complaint and to deny Complainant's Request for Relief, if any.

Respectfully submitted,

/s/ Robert A. McMahon
Robert A. McMahon (0064319)
Counsel of Record
Eberly McMahon Copetas LLC
2321 Kemper Lane, Suite 100
Cincinnati, OH 45206
tel: (513) 533-3441
fax: (513) 533-3554
email: bmcmahon@emclawyers.com

Elizabeth H. Watts
Assistant General Counsel
Duke Energy Business Services Inc.
155 East Broad Street, 21st Floor
Columbus, OH 43215
tel: (614) 222-1331
fax: (614) 221-7556
email: elizabeth.watts@duke-energy.com

Attorneys for Duke Energy Ohio, Inc.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was served via regular US Mail, postage prepaid, this 25th day of June, 2015 upon the following:

James M. Lehmkuhl
2955 W. McMicken Avenue, Apt. 4
Cincinnati, OH 45225

/s/ Robert A. McMahon

Account Number 1860-0480-61-4

10 05

For less detailed billing information on
your monthly bill, check box on right☐

Due Date	Amount Due
Jun 9, 2015	\$ 51.68

\$ _____ \$ _____
HeatShare Contribution Amount Enclosed
(for Customer Assistance)

James Lehmkuhl
2955 W McMicken Ave Apt 4
Cincinnati OH 45225-2398

PO Box 1326
Charlotte NC 28201-1326

400 00000051683 18600480614 060920150 00000052469

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Name /Service Address	For Inquiries Call	Account Number
James Lehmkuhl 2955 McMicken W Apt: 4 Cincinnati OH 45225	Duke Energy 1-800-544-6900 Verde Energy USA Ohio 1-800-388-3862	1860-0480-61-4 5184842

Mail Payments To	Account Information
PO Box 1326 Charlotte NC 28201-1326	Payments after May 18 not included Last payment received May 04 Bill prepared on May 18, 2015 Next meter reading Jun 08, 2015

Meter	Number	Reading Date From	To	Days	Meter Reading Previous	Present	Usage
Elec	100133568	Apr 08	May 07	29	38988	39305	317

Electric - Residential	Current Billing
Usage - 317 kWh	Amt Due - Previous Bill \$ 64.28
Duke Energy - Rate RS \$ 24.77	Payment(s) Received 64.28cr
Verde - Rate VE09 26.91	Balance Forward 0.00
Energy USA Ohio	Current Electric Charges 51.68
Current Electric Charges \$ 51.68	Current Amount Due \$ 51.68

Protect yourself from scams and fraudulent activity. Learn how at duke-energy.com/stopfraud.

Save time. Save money. Get FREE CFL bulbs or deeply discounted CFLs and LEDs. Go online to duke-energy.com/SaveOnBulbs or check your FREE CFL eligibility by calling 800.943.7585 and choose option 1. Either way, we'll deliver your bulbs right to your door.

Time to get rid of your old fridge? You could lift it. But do you want to? We'll remove your old fridge for FREE and give you \$30. Visit duke-energy.com/Fridge or call 800.228.6195.

In Case No.14-1051-GE-RDR, the PUCO approved an adjustment to Rider DR-IM, Infrastructure Modernization Rider (part of the Delivery Riders) effective April 8, 2015. The PUCO also approved an adjustment to Rider ECF, Economic Competitiveness Fund (part of the Delivery Riders) effective May 1, 2015. A typical residential customer using 1,000 kWh per month will see an increase of approximately \$1.06 or 0.9%.

Charges from your Electric Supplier were unavailable at billing and will appear on a future bill.

Due Date	Amount Due	After Jun 9, 2015
Jun 9, 2015	\$ 51.68	\$ 52.46



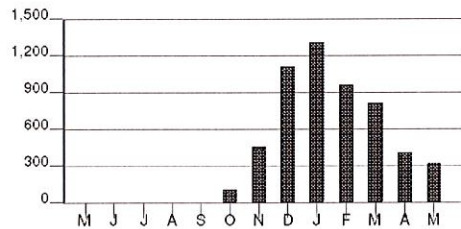
Name	Service Address	Account Number
James Lehmkuhl	2955 McMicken W Apt: 4 Cincinnati OH 45225	1860-0480-61-4

If you have any questions about electric supplier service received from Verde Energy USA Ohio, please call them at 1-800-388-3862 or write to: 101 Merritt 7 3rd Floor Norwalk, CT 06851

PRICE TO COMPARE: In order for an average residential customer to save money, an electric supplier must offer a price lower than 6.14 cents per kWh. Your Price to Compare may be different based on your usage. Visit www.duke-energy.com to calculate your individual Price to Compare or contact Duke Energy for a written explanation.

Explanation of Current Charges			
Electric			
Meter -	100133568	Duke Energy	
kWh Usage -	317	Rate RS - Residential Svc-Winter	
Apr 08 - May 07		Distribution-Customer Chg	\$ 6.00
29 Days		Delivery Charges	
		Distribution-Energy Chg	
		317 kWh @ \$ 0.02534200	8.03
		Delivery Riders	10.68
		Total Delivery Charges	\$ 18.71
		Generation Riders	0.06
			\$ 24.77
		Generation Charge	
		Verde Energy USA Ohio	
		Rate VE09 - Verde Energy USA Ohio	
		Supplier Energy Charge	
		317 kWh @ \$ 0.08490000	\$ 26.91
			26.91
		Total Current Electric Charges	\$ 51.68

kWh Electric Usage



Calculations based on most recent 12 month history
 Total Usage 5,517
 Average Usage 690

	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY
Electric	0	0	0	0	0	108	462	1,119	1,314	974	818	405	317

Account Number 1860-0480-61-4 10 05

For less detailed billing information on
your monthly bill, check box on right ☐

Due Date	Amount Due
Jul 9, 2015	\$ 94.29

\$ _____ \$ _____
HeatShare Contribution Amount Enclosed
(for Customer Assistance)

James Lehmkuhl
2955 W McMicken Ave Apt 4
Cincinnati OH 45225-2398

PO Box 1326
Charlotte NC 28201-1326

400 00000094293 18600480614 070920158 00000095702

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Name /Service Address	For Inquiries Call	Account Number
James Lehmkuhl 2955 McMicken W Apt: 4 Cincinnati OH 45225	Duke Energy 1-800-544-6900	1860-0480-61-4

Mail Payments To	Account Information
PO Box 1326 Charlotte NC 28201-1326	Payments after Jun 17 not included Bill prepared on Jun 17, 2015 Next meter reading Jul 08, 2015

Meter	Number	Reading Date From To	Days	Meter Reading Previous	Present	Usage
Elec	100133568	May 07 Jun 08	32	39305	39591	286

Electric - Residential	Current Billing
Usage - 215 kWh Duke Energy - Rate RS \$ 31.03	Amt Due - Previous Bill \$ 51.68 Late Payment Charge(s) 0.78 Balance Forward 52.46 Current Electric Charges 41.83 Current Amount Due \$ 94.29
Usage - 71 kWh Duke Energy - Rate RS 10.80 Current Electric Charges \$ 41.83	
Old Rate Effective May 07 To May 31 New Rate Effective May 31 To Jun 08	

Protect yourself from scams and fraudulent activity. Learn how at duke-energy.com/stopfraud.

Time to get rid of your old fridge? You could lift it. But do you want to? We'll remove your old fridge for FREE and give you \$30. Visit duke-energy.com/Fridge or call 800.228.6195.

In Case No.14-841-EL-SSO, the PUCO approved Duke Energy Ohio's Electric Security Plan, which requires generation service for Standard Service Offer customers to be procured exclusively from third parties. The auction, approved by the Public Utilities Commission, resulted in a price for generation beginning June 2015 that is approximately 9% greater than the price in the prior period. A typical residential customer using 1,000 kWh per month will see an increase of approximately \$7.62, or 6.7% per month, in their overall electric bill effective June 2015.

Due Date	Amount Due	After Jul 9, 2015
Jul 9, 2015	\$ 94.29	\$ 95.70



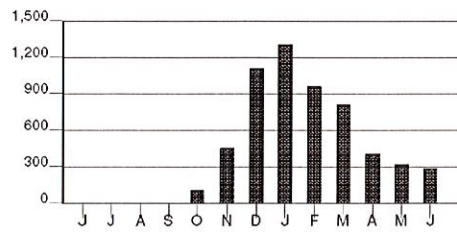
Name	Service Address	Account Number
James Lehmkuhl	2955 McMicken W Apt: 4 Cincinnati OH 45225	1860-0480-61-4

PRICE TO COMPARE: In order for an average residential customer to save money, an electric supplier must offer a price lower than 6.90 cents per kWh. Your Price to Compare may be different based on your usage. Visit www.duke-energy.com to calculate your individual Price to Compare or contact Duke Energy for a written explanation.

Explanation of Current Charges		
Electric Meter - 100133568 kWh Usage - 286 May 07 - Jun 08 32 Days	Duke Energy Rate RS - Residential Svc-Summer Old Rate Effective May 07 To May 31 Distribution-Customer Chg \$ 4.50 Delivery Charges Distribution-Energy Chg 215 kWh @ \$ 0.02534200 5.45 Delivery Riders 7.69 Total Delivery Charges \$ 13.14 Generation Riders 0.04 Generation Charges Rider RC 2.80 Rider RE 10.31 Rider AERR 0.08 Rider SCR 0.16 Total Generation Charges \$ 13.35	\$ 31.03
	Duke Energy Rate RS - Residential Svc-Summer New Rate Effective May 31 To Jun 08 Distribution-Customer Chg \$ 1.50 Delivery Charges Distribution-Energy Chg 71 kWh @ \$ 0.02534200 1.80 Delivery Riders 2.54 Total Delivery Charges \$ 4.34 Generation Riders 0.01 Generation Charges Rider RC 1.15 Rider RE 3.72 Rider AERR 0.03 Rider SCR 0.05 Total Generation Charges \$ 4.95	
Total Current Electric Charges		\$ 41.83

Name	Service Address	Account Number
James Lehmkuhl	2955 McMicken W Apt: 4 Cincinnati OH 45225	1860-0480-61-4

kWh Electric Usage



Calculations based on most recent 12 month history
 Total Usage 5,803
 Average Usage 645

	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN
Electric	0	0	0	0	108	462	1,119	1,314	974	818	405	317	286

This foregoing document was electronically filed with the Public Utilities

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6/25/2015 10:01:28 AM

in

Case No(s). 15-1067-EL-CSS

Summary: Answer Answer of Respondent Duke Energy Ohio, Inc. electronically filed by Mr. Robert A. McMahon on behalf of Duke Energy Ohio, Inc.