

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of Duke )  
Energy Ohio, Inc. for Approval of an ) Case No. 13-515-EL-ATA  
Industrial Demand Management Rider )  
Pilot Program. )

SECOND FINDING AND ORDER

The Commission finds:

- (1) Duke Energy Ohio, Inc. (Duke) is an electric distribution utility as defined in R.C. 4928.01(A)(6) and a public utility as defined in R.C. 4905.02, and, as such, is subject to the jurisdiction of this Commission.
- (2) R.C. 4928.141 provides that an electric distribution utility shall provide consumers within its certified territory a standard service offer (SSO) of all competitive retail electric services necessary to maintain essential electric services to customers, including a firm supply of electric generation services. The SSO may be either a market rate offer in accordance with R.C. 4928.142 or an electric security plan (ESP) in accordance with R.C. 4928.143.
- (3) By Finding and Order issued in this case on March 20, 2013, the Commission approved Duke's application for authority to offer an Industrial Demand Management Pilot Program (pilot program) through Rider DM-I. The pilot program applied to industrial customers that employ manufacturing processes that are time sensitive, have an average actual monthly demand for the most recent 12-month period not exceeding 600 kilowatts, and require a defined year-round off-peak period. Rider DM-I was offered on a pilot basis and was available to the first 30 customers that requested service under this rider and met the eligibility criteria.
- (4) On May 27, 2015, Duke filed a motion for extension of the pilot program to May 31, 2018, in order to correspond with the termination of its ESP approved in *In re Duke Energy Ohio, Inc.*, Case No. 14-841-EL-SSO, et al., Opinion and Order (Apr. 2, 2015). Duke explains that the pilot program does not involve

an increase in rates and is intended to enable the evaluation of rate design options relevant to certain nonresidential customers with flexible demand.

- (5) On July 17, 2015, Staff filed its review with regard to Duke's motion to extend the pilot program, recommending approval of the motion.
- (6) Upon consideration of Duke's motion for extension of the pilot program, the Commission notes that the proposed pilot is a voluntary program that provides industrial customers whose manufacturing processes are time sensitive the opportunity to benefit from a more flexible off-peak period. Accordingly, the Commission concludes that the pilot program and Rider DM-I do not appear to be unjust or unreasonable, and Duke's motion for extension of the pilot program should be approved. Therefore, it is not necessary to hold a hearing in this matter.

It is, therefore,

ORDERED, That Duke's motion for extension of the Industrial Demand Management Pilot Program and Rider DM-I to May 31, 2018, be approved. It is, further,

ORDERED, That Duke be authorized to file tariffs, in final form, consistent with this Finding and Order. Duke shall file one copy in this case docket and one copy in its TRF docket. It is, further,

ORDERED, That the effective date of the new tariffs shall be a date not earlier than the date of this Finding and Order and the date upon which the final tariffs are filed with the Commission. It is, further,

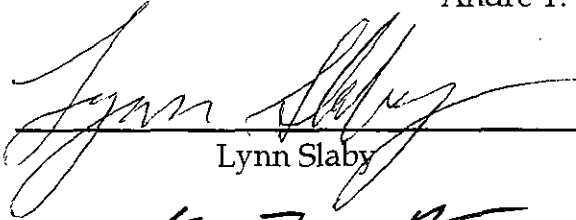
ORDERED, That nothing in this Finding and Order shall be binding upon this Commission in any future proceeding or investigation involving the justness or reasonableness of any rate, charge, rule, or regulation. It is, further,

ORDERED, That a copy of this Finding and Order be served upon all interested persons of record in this case.

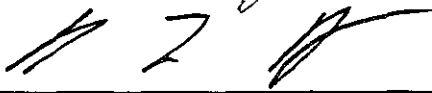
THE PUBLIC UTILITIES COMMISSION OF OHIO



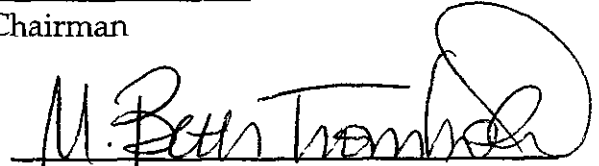
Andre T. Porter, Chairman



Lynn Slaby



Asim Z. Haque



M. Beth Trombold

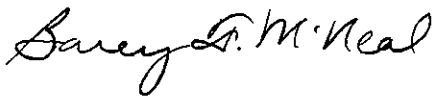


Thomas W. Johnson

CMTP/vrm

Entered in the Journal

**AUG 19 2015**



Barcy F. McNeal  
Secretary