

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

<b>In the Matter of the Application of Duke Energy Ohio, Inc., to File for Tariff Approval</b>	) ) )	<b>Case No. 14-2209-EL-ATA</b>
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**MOTION OF DUKE ENERGY OHIO, INC.,  
FOR EXTENSION OF PROCEDURAL SCHEDULE  
AND REQUEST FOR EXPEDITED TREATMENT**

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Comes now Duke Energy Ohio, Inc., (Duke Energy Ohio or Company) and hereby moves the Public Utilities Commission of Ohio (Commission) for an order, issued on an expedited basis, extending the current procedural schedule in this proceeding. The basis for the Company's request is set forth in the attached memorandum.

Respectfully submitted,

  
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## MEMORANUM IN SUPPORT

On December 16, 2014, Duke Energy Ohio instituted the present matter by filing an application for the limited purpose of amending its electric tariff to include terms and conditions for the provision of interval customer energy usage data (CEUD) to competitive retail electric service (CRES) providers.<sup>1</sup> Specifically, the Company sought to amend the definition of “interval meter,” establish the process by which CRES providers could request interval data, and set the charge for each such data request.<sup>2</sup> This filing was done in response to a directive from the Commission that required all Ohio electric distribution utilities (EDUs) to submit tariffs for the purpose of establishing “the terms, conditions, and charges for providing interval CEUD, based upon their capabilities and cost considerations... .”<sup>3</sup> As the Commission further instructed, it would “review those terms, conditions, and charges when the EDUs file their amended tariffs.”<sup>4</sup> It was thus apparent to Duke Energy Ohio, when it initiated this proceeding, that the terms, conditions, and charges would be based upon the Company’s current system capabilities. Indeed, in its application, the Company expressly observed that providing CEUD in a format other than that permitted by the current system would require significant investment.<sup>5</sup> The Company also recognized the appropriate need for stakeholder engagement with respect to providing CEUD in the future so that differing expectations and existing constraints could be fully and fairly reviewed.<sup>6</sup> The Company’s application properly did not include a request for a cost recovery mechanism because of the Commission’s specific directive and the more comprehensive path forward required the above-described additional public process.

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<sup>1</sup> Application (December 16, 2014).

<sup>2</sup> Id. See also tariff, in red line form, attached to Application (December 16, 2014).

<sup>3</sup> *In the Matter of the Commission’s Investigation of Ohio’s Retail Electric Service Market*, Case No. 12-3151-EL-COI, Entry on Rehearing, at pg. 19 (May 21, 2014)(emphasis added).

<sup>4</sup> Id.

<sup>5</sup> Application, at pg. 2 (December 16, 2014).

<sup>6</sup> Id.

Notwithstanding the narrow focus of the Commission's directive and the specific request in the Company's application, intervenors in this proceeding sought to enlarge this proceeding by including those issues that the Commission had previously referred to a market development working group.<sup>7</sup> In essence, because Duke Energy Ohio had deployed more advanced meter infrastructure (AMI) as compared to the state's other EDUs, intervenors wanted this proceeding to be the first proceeding in which issues related to the provision of CEUD were resolved.<sup>8</sup>

After its evaluation of the comments and reply comments, the Commission recognized that more information was "needed to determine the Company's current ability to deliver CEUD and how it will proceed going forward."<sup>9</sup> To solicit this information, the Commission identified four questions to be addressed by the parties at the hearing and confirmed the scope of this tariff amendment proceeding. Those questions include:

- (a) What AMI CEUD is [Duke Energy Ohio] currently collecting, and what are its system capabilities? This includes granularity of data, frequency of data collection, duration of data stored, and the ability to validate, estimate, and edit AMI data.
- (b) What type of CEUD should be available to CRES providers? This includes how frequently and via what method.
- (c) What are the estimated costs to provide AMI CEUD to CRES providers and what is the appropriate cost recovery mechanism?
- (d) What is the realistic timeframe for implementing a CEUD sharing system?<sup>10</sup>

The Commission also established a procedural schedule, which has been revised over the last several months. The current schedule provides for Company testimony to be filed on October 4, 2016, intervenor testimony filed on October 14, and a hearing to commence

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<sup>7</sup> See, e.g., Initial Comments of Direct Energy Services, LLC and Direct Energy Business, LLC, at pg. 6 (March 6, 2015) and *In the Matter of the Commission's Investigation of Ohio's Retail Electric Service Market*, Finding and Order, pg. 6 (March 26, 2014).

<sup>8</sup> *In the Matter of the Commission's Investigation of Ohio's Retail Electric Service Market*, Finding and Order, pg. 8 (March 26, 2014).

<sup>9</sup> Entry, at pg. 5 (December 16, 2015).

<sup>10</sup> Id.

beginning November 1.<sup>11</sup> Duke Energy Ohio now respectfully seeks an extension of this schedule.

The issues to be addressed in this proceeding are undeniably complex and should take into consideration the more recently stated expectation of the Commission that grid modernization plans incorporate innovation and attention to millennial consumers “who want more control and understanding over how and what they consume... .”<sup>12</sup> Indeed, as the Commission has recognized, conversations around the future of the industry, including grid modernization, “could yield revolutionary endeavors that would surely benefit the public interest.”<sup>13</sup> These conversations about grid modernization and its “tremendous potential” cannot be had in a vacuum. Customer impact, both benefits and costs, must be understood and fully evaluated. While such considerations are more comprehensively discussed and resolved, the Company observes that it is currently providing CEUD to CRES providers. In the Company’s second electric security plan proceeding, the Commission adopted and approved the near unanimous commitment that Duke Energy Ohio would create a supplier web portal through which suppliers could obtain comprehensive CEUD. The portal was completed but delayed due to a change, unanticipated in 2011, in the Commission’s rules related to customer privacy.

Notwithstanding this unexpected change, beginning in May of 2016, the Company’s supplier web portal provides information to CRES providers that can be used in the conduct of

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<sup>11</sup> Entry, pg. 2 (August 12, 2016).

<sup>12</sup> *In the Matter of the Application Seeking Approval of Ohio Power Company’s Proposal to Enter into an Affiliate Power Purchase Agreement for Inclusion in the Power Purchase Agreement Rider*, Case No. 14-1693-EL-RDR, et al., Opinion and Order, Concurring Opinion of Asim Z. Haque, at pg. 5 (March 31, 2016) and *In the Matter of the Application of Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison company for Authority to Provide for a Standard Service Offer Pursuant to R.C. 4928.143 in the Form of an Electric Security Plan*, Case No. 14-1297-EL-SSO, Opinion and Order, Concurring Opinion of Asim Z. Haque, at pg. 5 (March 31, 2016).

<sup>13</sup> *Id.*

their business and, by extension, for the benefit of Ohio's competitive retail market. The currently available information includes the following:

1. Account numbers;
2. Meter numbers;
3. Names;
4. Service address;
5. Billing address;
6. E-mail address;
7. Meter reading cycle dates;
8. Meter types;
9. Indicator if the customer has an interval meter;
10. Rate code indication;
11. Load profile group indicators;
12. Peak Load Contribution and Network Service Peak Load;
13. Twenty-four months of consumption data in kWh by billing period;
14. Twenty-four months of interval data; and
15. An indicator to show whether or not the data is of billing quality.

Additionally, via electronic data interface, CRES providers may obtain information related to the following:

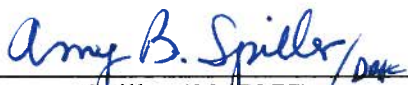
1. 867 Historical Use and Historical Interval Usage;
2. 867 Monthly Usage and Monthly Interval Usage;
3. PLC and NSPL in 867 Historic Usage;
4. Historic Interval Usage;
5. Accepted Enrollment Response;
6. Meter read cycle; and
7. Load profile segment information.

As Direct Energy remarked in its comments, the provision of CEUD is particularly important in the Duke Energy Ohio service territory. After all, this is the one Ohio service territory in which experience with AMI has been obtained over nearly a decade. And as other EDUs undertake to modernize their grids, it is critical that the Commission not adopt a myopic view but rather a more holistic approach to achieving a CEUD sharing system that appropriately balances the interests of all stakeholders and is capable of replication. This process will undoubtedly require time for a comprehensive evaluation of the issues implicated in this

proceeding. Further, as guidance on issues related to customer data privacy has only recently been received, the Company has been delayed in formulating a comprehensive response to the questions presented by the Commission. Therefore, additional time is needed to allow Duke Energy Ohio to develop a well-reasoned proposal relative to its conduct of its business operations that will more holistically incorporate internal processes and provide more efficient use of resources in order to meet what is now an apparent Commission objective. As such, Duke Energy Ohio respectfully requests that the Commission vacate the current procedural schedule and issue a new schedule that establishes a deadline for testimony no sooner than March 6, 2017, and a hearing date no sooner than April 3, 2017. Due to the impending deadlines in the current procedural schedule in the case, Duke Energy Ohio seeks expedited treatment from the Commission on this motion.

WHEREFORE, for the reasons stated herein, Duke Energy Ohio requests that the Commission grant its motion and revise the existing procedural schedule. Duke Energy Ohio is unable to certify that no party objects to the issuance of an expedited ruling.

Respectfully submitted,

  
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**CERTIFICATE OF SERVICE**

I hereby certify that a true and accurate copy of the foregoing was delivered by U.S. mail (postage prepaid), personal delivery, or electronic mail, on this 22<sup>nd</sup> day of September 2016, to the following parties.

  
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Summary: Motion Motion of Duke Energy Ohio, Inc., For Extension of Procedural Schedule and Request for Expedited Treatment electronically filed by Dianne Kuhnell on behalf of Duke Energy Ohio, Inc. and Spiller, Amy B. and Watts, Elizabeth H.