

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE APPLICATION OF
DUKE ENERGY OHIO, INC. FOR TARIFF
APPROVAL REGARDING CUSTOMER
ENERGY USAGE DATA.

CASE NO. 14-2209-EL-ATA

ENTRY

Entered in the Journal on August 12, 2016

{¶ 1} Duke Energy Ohio, Inc. (Duke or the Company) is a public utility as defined in R.C. 4905.02, and, as such, is subject to the jurisdiction of this Commission.

{¶ 2} On December 16, 2014, Duke filed an application requesting approval of tariff language regarding customer energy usage data (CEUD). Duke explains this application is being filed pursuant to Commission orders from Case No. 12-3151-EL-COI, which required Duke to submit an amended tariff specifying the terms, conditions, and charges associated with providing interval CEUD. In this application, Duke proposes to amend its tariff to provide details related to exactly what certified retail electric service (CRES) providers may request, how such data will be provided, and at what cost.

{¶ 3} By Entry on December 16, 2015, the Commission granted the motions to intervene by IGS Energy, Ohio Partners for Affordable Energy, Retail Energy Supply Association, Direct Energy Business, LLC, Direct Energy Services, LLC, the Environmental Defense Fund, and Ohio Environmental Council.

{¶ 4} Also on December 16, 2015, the Commission issued a procedural schedule. The schedule required Duke to file testimony by January 22, 2016, intervenors to file testimony by February 5, 2016, and a hearing to begin February 17, 2016.

{¶ 5} The attorney examiner granted a joint request to suspend the procedural schedule on April 13, 2016, after previously granting several requests to extend the schedule. On July 1, 2016, a joint status update was filed indicating that settlement negotiations have stalled and requesting for the case to be set for hearing. Accordingly, a hearing was set for September 20, 2016. Testimony on behalf of Duke was to be filed by

September 6, 2016 and testimony on behalf of all intervenors was to be filed by September 13, 2016.

{¶ 6} On August 8, 2016, the parties filed a joint motion for a continuance and extension of time. The parties assert scheduling conflicts exist for some witnesses and that additional time is needed to prepare for the hearing.

{¶ 7} The attorney examiner finds the request is reasonable and the motion should be granted. Accordingly, the following procedural schedule should be adopted:

- (a) Testimony on behalf of Duke shall be filed by October 4, 2016.
- (b) Testimony on behalf of all intervenors shall be filed by October 14, 2016.
- (c) The evidentiary hearing shall commence on November 1, 2016, 10:00 a.m., at the offices of the Commission, 180 E. Broad St., 11th Floor, Hearing Room 11-A, Columbus, Ohio 43215-3793.

{¶ 8} As the case was previously suspended, pursuant to R.C. 4909.18, Duke should publish legal notice of the scheduled hearing in a newspaper of general circulation in each county in Duke's service territory. Publication of the notice should be completed by October 4, 2016. The hearing notice should not appear in the legal notices section of the newspaper. The notice should read as follows:

LEGAL NOTICE

The Public Utilities Commission of Ohio (PUCO) has scheduled a hearing in Case No. 14-2209-EL-ATA, *In the Matter of the Application of Duke Energy Ohio, Inc. for Tariff Approval Regarding Customer Energy Usage Data*. The company is seeking to amend its tariff to specify the terms, conditions, and charges associated with providing authorized customer energy usage data to competitive retail electric service providers. The PUCO has scheduled a hearing to consider the matters raised in the application. The hearing will commence on November 1, 2016, at 10:00 a.m., at the offices of the PUCO, 180 East Broad Street, 11th Floor, Hearing Room 11-A, Columbus, Ohio 43215-3793.

Further information may be obtained by contacting the PUCO, 180 East Broad Street, Columbus, Ohio 43215-3793; by calling the PUCO hotline at 1-800-686-7826; or by going to the PUCO website at www.puco.ohio.gov, selecting DIS, and inserting the case number referenced above.

{¶ 9} It is, therefore,

{¶ 10} ORDERED, That the procedural schedule set forth in paragraph 7 be observed. It is, further,

{¶ 11} ORDERED, That Duke comply with the legal notice requirements set forth in paragraph 8. It is, further,

{¶ 12} ORDERED, That a copy of this Entry be served upon all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/ Nicholas Walstra

By: Nicholas Walstra
Attorney Examiner

sef/vrm

This foregoing document was electronically filed with the Public Utilities

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in

Case No(s). 14-2209-EL-ATA

Summary: Attorney Examiner Entry setting forth a procedural schedule; electronically filed by Vesta R Miller on behalf of Nicholas Walstra, Attorney Examiner, Public Utilities Commission of Ohio