

BEFORE THE

PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of)
Duke Energy Ohio, Inc. for a) Case No. 16-0239-EL-WVR
Waiver.)

**APPLICATION OF DUKE ENERGY OHIO, INC.,
FOR A WAIVER**

Duke Energy Ohio, Inc., (Duke Energy Ohio or the Company) requests a limited waiver of requirements set forth in Rule 4901:1-10-35, Ohio Administrative Code (O.A.C.), pursuant to Rule 4901:1-18-02, O.A.C., that gives the Public Utilities Commission of Ohio, (Commission) authority to grant such a waiver.

Rule 4901:1-10-35, O.A.C., directs electric distribution utilities (EDUs) to comply with changes in the Revised Code enacted in Sub.S.B.No.310 (SB310). SB310 requires every EDU to disclose the individual cost of the utility's compliance with renewable and energy efficiency mandates set forth in R.C.4928.64 and 4928.66. In promulgating rules to carry forward the legislative mandate, the Commission final filed its rules and thereafter ordered EDUs to comply within ninety days from December 11th, to implement the requirements of the new rules.

Duke Energy Ohio began planning for the potential need to include this information in its bills when SB310 was enacted by the General Assembly in May of 2014. The Company was not able to finalize the specific requirements until the Commission completed its rulemaking in December of 2015. The Company must make significant changes to its billing systems and printing processes in order to include the specific language and calculations required by the Commission's regulations. Many of these changes require Information Technology (IT) projects

that are managed by the Company for release at specific times during the year. The Company will have releases during 2016 in May and August. While it is possible that the required changes may be implanted in May, it is also possible that the processes will not be completed until at least August. Accordingly, Duke Energy Ohio requests that the Commission waive requirement for compliance with the new rules until at least the end of August 2016.

In its Entry on Rehearing, in the rulemaking proceeding, the Commission explicitly recognized that multiple stakeholders noted the need for time in order to make programming and administrative changes in response to the rules. The Commission further recognized that some EDU's might require additional time due to variances in billing systems.¹ Duke Energy Ohio is an EDU that requires additional time.

For the reasons stated above, Duke Energy Ohio respectfully requests a waiver of Rule 4901:1-10-35, O.A.C.

Respectfully submitted,
DUKE ENERGY OHIO, INC.



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¹ *In the Matter of the Amendment of Chapters 4901:1-10 and 4901:1-21, Ohio Administrative Code, Regarding Electric Companies, and Competitive Retail Electric Service, to Implement 2014 Sub. S.B. No. 310., Case No. 14-1411-EL-ORD, Entry on Rehearing, (December 9, 2015).*

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Case No(s). 16-0239-EL-WVR

Summary: Application Application of Duke Energy Ohio, Inc., for a Waiver electronically filed by Dianne Kuhnell on behalf of Duke Energy Ohio, Inc. and Spiller, Amy B. and Watts, Elizabeth H.